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Representations - Non-Statutory Consultees

Argyll District Salmon Fishery Board

Licensing Operations Team
Marine Directorate

31st August 2026

Dear Sir / Madam

Machair Offshore Wind Farm – EIA Section 36 consent and Marine License Application (MD-00012385 / MD-000112386)

Thank you for your correspondence on the License Application and Section 36 Consent for the proposed Machair Offshore Wind Farm.

Argyll District Salmon Fishery Board (ADSFB) have a statutory responsibility to protect and improve salmon and sea trout fisheries and is advised by Argyll Fishery Trusts who provide a research and monitoring role for all freshwater fish in the Board's area. Argyll DSFB work alongside Fishery Management Scotland to minimise or mitigate for potential negative impacts on Migratory wild Atlantic salmon and Sea Trout.

In common with other parts of the country, wild salmon populations in Argyll and the Isles, are in crisis, and face a range of pressures, some of which are under human control. The Scottish Government have classified most salmon fisheries in Argyll and Bute as not meeting their spawning targets and are therefore classified as grade 3 rivers meaning there is a less than 60% probability of meeting their conservation limit. Therefore, any additional pressure, including from marine renewables, cannot be considered sustainable.

We note in chapter 9 of the application (Table 9.2) a reference to Atlantic salmon being considered as near threatened, however IUCN have now classified salmon as being 'endangered' which should be reflected in this documentation. We also draw attention to other points:

Paragraph 163 states that "Diadromous species such as Atlantic salmon (a PMF), sea trout, river lamprey, and sea lamprey migrate through offshore waters only briefly, limiting their exposure to construction-related noise." This statement fails to recognise more recent work undertaken by the Marine Directorate and presented at ScotMER which demonstrates that post smolts do not always move swiftly through coastal waters, presumably taking time to forage when feeding opportunities arise.

Paragraph 317 states that, "Diadromous species such as Atlantic salmon (a PMF), sea trout, and eel are highly mobile and migrate through the area rather than relying on fixed habitats within the WDA. Therefore, long-term seabed habitat loss is unlikely to significantly affect their populations or migratory behaviour." Whilst this may be the case for Atlantic salmon, subject to the research by Marine Directorate referenced above, we do not believe that this is the case for sea trout. Sea trout, unlike salmon, spend prolonged periods in coastal waters and they may well rely on sea bed habitat for feeding and shelter.

Effects of EMFs on diadromous fish. We note that there is an important difference between behavioural effects (such as startle behaviour) and impacts on the ability of salmon to navigate to their home river. As recognised in the documentation, Atlantic salmon can detect magnetic fields and use these to navigate back towards their home river. Whilst it is correct to state that olfactory cues also have a role to play, it is not clear when these cues take over from magnetic fields as the primary means of navigation. Returning adult salmon from a range of rivers in Argyll may pass through the proposed development. It is also unlikely that salmon destined for these rivers will be able to pick up olfactory cues until they are much closer to their natal rivers.

[Redacted]

[Redacted]

[Redacted]

We remain concerned that EMFs arising from cables have the potential to interfere with the ability of Atlantic salmon to detect the Earth's magnetic field and therefore may confuse their ability to locate their natal river.

We also have concerns of **increased predation of wild salmon** and sea trout at wind farm sites. It is established that hard substrates introduced into the marine environment through construction of offshore wind farms, can result in local increases in the numbers of a wide range of species including gadoid fish, sea birds and seals, all of which can predate adult and juvenile salmonids. Marine mammals have been demonstrated to utilise wind farm sites in Dutch and UK waters, and predatory fish are likely to accumulate in the area. We still have significant concerns about the potential for predation of salmon post smolts, sea trout and returning adult salmon due to aggregation of fish, marine mammals and predatory birds in the vicinity of the development, and the developer needs to demonstrate that no adverse effect on Atlantic salmon and sea trout migrating through the site. This potential does not appear to have been adequately addressed in the documents provided by the developer. If the development is to proceed, at the very least, we would expect to see, as a specific condition of consent, a requirement for a Fish Mitigation Plan. Any such plan should specifically include Atlantic salmon, and there should be a requirement to engage directly with Argyll DSFB as the plan is developed and agreed.

In addition, given the ongoing evidence gaps relating to wild diadromous fish, all offshore wind developers should be required, as a condition of consent, to contribute to addressing evidence gaps identified by the ScotMER diadromous fish receptor group.

In summary

It should be emphasised that we have no wish to prevent or delay any proposed development unnecessarily and we remain keen to work constructively with the developers and the Marine Directorate to identify appropriate monitoring and mitigation programmes which will allow us to be able to assess the acknowledged risks of this development, and other proposed developments in a more appropriate manner. There is a clear and urgent need to fund, plan and start strategic research on the movement, abundance, swimming depth, feeding behaviour and impact pathways relevant to diadromous fish. Such research would clearly feed into the potential mitigation measures that might be deemed appropriate, and the conditions under which such mitigation should be enacted. As stated above, developers should fund monitoring, in order to allow more certainty for all involved. In the light of the ongoing failure to understand, quantify and address concerns relating to impacts on diadromous fish, we object to the proposal as currently set out. However, should the developer commit to contributing to strategic research to address these information gaps, as a specific condition of consent, and also commit, through a Fish Mitigation Plan, to supporting projects relevant to the conservation and restoration of diadromous fish populations, we may be in a position to lift our objection.

Yours faithfully,

[Redacted]

[Redacted]

Clerk to the Argyll District Salmon Fishery Board

[Redacted]

BT

From:	radionetworkprotection@bt.com
To:	MD Marine Renewables
Subject:	RE: MD-00012385/ MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm – Windfarm Development Area - EIA Section 36 consent and Marine Licence Applications - Consultation – Response Required by 15 August 2026 WID14426
Date:	08 July 2026 14:07:42
Attachments:	image002.png image004.png image005.png image001.png

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General

OUR REF:-
WID14426

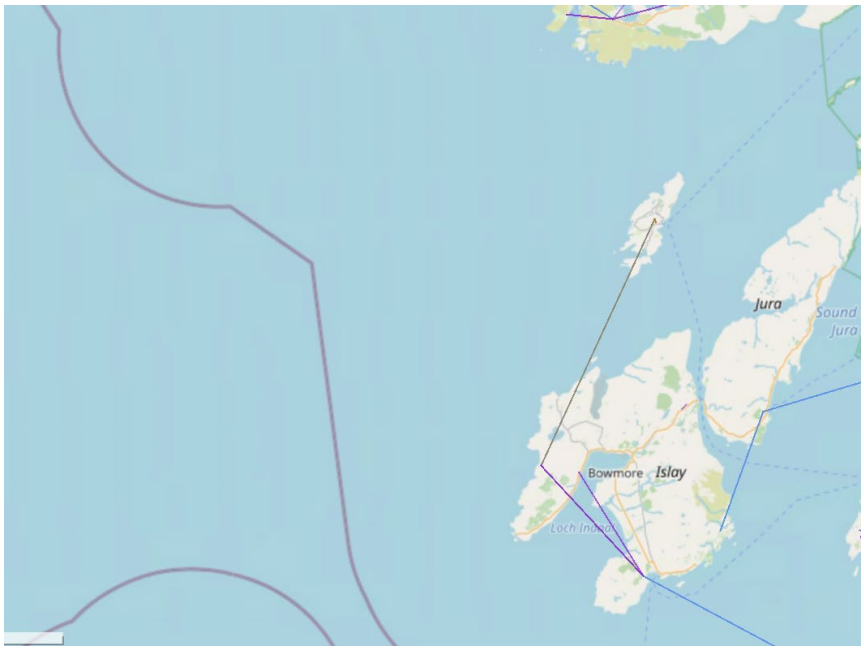
Good afternoon

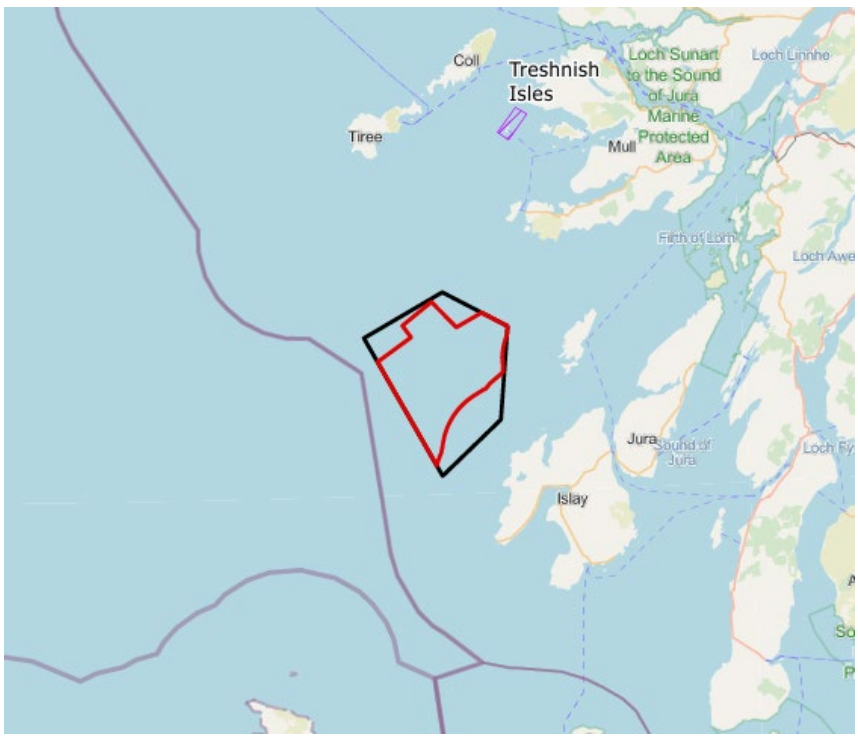
Thank you for your email dated 25/06/2026

We have studied the proposed offshore windfarm development with respect to EMC and related problems to BT point-to-point microwave radio links.
The conclusion is that the Project indicated should not cause interference to BT’s current and presently planned radio network.

Kind
Regards

[Redacted]


Jura
Sound of Jura
Bowmore
Islay
Loch Indaal


Coll
Treshnish Isles
Loch Sunart to the Sound of Jura Marine Protected Area
Loch Linnhe
Tiree
Mull
Firth of Lorn
Loch Awe
Jura
Sound of Jura
Islay
Loch Fy

Calgary Gallery

CALGARY
GALLERY

Scottish Ministers
c/o Marine Directorate
Licensing Operations Team
Scottish Government
375 Victoria Road
Aberdeen
AB11 9DB

Calgary Gallery
Calgary
Isle of Mull
PA75 6QQ
01688 400256

13 August 2026

Formal Objection to MachairWind Offshore Wind Farm

Marine Licence application 00012385 – Generating Station
Marine Licence application 00012386 – Transmission Infrastructure
Associated Section 36 consent application

Dear Sir or Madam,

Calgary Gallery formally objects to the proposed MachairWind Offshore Wind Farm.

We want to make clear that we are not opposed to offshore wind or the transition to renewable energy. Our objection is to the location and scale of this particular development. We do not believe the benefits of MachairWind justify the environmental, landscape, cultural and economic harm that would be concentrated on some of Scotland's most sensitive island communities.

Landscape, seascape and sense of place

The wild, open and largely undeveloped landscapes and seascapes of Mull, Iona and the surrounding islands are extraordinarily important. Their value is not simply visual. The sense of remoteness, open horizons, dark skies, wildlife, and the absence of large-scale industrial development are fundamental to the character of these islands.

These landscapes have inspired generations of artists and continue to do so today. As a gallery, we see first-hand how closely the art created here, and what visitors respond to, is connected to this landscape and sense of place.

We support the landscape and seascape concerns set out in the formal objections from Iona, Colonsay, Islay and Tiree Community Councils. Tiree's objection also raises the loss of dark skies, while the different island submissions demonstrate that the effects are not confined to a single community.

We also note that the National Trust for Scotland has publicly objected, concluding that MachairWind is not in the right location and expressing concern about significant effects on Iona, Staffa and the Treshnish Isles.

National Marine Plan GEN 7 requires that landscape, seascape and visual impacts be taken into account and recognises their importance to the sense of place, livelihoods and quality of life.

Iona's cultural and spiritual setting

We are particularly concerned about the proximity of a development of this scale to Iona.

Iona's importance is far greater than the physical fabric of the Abbey and other historic sites. Its remoteness, relationship with the sea, open horizons and calming setting form part of the experience of a place of exceptional cultural and spiritual significance.

We strongly support the concerns raised in the formal objections from Iona Community Council and the Iona Community regarding the effect on Iona's cultural, historic and spiritual landscape.

National Marine Plan GEN 6 requires the historic environment to be protected in a way proportionate to its significance and specifically recognises the importance of the setting of coastal heritage assets.

Marine wildlife and seabirds

Our family has longstanding connections to the sea around Mull through fishing, wildlife tour boat trips, and conservation work. This has given us a firsthand appreciation of their importance to cetaceans, basking sharks and seabirds.

That importance is formally recognised. The Windfarm Development Area lies immediately beside the Inner Hebrides and the Minches SAC, designated for harbour porpoise, and approximately 3 km from the Sea of the Hebrides MPA, designated in part for minke whale and basking shark. MachairWind's own documentation recognises that effects such as underwater noise can extend beyond the development boundary and into nearby protected waters.

We are not technical experts and therefore strongly support the formal objection submitted by the Hebridean Whale and Dolphin Trust. In particular, we share their concerns about construction noise from piling, whether the proposed mitigation has been demonstrated to be sufficiently effective, the evidence supporting conclusions that effects will not be significant, and whether the assessment adequately represents how mobile marine mammals will experience disturbance across both space and time. HWDT's formal objection identifies these as key deficiencies in the assessment.

We are also mindful of the increasing reports of humpback whales in Hebridean waters. Where our understanding of changing marine wildlife use remains incomplete, we believe that strengthens rather than weakens the case for caution.

We also support the concerns raised in the submitted objections regarding seabirds and protected species. This wider area supports internationally important seabird populations, including storm petrels and Manx shearwaters, and we are concerned about adding further pressures, including artificial lighting on species vulnerable to attraction and disorientation.

National Marine Plan GEN 9 protects marine natural heritage, GEN 13 says significant adverse effects from man-made noise should be avoided, particularly for sensitive species, and GEN 19 requires a precautionary approach where evidence remains inconclusive and impacts uncertain.

Given the ecological importance of this area and the fragility of these populations, we believe unresolved uncertainty should weigh heavily against consent.

Tourism and the island economy

As a visitor-facing business, we can speak from direct experience in this area.

People come to Mull and Iona because of the landscape, wildlife, coastline, sense of remoteness and distinctive cultural identity. These qualities are not incidental to our visitor economy – they are the attraction. They support galleries, accommodation providers, cafés, shops, wildlife operators and many other businesses across the islands.

We therefore strongly support Visit Mull and Iona's formal objection, particularly its concerns about the assessment of Mull and Iona's landscape-dependent visitor economy. Similar concerns about socio-economic effects are also raised in the formal community council objections.

We do not believe a decision with such long-term consequences for fragile island economies should be made unless those effects have been properly understood.

Location, the whole project and community benefit

The fundamental issue for us remains location.

The formal objections from Colonsay and Islay Community Councils raise detailed concerns about the suitability of this particular site. Colonsay also raises the fact that associated onshore infrastructure is not part of the present application, while the National Marine Plan states that there should be a presumption in favour of publicising the marine and terrestrial components of developments together.

We believe Ministers should be satisfied that the environmental and community effects of the whole project are sufficiently understood before irreversible decisions are made about its principal component.

We also do not believe that a future Community Benefit Fund can compensate for these impacts. Financial support may benefit communities if a project goes ahead, but it cannot restore an altered seascape, replace disturbed wildlife or recreate the sense of wildness and cultural setting that would be changed.

The National Marine Plan requires marine interests to be treated fairly and recognises that decisions must balance competing demands in the long-term public interest.

Conclusion

We recognise the urgent need to move away from fossil fuels and support renewable energy development in appropriate places.

But supporting offshore wind does not mean accepting that every technically developable location is appropriate for development at this scale.

For us, the fundamental question is whether MachairWind, at this scale and in this particular location, is justified when weighed against its effects on an exceptionally important marine environment, internationally significant wildlife, some of Scotland's most valued island landscapes and cultural heritage, and visitor economies that depend upon those qualities.

The number and breadth of formal objections from the affected island communities, alongside specialist objections from HWDT, Visit Mull and Iona and others, reinforces our concern that these issues have not been adequately resolved.

We do not believe the application has demonstrated that the environmental, cultural, landscape and socio-economic harm is sufficiently understood, mitigated or justified by the benefits claimed.

For these reasons, Calgary Gallery formally objects to the MachairWind Offshore Wind Farm and asks Scottish Ministers to refuse consent.

We ask that the detailed evidence contained in the specialist and community representations referred to above is taken into account in support of the relevant parts of our objection.

Kind Regards,

[Redacted]

[Redacted]

Gallery Director
Submitted for and on behalf of Calgary Gallery
[Redacted]

Coll Community Council

From:	**[Redacted]**
To:	MD Marine Renewables
Cc:	Secretary
Subject:	COLL COMMUNITY COUNCIL"S RESPONSE TO THE MACHAIRWIND OFFSHORE WIND FARM PROPOSAL
Date:	14 August 2026 17:08:11

To whom it may concern :

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)
PROPOSAL: Section 36 Consultation: MachairWind Offshore Wind Farm
SITE ADDRESS: Site North West Of Isle Of Islay And West Of Isle Of Colonsay Argyll And Bute
GRID REFERENCE: 128871 672667

The message below is the response from Coll Community Council to the MachairWind Offshore Wind Farm Proposal.

1. Clarification regarding this submission

The public consultation for the above proposal expires on 15th August, 2026.

We received an email from Argyll & Bute Council on 9th July (ref 26/01100/S36), inviting us to reply with our “observations” on this planning application by 30th July. We were further advised that if we had not sent a written reply to the local area office by that date, it would be assumed “that you have no objections to the proposal and the planning application will be processed accordingly.”

The month of July is traditionally a time when we schedule a break from community council work because of the busy holiday season. Therefore, we did not meet this response date.

Nevertheless, since the public consultation is open until 15th August, we claim the right to respond within that timeframe.

2. Context for response

Coll Community Council, as the statutory community body for the isle of Coll, has not held a public consultation on this proposal.
Nevertheless, we recognise that there will be a mixture of views on it amongst the Coll electorate.

The proposed wind turbines will be seen from our main village of Arinagour and, from there, all the way to the West End along the southern coast of Coll.

The scheme will more closely affect our neighbouring islands with whom we have positive working relationships across a range of issues; therefore, anything that might negatively impact on the lives of our fellow islanders is of concern to us.

We note that the community councils of Tiree, Iona, Mull, Colonsay and Islay have all lodged formal objections to the proposal.

3. Our response to the Proposal

As the representative body of a small island community, situated in the same area of the Inner Hebrides affected by this development, our view is that this proposal must meet 3 conditions before it can be approved :

- Priority must be given to the views of local people and businesses; the representatives of our island neighbours (listed above) have submitted objections that must be respected by decision makers.

- Proper and meaningful Island Community Impact Assessments for each affected island community should form a central part of the planning process at an early stage.

- In practice, there should be a clear and mutually agreed level of local community benefit set out in any proposal of this nature; the communities to potentially benefit should include all those directly affected - physically, economically and culturally.

Our understanding is that none of these conditions has yet been met, either by the developer or the Scottish Government, to the satisfaction of our island neighbours.

Because of the deficit in local democracy in this case, we therefore object to the proposal.

Yours faithfully,
[Redacted]

Colonsay Tourism and Marketing Group

Colonsay Tourism and Marketing Group
Isle of Colonsay
Argyll and Bute
PA61 7YT

To: Scottish Ministers (Marine Scotland – Marine Directorate)

Via email to MD.MarineRenewables@gov.scot

Objection to the Planning Application for MachairWind Offshore Wind Farm

13th August 2026

Dear Sirs

Ref 00012385 / 00012386. MachairWind offshore wind farm – encompassing 448 km² of sea, and comprising between 91 and 144 turbines up to 335 metres high, located within 6 miles of the Isle of Colonsay.

The Colonsay Tourism and Marketing Group represents the great majority of tourism-related businesses on the island. We wish to formally object to the above proposal.

Tourism is fundamental to Colonsay's economy. The income generated by visitors is intrinsically essential to the viability of tourism enterprises including accommodation, hospitality, retail and sports equipment hire. Any decline in visitor numbers would represent a massive and likely fatal threat to the survivability of these businesses.

A recent survey carried out by the Colonsay community established that all visitors canvassed were opposed to the proposed MachairWind Offshore Wind Farm. The owner of Cuan an Iar, Colonsay's only campsite, has established that none of her recent customers would return to the island if the wind farm was constructed.

Whilst the developers, Scottish Power Renewables, concede that the visual impact from Colonsay would be significant, they have failed to carry out a survey on the impacts on the island's tourism. Nor have they provided any indication as to how the negative impact on tourist numbers could be mitigated.

Scottish Power Renewable have said “Significant landscape and visual effects have been identified on receptors in Colonsay and Oronsay, from a distance of around 14-17 km. This has the potential to affect the attractiveness of the beaches, particularly on the western shore of the island (e.g. Kiloran Bay), though it would not affect features such as wildlife, local heritage, community and walking. Given the majority of features would be unaffected, the impact has been assessed as **low**.” *Ref Chapter 18 - Socio Economics. Page 74, 277*

Nearly all the assumptions above are completely incorrect and wrong:

1. Visual impact has been High, Major and Significant, not just Significant.
2. Distance is 12.4km, not 14km.
3. Popular beaches such as Machrins and Ardskenish, which are not mentioned will be massively affected. These along with Kiloran are the most popular beaches on the island.
4. Local Heritage will be affected, Oransay priory, its place and setting in the lansdscape will be severely affected, as documented, and detailed in Colonsay Community Councils submission.
5. Walking will be severely affected. Classic tourist walks across the Western cliffs, and to Pigs Paradise and the bird cliffs will have the open seascape view destroyed.

Visitors to Colonsay are attracted by the island’s remoteness, its peace and tranquillity, and its cultural and natural heritage. Of critical importance are uninterrupted wild landscapes and seascapes. The seascape to the west would be dominated by a massive industrial park, obliterating the very thing that draws people back year after year. In other words, complete anathema to what visitors hold dear.

We fully endorse the objection submitted by Colonsay Community Council, in particular the statement – “tourism is not a sector alongside others; it is the load-bearing wall.” The MachairWind proposal would fatally undermine Colonsay’s tourism, and thus suck the lifeblood out of the island’s economy.

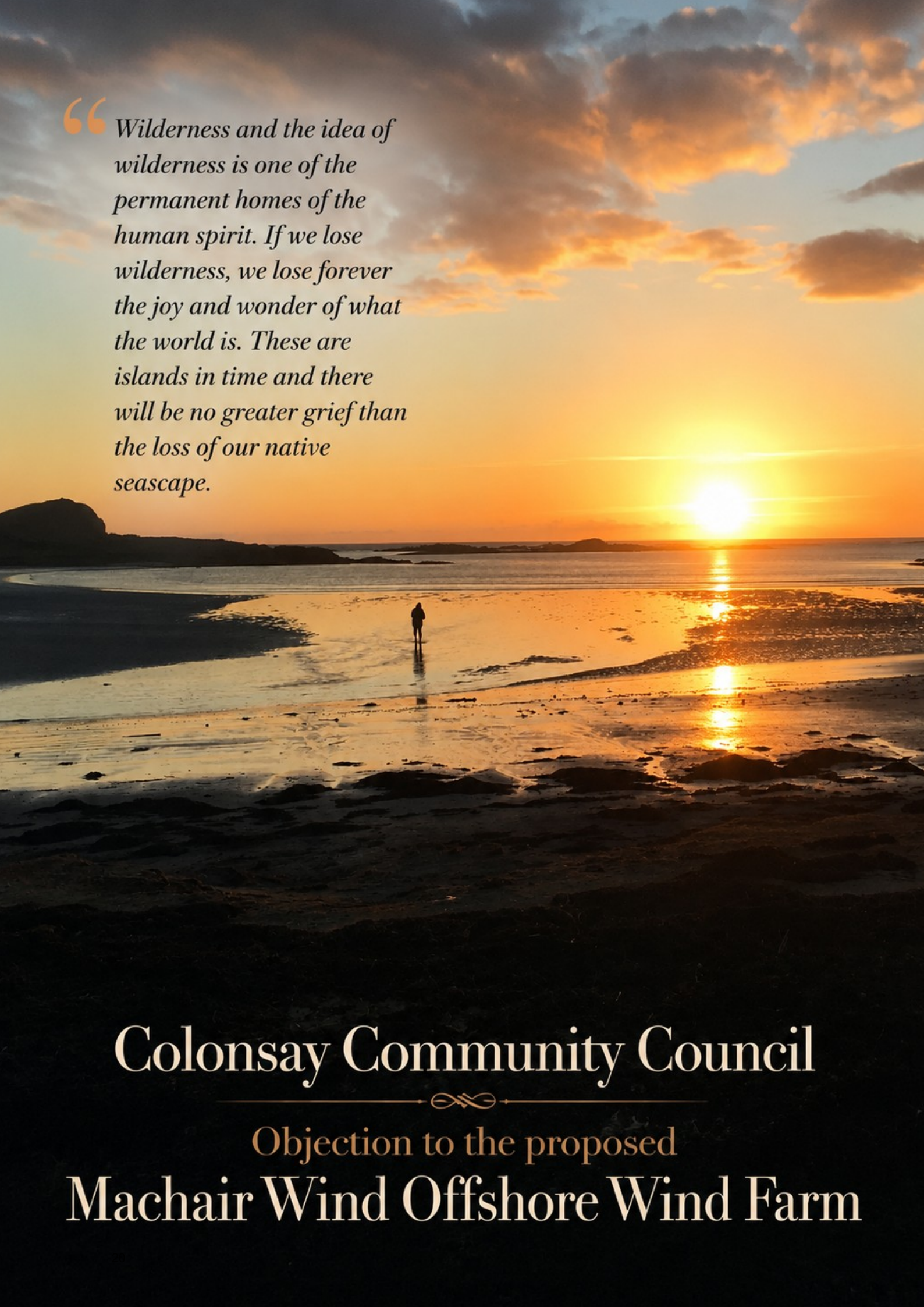
Given the above, we urge Scottish Ministers to reject the application.

Yours faithfully

[Redacted]

For and behalf of Colonsay Tourism and Marketing Group

Colonsay Community Council



Colonsay Community Council

Objection to the proposed

Machair Wind Offshore Wind Farm

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Introduction

1. This objection is submitted by Colonsay Community Council in response to the applications made by MachairWind Limited for consent under section 36 of the Electricity Act 1989, and for the associated marine licences under Part 4 of the Marine (Scotland) Act 2010, to construct and operate the MachairWind Offshore Wind Farm in the waters north-west of Islay and west of Colonsay (Marine Directorate references 00012385 and 00012386, submitted on 25 June 2026) [1][2][3].

2. Colonsay Community Council is the community council for the islands of Colonsay and Oronsay, constituted under Part IV of the Local Government (Scotland) Act 1973. Its statutory purpose, set by section 51(2) of that Act, is to ascertain, co-ordinate and express to public authorities the views of the community it represents, and to take such action in the interests of that community as appears to it expedient and practicable [4]. The Scottish Ministers, who will determine these applications, are such an authority, and this objection is made in fulfilment of that purpose. The relevant planning authority for the purposes of the 1989 Act is Argyll and Bute Council; the Community Council writes as the voice of the community itself [2].

3. 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.

4. 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. What has been applied for honours neither half of that principle.

5. The proposal is a development area of 448 km² holding up to 144 turbines, with structures reaching 335 m to blade tip, higher than the Eiffel Tower and higher than any building in the United Kingdom, and it begins approximately 12.4 km from Colonsay and about 12 km from Oronsay, the nearest inhabited islands to it [5][6][38]. The applicant's own environmental assessment concludes that the development would have major, significant adverse effects on Colonsay and Oronsay [6][8]. Nothing in the application mitigates those effects; the community that would live with them has never been the subject of any socio-economic study by the applicant; and, as set out under Ground 1, that community was not consulted when the site was selected. The Community Council therefore asks the Scottish Ministers to refuse both applications. Its requests in full, including what it asks in the alternative should the Ministers be minded to grant consent, appear in the final section of this objection.

6. The objection is advanced on seven grounds: first, that the site was selected without consulting the islands most affected and in disregard of the statutory adviser's own design guidance (Ground

1); secondly, that the development would cause major and significant harm to Colonsay's coast which the applicant has identified but not mitigated (Ground 2); thirdly, that it would irrevocably devastate the setting and sense of place of the listed scheduled monument, Oransay Priory (Ground 3); fourthly, that the socio-economic effects on the island have never been assessed (Ground 4); fifthly, that construction noise as experienced on Colonsay has not been assessed (Ground 5); sixthly, that unresolved scientific doubt attaches to the protected seabird colony of Colonsay's own cliffs (Ground 6); and seventhly, that only part of the project has been put forward for assessment (Ground 7).

The approach taken to the legal framework

7. This objection does not set out the planning framework at length; each ground below identifies the tests it engages. Three points about the framework as a whole should nevertheless be stated first, because they shape everything that follows.

8. First, the statutory anchor for the marine licences is section 15 of the Marine (Scotland) Act 2010, which requires authorisation decisions to be taken in accordance with Scotland's National Marine Plan unless relevant considerations indicate otherwise, and requires reasons to be given for any departure [3][10]. The Plan's General Policies ("GEN" policies) are expressed as planning policy, and several of them, as the grounds below show, this proposal cannot satisfy. The wider planning judgement is governed by the development plan: National Planning Framework 4 ("NPF4", adopted 13 February 2023) together with the Argyll and Bute Local Development Plan 2 (adopted 28 February 2024) [9][35]. In determining a section 36 application the Ministers are also under the duty in Schedule 9, paragraph 3 to the 1989 Act to have regard to the desirability of preserving natural beauty, conserving flora and fauna, and protecting sites and buildings of historic or archaeological interest, and to do what they reasonably can to mitigate effects on those matters [2].

9. Secondly, the Community Council accepts without hesitation that NPF4 Policy 11 attaches significant weight to a proposal's contribution to renewable energy and emissions targets [9]. That weight is real, but the policy conditions it in four ways which matter here. Policy 11(c) supports proposals only where they maximise net economic impact including local and community benefit; Policy 11(d) sends impacts on national designations to the protective tests of Policy 4 rather than allowing the renewable weight to override them; the concession in Policy 11(e)(ii), that significant landscape and visual impacts will generally be acceptable, is available only where those impacts are localised and/or appropriate design mitigation has been applied; and Policy 11(f) expects areas identified for wind farms to be suitable for that use in perpetuity, with repowering, extension and expansion expressly supported under Policy 11(a)(i), so that the 35-year operational life quoted by the applicant is not the true measure of what is being decided [9].

10. Thirdly, the burden of demonstrating compliance with the statutory and policy framework rests with the applicant. Under the Habitats Regulations, consent is lawful only where no reasonable scientific doubt remains that protected site integrity will be unaffected [17][27]. NPF4 Policy 4(a) withholds support from development whose type, location or scale makes its impact on the natural environment unacceptable. NPF4 Policy 7 requires development to protect and enhance historic assets and their settings, with significant adverse effects requiring clear justification and public benefits capable of outweighing that harm. GEN 19 of the National Marine Plan requires decisions to rest on sound socio-economic evidence, directing that where evidence is

inconclusive the gaps be filled and the precautionary principle applied [9][10]. The Community Council does not offer rival expert assessments and does not need to. Each ground below is constructed from the applicant's own documents, the advice of the statutory consultees, and the published record. Where the applicant's investigations stop short of demonstrating compliance, the statutory and policy framework does not resolve that shortfall in the applicant's favour. It requires precaution.

Ground 1: A site chosen without due process of consultation with Colonsay's island community

11. The site now called MachairWind entered the system as the W1 Plan Option of the Sectoral Marine Plan for Offshore Wind Energy. The draft of that Plan was consulted on between 18 December 2019 and 25 March 2020, the final Plan was published on 28 October 2020, and the seabed rights were awarded to ScottishPower Renewables in the ScotWind round in January 2022 [13][14]. The applicant and the Scottish Government have both described the Plan process as one of extensive consultation [13].

12. For the islands that would actually face this development, that description does not survive contact with the record. The Scottish Government's own account of the consultation events for the draft Plan shows that not one was held on Colonsay, on Mull or on Iona. The programme reached Oban, and it reached Islay, and it went no further [13]. The location of a nationally significant energy development was settled, in other words, without the communities on whose horizon it would stand ever being brought into the process.

13. GEN 18 of the National Marine Plan requires engagement that is appropriate, proportionate and meaningful, undertaken as early as possible, with the views expressed treated as a consideration in decision-making (paragraph 4.77) [10]. Measured against that policy, the plan-stage engagement with Colonsay failed. And the failure has a practical consequence for the present applications: this objection is the first genuine opportunity the island has had to address the suitability of the location, arriving only after the site has been identified, leased, and carried through years of development and investment.

14. There is a second respect in which the plan stage should trouble the Ministers. On 25 March 2020, Scottish Natural Heritage (now NatureScot), the Government's statutory adviser on landscape and the natural heritage, issued supplementary advice on the draft Plan containing an assessment of seascape, landscape and visual impacts and design guidance for the plan options. For these waters, its guidance was explicit [12]:

> *"Limit development to beyond 35km from Colonsay and Islay."*
>
> (Scottish Natural Heritage, Supplementary Advice to SNH Consultation Response, Draft Sectoral Plan for Offshore Wind, 25 March 2020) [12]

15. The same advice recommended a maximum turbine height of 200 metres [12]. What has now been applied for breaches both limits at once, and by wide margins: turbines of up to 335 m, more than two-thirds above the advised ceiling, at approximately 12.4 km from Colonsay, roughly a third of the advised separation [5][12]. The Community Council accepts that plan-stage design guidance does not bind an applicant. But the guidance defined the envelope which the Government's own adviser judged this coast could bear, and the consequence of ignoring it is

written into the applicant's own assessment: the major, significant effects on Colonsay and Oronsay examined under Ground 2 are exactly the outcome the advice existed to prevent.

16. The timing of the Plan raises a third issue, under the Islands (Scotland) Act 2018. The Act received Royal Assent on 6 July 2018, and Part 3, containing the duty to prepare an island communities impact assessment where a policy or strategy is likely to affect an island community significantly differently from other communities, was brought into force on 23 December 2020 [15]. The Sectoral Marine Plan was published on 28 October 2020, eight weeks before that duty took effect [13][15]. The Plan which fixed W1 as a development location therefore never underwent the island-communities scrutiny Parliament had legislated for, and it escaped that scrutiny by a matter of weeks, in a process which, as set out above, had involved no consultation on the affected islands at all. Had Part 3 been in force when the Plan was published, the Community Council's position is that adopting W1 without an island communities impact assessment would have been open to legal challenge.

17. Parliament anticipated exactly this situation. Section 14(1) of the 2018 Act provides:

> *"A local authority listed in the schedule may make a request to the Scottish Ministers to prepare and publish a retrospective island communities impact assessment in relation to existing legislation or national strategies which have an effect on an island community which is significantly different from their effect on other communities (including other island communities) in Scotland."*
> (Islands (Scotland) Act 2018, section 14(1)) [15]

18. The Community Council will be asking Argyll and Bute Council to make a section 14 request in respect of the Sectoral Marine Plan for Offshore Wind Energy, on behalf of the island communities of Colonsay, Mull and Iona [15].

19. For the determination now in hand, three things follow. The site-selection process should be given no weight as validation of this location. The island communities impact assessment duty arising on this decision must be discharged as the statutory guidance under section 11 requires, through meaningful engagement with the affected island communities from beginning to end and not as a box-ticking formality [15]. And the Ministers should keep in view that the plan on which the applicant's case ultimately rests has never received the island-communities scrutiny the law now demands [13][15].

Ground 2: Major, severe and significant impact to Colonsay's coast, on the applicants own evidence, with no mitigation

The severity of the harm is the applicant's own finding

20. The Community Council does not need to establish how serious the visual harm to Colonsay would be, because the applicant has established it. The Coastal Character assessment prepared for the applicant examines the stretches of Colonsay and Oronsay coast nearest the development and, for every one of them, records a High magnitude of impact and a major, significant adverse effect; for West Colonsay it records in addition High sensitivity, a Large scale of change and a Large geographical extent of effects [6]. Those findings are collected in Table 1. The applicant's Planning Statement puts the overall position in a single sentence: "Major adverse effects were primarily predicted on Colonsay and Oronsay and northwest / west Islay" [8].

Table 1 – The applicant's published findings for the Colonsay and Oronsay coast

Receptor	Approx. distance from development	Magnitude of impact	Effect
West Colonsay (CCA 11)	~12 km	High	Major and significant
Oronsay (CCA 13)	~12 km	High	Major and significant
The Strand (CCA 12)	~13 km	High	Major and significant
Kiloran Bay to Eilean Dubh (CCA 9)	~17 km	High	Major and significant

Source: EIAR Appendix 16.3, Coastal Character Baseline and Assessment (LUC, November 2025) [6].

21. What those ratings mean on the ground deserves to be spelled out. Colonsay's daily life is oriented to its western coast: the beaches, the cliffs, the machair, and beyond them an ocean horizon on which, today, nothing stands and nothing shines. The proposal would place along that horizon, starting some 12.4 km out, ranks of rotating machines taller than any building in Britain, and would light them for aviation and navigation so that a sky which is now wholly dark would carry a field of lights every night [5][38]. On the applicant's stated figures this continues for an operational life of 35 years; on the terms of NPF4 Policy 11(f) and 11(a)(i), which expect wind farm areas to be suitable for that use in perpetuity and support repowering and expansion, it should be treated as permanent [5][9]. The National Marine Plan directs particular care where development may affect largely undeveloped or unspoiled coast (paragraph 4.30); it would be difficult to find a coast in Scotland answering that description more completely than this one [10].

The claim of design refinement does not withstand examination

22. The applicant's Planning Statement presents the sensitivities of the surrounding landscapes and island communities as key drivers of significant refinements to the boundary and design of the development [8]. The Community Council has tested that claim against the published boundary information, so far as it concerns Colonsay, and it fails. On the Community Council's analysis, the development boundary facing the island has shifted approximately 400 m further away since the original scoping boundary: an improvement in separation of around three per cent [1][5]. Against a gap of some 12 km and machines a third of a kilometre tall, a 400 m adjustment is cosmetic, and its irrelevance is confirmed by the outcome: the final assessment still returns High magnitude and major, significant effects for every Colonsay receptor examined [6]. The Statement's accompanying suggestion that effects soften to moderate with distance is a description of receptors further afield. It is not a description of Colonsay, and it should not be allowed to blur what the assessment actually records for the islands nearest the turbines [6][8].

23. Nor can the design envelope itself supply an answer. The envelope trades height against numbers and nothing else: 91 turbines at up to 335 m, or 144 at up to 280 m, so that any reduction in height is bought with greater density across the 448 km² area [5]. Through consultation the applicant trimmed the maximum tip height from 340 m to 335 m and the maximum count from 147 to 144, stating that this was done to reduce the magnitude of change on seascape receptors [5]. Five metres off a 335 m tower reduces nothing that matters; but the stated reason for the trim is itself a concession that the seascape effect is real and adverse.

The measures described as mitigation are not mitigation

24. Against effects its own consultants rate major and significant, the application offers three measures. None mitigates anything.

- **M-20**, a lighting plan, would regulate how the development is lit. It cannot alter the fact that a dark horizon becomes a lit one, and it reduces the daytime visual effect not at all [1].
- **M-43** records that the northern and eastern development boundary was set using a buffer of at least 12 km from the nearest points of Islay and Colonsay, and anticipates further boundary refinement following surveys and stakeholder feedback [1]. This is not a mitigation measure; it is a restatement of the baseline design. The 12 km separation is precisely the configuration in which the applicant's assessment finds major, significant harm [6], so the measure offers the cause of the effect as its cure. The anticipated refinement, meanwhile, has amounted for Colonsay to the 400 m described above.
- **M-47** is cited in the application documentation, but the Community Council has searched for it and cannot find it. The Ministers are asked to require the applicant either to produce the measure or to confirm that the reference is an error [1].

25. Real mitigation was available. The Guidelines for Landscape and Visual Impact Assessment recognise primary mitigation through changes to a development itself: relocating elements, redesigning the footprint, altering the layout to protect sensitive views [11]. Two such options exist here and neither has been taken. The array, or at least its eastern flank, could stand further west, using floating foundations as the water deepens, opening the distance to Colonsay; or smaller turbines could be deployed and a lower output accepted from the site. The applicant's own derogation papers put beyond doubt that these choices were considered: a reduced development area and a reduced turbine count were both examined and both rejected, not as unworkable, but as inconsistent with the applicant's objective of extracting maximum generation capacity from the site (see Ground 6) [26]. The harm to Colonsay is therefore not unmitigated because mitigation was impossible. It is unmitigated because output was preferred.

Kilchattan: the residents written out of their own view

26. One further feature of the visual assessment requires the Ministers' attention. Viewpoint 14, on the B8086 south of Lower Kilchattan, stands for the outlook from the settled western side of Colonsay straight towards the development. The assessment treats the people at this viewpoint as transport receptors of low susceptibility, notes that similar views would be available to some residents of Upper and Lower Kilchattan, observes that the location is outside any designated landscape though marked by scenic coastal views, assigns medium value, and settles on medium sensitivity overall [7].

27. That chain of reasoning is not consistent with the guidance the assessment claims to follow. GLVIA3 places residents at home, and others whose attention is on the landscape, among the most susceptible receptors there are [11]. The applicant concedes that the view from this point is the view available to the residents of the Kilchattan townships; yet it grades the receptor by the passing traffic on a single-track island road. Choosing the receptor that produces the lower score is not assessment, and a medium valuation is hard to square with the assessment's own acknowledgment of scenic coastal views from the closest inhabited coastline to the turbines, looking directly at them. The Community Council's submission is that this viewpoint's sensitivity is High, and that the significance of the effect on the people of Kilchattan has been understated in consequence [7][11].

The tests this ground engages

28. The policy consequences are these. The concession in NPF4 Policy 11(e)(ii) for significant landscape and visual impacts is unavailable, because neither of its conditions is met: the impacts run across Colonsay, Oronsay, Islay, Jura, Mull and beyond, and so are not localised, and no design mitigation has been applied [6][9]. National Scenic Areas within the applicant's own study area engage the paired tests in paragraph 4.28 of the National Marine Plan and NPF4 Policy 4(c), under which harm to designated qualities is permissible only if clearly outweighed by benefits of national importance, a demonstration the applicant has not made (see the section on weighing below) [9][10]. And for Colonsay itself, NPF4 Policy 4(a) withholds support from development whose type, location or scale gives it an unacceptable impact on the natural environment [9]. A development of this type, in this location, at this scale, producing major, significant, unmitigated and effectively permanent harm to the nearest inhabited islands, where the applicant itself identified and declined the means of reducing that harm, is what Policy 4(a) exists to stop.

Ground 3: Oronsay priory, scheduled ancient monument, significant adverse impact on the both the Priory and its setting

29. Oronsay Priory, together with its High Cross, is a scheduled ancient monument, with protected status as a historic site of national interest. First scheduled in 1920 (Historic Environment Scotland reference SM287) [18]. An Augustinian house traditionally linked with the Columban church and refounded in the fourteenth century for canons regular, the Priory ranks among the most significant medieval monastic sites of the Hebrides and holds one of the finest collections of late medieval West Highland carved stones [19].

30. The Priory cannot be understood apart from its situation. Its founders placed it on a small tidal island at the ocean's edge deliberately: the encircling sea, the machair, the open western horizon and the remoteness are what the monument means. Historic Environment Scotland's guidance on setting recognises that the surroundings in which a historic asset is understood, appreciated and experienced form part of its cultural significance [18], and here those surroundings include the approach itself. Oronsay is reached as it has always been reached, on foot across the sands of the Strand at low water, and the national record preserves the depth of that connection: sanctuary crosses associated with the Priory formerly stood in the Strand, marking the bounds of its sanctuary, so that the crossing belonged, and belongs, to the monument's sacred geography [19].

31. On the applicant's own coastal assessment, both the island that carries the monument and the crossing that leads to it would suffer effects of the highest order recorded anywhere in that assessment: Oronsay, at about 12 km from the development, and the Strand, at about 13 km, are each assessed at High magnitude with a major, significant effect [6].

32. The cultural heritage chapter nonetheless concludes that the applicable heritage tests are met, resting principally on the observation that the turbines would not appear directly within particular views of the Priory buildings [20]. That is an answer to a question nobody has asked. NPF4 Policy 7(h), and Historic Environment Scotland's setting guidance, ask whether significant adverse impacts on the integrity of the monument's setting are avoided, not whether monument and turbines can be photographed together [9][18]. The experience of Oronsay Priory does not start at the church door. It starts with the descent to the Strand and the walk over open sand with the Atlantic filling the western view, through a landscape whose emptiness and beauty

explain why the Priory is where it is. The applicant's own findings mean that industrial structures a third of a kilometre high would command that western outlook throughout the approach [5][6]. A setting whose meaning is remoteness, sanctuary and arrival does not retain its integrity in those conditions.

33. It is telling that no representative visualisation has been produced from the Strand crossing, despite the applicant's own assessment scoring the Strand at major significance and despite the crossing's documented place in the monument's history [6][19][20]. The single location that would most directly reveal what the development does to the experience of approaching the Priory is the location the visual evidence omits. The Ministers are asked to require that visualisation before determining the applications.

34. Two tests govern this ground, and the applicant has addressed neither of them. Historic Environment Scotland's guidance on setting asks, of a scheduled monument, whether the understanding, appreciation and experience of the monument and its setting would be adequately retained [18]. NPF4 Policy 7(h) then supplies the development plan test, supporting proposals which affect a scheduled monument only where direct impacts upon the monument itself are avoided, or where significant adverse impacts on the integrity of its setting are avoided, or where "exceptional circumstances have been demonstrated to justify the impact" [9].

35. The structure of that policy decides this ground. The first two limbs operate as gateways: satisfy either, and the proposal is supported without more. Neither is satisfied here, and it is the applicant's own evidence which closes them. Oronsay, the island which carries the monument, is assessed at High magnitude with a major and significant effect at approximately 12 km, and the Strand, the crossing by which the monument is reached, is assessed in the same terms at approximately 13 km [6]. Structures reaching 335 m would command the western outlook throughout that approach [5][6]. Significant adverse impacts on the integrity of the setting are therefore not avoided, and the proposal falls to be considered under the third limb of Policy 7(h) alone.

36. Under that third limb the proposal may be supported only if exceptional circumstances are demonstrated, and the demonstration is the applicant's to make. None has been attempted. The applicant's case is not that exceptional circumstances justify harm to the setting of a nationally designated monument; it is that no significant harm to that setting arises at all. That is a different proposition, and one which the applicant's own coastal assessment contradicts [6][20]. The consequence is not merely that the Community Council disagrees with the applicant. It is that the Ministers have before them no material upon which the third limb could be satisfied, because no case under it has been advanced.

37. The reason the cultural heritage chapter arrives where it does is that it answers a narrower question than the policy asks. Its reasoning turns upon whether turbines would appear within particular framed views of the Priory buildings [20]. That is one of a family of substituted questions: whether the monument remains visually dominant; whether turbines would be continuously visible; whether monument and turbines fall within a single view; whether the relationship between them can be physically measured. None of those is the test which Policy 7(h) or the setting guidance imposes, and each is easier to satisfy than the test which does. By answering the easier question, the assessment narrows the practical evaluation of what this development would do to the wider cultural landscape of Oronsay, and then pronounces the heritage tests met [9][18][20].

38. Two further provisions point the same way. GEN 6 of the National Marine Plan requires heritage assets to be protected and, where appropriate, enhanced in a manner proportionate to their significance, requires designated assets to be protected in situ within an appropriate setting, and confines substantial harm to cases where it is necessary in order to deliver benefits which outweigh it (paragraphs 4.22 to 4.23) [10]. Because section 15 of the Marine (Scotland) Act 2010 requires the marine licence applications to be determined in accordance with the Plan unless relevant considerations indicate otherwise, GEN 6 imposes a statutory accordance duty and not merely a policy preference [3][10]. And in determining the section 36 application the Ministers are subject to the duty in Schedule 9, paragraph 3 to the 1989 Act to have regard to the desirability of protecting sites of architectural, historic or archaeological interest, and to do what they reasonably can to mitigate any effect upon them [2].

39. The courts have explained what a duty of that character requires. In *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 the Court of Appeal held that where a statutory duty requires a decision-maker to have special regard to the desirability of preserving the setting of a heritage asset, that desirability must be given considerable importance and weight rather than merely being taken into account as one consideration among others, so that a finding of harm gives rise to a strong presumption against consent; the wind farm permission in that case was quashed because the heritage harm had been weighed as though it were an ordinary planning consideration [32]. The Community Council states the limits of that authority precisely. The decision was given under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, an English provision with no identically worded Scottish counterpart, and Schedule 9, paragraph 3 is differently framed. It is cited as persuasive upon the approach which a duty expressed in terms of desirability demands, and not as binding authority. *Jones v Mordue* [2015] EWCA Civ 1243 confirms that no set form of words is required in order to discharge such a duty [2][32].

40. The Community Council accordingly invites the Ministers to reach three conclusions upon this ground. First, that on the applicant's own assessment significant adverse impacts on the integrity of the setting of Oronsay Priory are not avoided, so that neither of the first two limbs of Policy 7(h) is available. Secondly, that no case of exceptional circumstances having been advanced, the Ministers cannot be satisfied upon the material before them that the third limb is met; and since Policy 7(h) supports such proposals only where one of its limbs is satisfied, support is not available under it. Thirdly, that the heritage conclusions in the Environmental Impact Assessment Report, having been reached by reference to questions which the policy does not ask, cannot carry the weight the applicant places upon them, and should be accorded reduced weight in the planning balance. Should the Ministers nonetheless be minded to proceed, they are asked first to require the visualisation from the Strand sought at paragraph 33, together with an express statement of the exceptional circumstances upon which the applicant relies.

Ground 4: An island economy the assessment never visits

41. The applicant's own socio-economic consultants flagged the issue at the heart of this ground. BiGGAR Economics, engaged by ScottishPower Renewables, recognised that island communities present distinctive questions of population sustainability, demographic resilience, community participation, environmental quality and long-term viability, and recorded that "There are potential impacts on habitability for island communities in particular" [21].

Habitability, so understood, is nothing less than whether an island remains a place people can and will continue to live.

42. Having raised that flag, the application never follows it. The socio-economic chapter (EIAR Chapter 18) contains no study of Colonsay: no investigation of its community, its economy, its demography, its visitor base or its businesses. The chapter's centre of gravity is a handful of candidate port locations, an emphasis its own technical report makes explicit in stating that "the main local epicentres of impact are expected to be the ports" (Appendix 18.1, section 3.3) [21]. Built on that assumption, the assessment could only ever find what it went looking for. No affected island community is examined as a subject in its own right; Islay features only as a possible project location; and Colonsay, the inhabited island nearest the turbines, does not feature at all. The methodology even quotes Marine Directorate guidance that local study areas should reflect the relevant impacts and be intelligible to the communities they describe [21], a standard the treatment of the islands plainly does not meet. What stands in for investigation is regional data, aggregate statistics, economic modelling and professional judgement; and judgement exercised without investigation of the place it concerns is not evidence about that place, it is a substitute for evidence.

43. The tourism research on which the applicant's conclusions ultimately rest cannot carry the weight either. Independent analysis commissioned by Mountaineering Scotland, prepared by Dr Gordon, examined the BiGGAR Economics body of work on wind farms and tourism and found it structurally incapable of answering questions about wild, landscape-dependent places [22]. **Whilst this analysis relates to wild, unspoilt, highly regarded scenic mountain landscapes, a direct parallel can be drawn with Colonsay's unspoilt, wild coastal landscape, where the quality of the natural environment is likewise central to the visitor experience and local tourism economy.** Study areas contained wind farms already operating, or under construction, before the study period began, destroying the before-and-after comparison ("You can't have a valid before and after study without a proper baseline"); every wind farm was treated as equivalent regardless of its landscape, so results from insensitive settings diluted the whole; and the work leaned on macro-level employment statistics rather than asking tourists, or the exposed local businesses, anything at all [22]. Dr Gordon's conclusion was that the research could at most show that wind farms do not depress aggregate tourism employment in areas where the tourism market cares little about landscape, and that carrying its findings into iconic scenic areas is misleading [22]. The analysis addressed mountains; the logic is identical for a pristine Atlantic island whose visitor economy exists because of its seascape. Colonsay is the case the research cannot speak to.

44. What the independent literature does say points against the applicant. The Impact Assessment Unit at Oxford Brookes University, in a 2021 research study of offshore wind farms and local tourism and recreation (Glasson, Durning and Welch), reported a relatively consistent finding that stakeholder concern about visual impacts falls as the distance of a wind farm from shore grows [23]. Concern is therefore greatest where distance is least, and the distance here is about 12.4 km, a third of what the statutory adviser recommended for this coast (Ground 1) [5][12]. The Scottish Government's own plan-level appraisal reached a matching conclusion: the Socio-Economic Impact Assessment behind the Sectoral Marine Plan identified the draft plan options, W1 among them, as most likely to have negative impacts on the commercial fisheries, commercial shipping, and tourism and recreation sectors (section 3.2.4) [13]. The risk was named by Government six years ago. It has never been examined at the level of the community now facing it.

45. The Community Council has gathered evidence of its own. In a recent survey of visitors to Colonsay conducted by the Community Council, every respondent opposed the development [24]. The Community Council does not claim more for a survey than a survey can bear; it offers it as direct, place-based evidence from the island's actual visitors, pointing the opposite way from the applicant's conclusions, and as exactly the kind of enquiry the applicant never made. The survey is held by the Community Council and available to the Ministers on request [24].

46. Why this matters so much is a function of how the island works. On Colonsay, tourism is not a sector alongside others; it is the load-bearing wall. Visitors sustain the accommodation providers, the hospitality businesses, the shop, the transport links, the artists and makers, and the seasonal work on which island families depend, and what draws those visitors is the island's unspoilt Atlantic character. The material question is accordingly not whether bookings dip next season. It is whether the qualities on which the whole structure rests would be degraded; the applicant's own landscape findings say they would (Ground 2); and the consequences of that degradation for the island's economy and population have been assessed by nobody [6].

47. Two further dimensions belong to this ground. The first is wellbeing. The benefits to health of wild places, open horizons and dark skies are widely recognised, and the planning system is directed by statute towards them: section 3A of the Town and Country Planning (Scotland) Act 1997 requires the National Planning Framework to contribute to improving the health and wellbeing of the people of Scotland and to increasing the population of rural areas [9][37]. For the households of Colonsay's western townships, this proposal would fix industrial motion by day and a band of lights by night at the centre of the view from home, and it would do so after a site-selection process that never asked them and an application that offers them nothing in mitigation. The Ministers are asked to weigh what that does to a small community's confidence in its own future, and to the retention of the population on which that future depends.

48. The second is the distribution of benefit. The applicant quantifies the employment and Gross Value Added arising from the project at Scotland-wide and United Kingdom level, and ties local benefit to the mainland ports chosen for construction and operations; no benefit of any kind is quantified for Colonsay [21][26]. NPF4 Policy 11(c) supports proposals only where they maximise net economic impact including local and community socio-economic benefit [9]. A scheme that concentrates its quantified rewards nationally and in mainland ports, while concentrating its harm on an island community whose position it has never assessed, cannot demonstrate compliance with that condition, and the possibility of a voluntary community benefit fund does not repair the defect: such funds are not mitigation of environmental harm and are immaterial to the planning merits. The defect is simpler and deeper. The harm to this community was never measured, so no one can say that net local impact has been maximised, or even what it is.

49. GEN 19 of the National Marine Plan draws the threads together. It 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 (paragraph 4.81) [10]. Here the gap was identified by the applicant’s own consultants, in terms, and left unfilled for Colonsay. In that state of the evidence the Ministers cannot properly conclude that the island’s tourism economy, resilience and long-term habitability are safe; precaution, and this ground, point to refusal.

50. This conclusion is reinforced by the Scottish Government’s own **Sectoral Marine Plan for Offshore Wind Energy**. Section 3.2.4 (Socio-Economic Impact Assessment) records that the

Strategic Environmental and Socio-Economic Assessment identified that the Draft Plan Options, including **W1**, "are most likely to have negative impacts on the commercial fisheries, commercial shipping, tourism and recreation sectors." The Government's own strategic assessment therefore recognises that offshore wind development within this plan area is capable of generating adverse effects on tourism and recreation. In the absence of robust, site-specific evidence demonstrating that Colonsay would not experience those impacts, that strategic finding further supports the application of the precautionary principle and refusal of consent.

Ground 5: Construction noise, unassessed for those who will hear it

51. Building this development means driving up to 144 foundations into the seabed with hammer energies of up to 6,600 kJ and piling durations of up to 320 minutes for a single monopile, drilling at up to a third of turbine locations, and running heavy construction vessels continuously, across a build programme spanning years [5]. Industry analysis identifies construction, and pile driving above all, as the loudest chapter of an offshore wind farm's life [34].

52. The Environmental Impact Assessment engages with noise below the waterline, modelling a Zone of Influence reaching 88 km for fish and marine mammal receptors, and the applicant has indicated that the operating turbines are expected to produce no excess noise [28][29]. What the Community Council cannot find, despite searching the documentation, is any assessment of construction noise as the people of Colonsay would hear it: airborne noise from percussive piling and construction operations some 12.4 km offshore, potentially proceeding day and night, year after year [1][5].

53. The omission matters because of where this noise would land. Sound carries readily across open water, and it would arrive at a coast whose defining acoustic quality is silence, where any introduced noise stands proud of the baseline. Repetitive percussive noise reaching homes through days and nights over a multi-year programme is capable of significant effects on amenity, sleep, health and wellbeing. GEN 13 of the National Marine Plan requires development to avoid significant adverse effects of man-made noise and vibration, and the 2017 EIA Regulations require a project's likely significant effects, including those on population and human health, to be identified, described and assessed [10][16].

54. The Community Council therefore asks the Ministers to require, before any determination, a construction noise assessment addressed to Colonsay's coastal communities, covering the programme's duration and timing including any night working, predicted received noise levels, cumulative exposure across the build, and proposed mitigation; or, if the applicant maintains that such an assessment already exists, to require it to identify precisely where [16].

Ground 6: The seabirds of Colonsay's western cliffs special protection area

55. The waters chosen for this development are among the most ecologically rich in Scotland, holding internationally designated sites, Priority Marine Features, seabird colonies of international standing, and habitat for protected marine mammals and basking shark. The applicant's benthic chapter confirms that Priority Marine Features and Annex I habitats occur within the development area itself (EIAR Chapter 8, Table 8.6 and Figure 8.3), which brings GEN 9(b) of the National Marine Plan directly into play: development must not significantly

affect the national status of Priority Marine Features, and these features lie not near the development but under it [10][25].

56. For Colonsay the sharpest concern is the North Colonsay and Western Cliffs Special Protection Area, the protected seabird colony of the island's own northern and western cliffs, with the development area standing approximately 12.4 km off the island at its nearest [5][26].

57. The law here sets a deliberately exacting standard. Under the Habitats Regulations, read with the Court of Justice's judgment in *Waddenzee*, the Ministers may authorise the project only if they have made certain that it will not adversely affect the integrity of the European sites concerned, which the Court defined as the state in which “no reasonable scientific doubt remains as to the absence of such effects”; the appropriate assessment must contain complete, precise and definitive findings on the best scientific knowledge, and the provision integrates the precautionary principle [17][27].

58. Now consider what the applicant has lodged. Its Report to Inform Appropriate Assessment concludes there would be no adverse effect on the integrity of any site, and the applicant maintains no derogation is needed. Alongside it, however, the applicant has filed a Without Prejudice Derogation Case with, as its first appendix, a Without Prejudice Guillemot Compensation Plan, both aimed at one feature only: the guillemot of the North Colonsay and Western Cliffs SPA. Its stated reason is that the competent authority “may not reach the same conclusion” as the applicant on that feature [26]. Applicants do not spend substantial sums preparing derogation cases and species compensation plans against outcomes they regard as scientifically impossible. The documents are, in the Community Council's submission, the applicant's own acknowledgment that reasonable scientific doubt attaches to the guillemot of Colonsay's SPA; and while that doubt stands, the *Waddenzee* standard bars consent by the appropriate assessment route [17][27].

59. If the Ministers were instead to entertain derogation, its three cumulative tests, no alternative solutions, imperative reasons of overriding public interest, and secured compensation, present their own difficulties [17]. On alternatives, the Derogation Case judges every option against six Project Objectives, of which the sixth is to optimise the W1 Plan Option Area and maximise the generating capacity of the available seabed, and on that yardstick it dismisses every alternative, expressly including a smaller development area and fewer turbines [26]. The circle closes before the test begins: where full exploitation of this site is itself an objective, no less damaging design can ever pass. The applicant's own authority, *R (Spurrier) v Secretary of State for Transport* [2019] EWHC 1070 (Admin), holds that alternatives are judged against identified objectives, which is exactly why the framing of the objectives cannot be left to the applicant [26]. The Ministers should also note the coincidence this ground shares with Ground 2: the rejected alternatives, a smaller area and fewer turbines, are the very changes that would ease both the displacement risk to the guillemot and the visual burden on Colonsay [26].

60. On compensation, the applicant records that new Regulations governing compensatory measures came into force in May 2026 and apply to this project, while the statutory guidance intended to support them remains unpublished [26]. A derogation case is thus being advanced ahead of the rules that are to govern it, and in any event no consent could lawfully issue until the adequacy, deliverability, timing and long-term security of compensation were established on evidence [17] [26].

61. Beyond the SPA, the surrounding seas support cetaceans, seals and basking shark, for which the Sea of the Hebrides holds recognised national importance; the applicant's underwater noise modelling reaches 88 km, and its assessed effects on prey species including herring and lesser sandeel feed through the food web to the birds and mammals above [28][29]. GEN 13 requires significant noise effects on sensitive species to be avoided, and NPF4 Policy 4(e) applies the precautionary principle; uncertainty born of survey or methodological limits cannot be converted into a finding that effects are absent [9][10].

62. The Community Council does not present itself as a specialist ecological consultee. The National Trust for Scotland has announced that it will object to the proposal, and RSPB Scotland and other specialist bodies are understood to be reviewing the ecological assessments in detail [36]. The Community Council reserves its position on ecology accordingly, adopts those specialist representations insofar as they align with this objection, and asks the Ministers to give them substantial weight before deciding.

Ground 7: Half a project

63. What has been applied for is not the whole scheme. The applications cover the Windfarm Development Area alone; the grid connection near Girvan was confirmed only in August 2025, and the Offshore Export Cable Corridor and the onshore transmission works are reserved for separate consent and EIA applications, with the export cable application expected in 2027 [5]. Electricity from these turbines cannot reach anyone without that infrastructure, yet its effects are absent from the material on which the Ministers are asked to decide, so the combined effects of the scheme as a whole cannot be evaluated now.

64. The applicant proceeded this way against advice it has itself recorded. NatureScot's response of 10 June 2025, set out in the applicant's Project Description chapter, warned that separating the assessments raised concerns that not all potential impacts would be assessed and full consideration of the proposal and its mitigation options would not be possible, and stated its expectation of “both the WDA and OfTDA assessment to be contained within one EIA Report” at the section 36 stage [5]. The Marine Directorate's Licensing Operations Team advised at scoping that sufficient information on the export cable and onshore works was essential to understanding the development's cumulative impacts [5]. Both advices appear in the applicant's own consultation table; neither was followed.

65. The courts addressed this practice months before the application was lodged. In *Raeshaw Farms Limited v Scottish Ministers* [2026] CSIH 10, decided on 17 February 2026, the Inner House quashed a wind farm permission granted on the basis that the grid connection would be assessed later, holding that the decision-maker must make a fact-specific assessment of whether a wind farm and its connection form a single project for EIA purposes rather than resting on established practice, and finding force in the submission that it is irrational to credit a scheme with its renewable energy benefits while deferring the assessment of its connection's harms [30]. 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 [5]. These are administrative and commercial conveniences, not environmental justifications, and the appeal to precedent is the very argument *Raeshaw* rejected [30]. The Ministers are asked to conduct the fact-specific assessment the Court requires, and the Community Council's submission is that the effects of the whole project must be properly assessed before any consent can be granted.

66. GEN 21 of the National Marine Plan completes the picture, requiring cumulative impacts to be confronted in decision-making, including whether a series of activities would together produce significant cumulative harm outweighing the benefits (paragraph 4.85) [10]. Set alongside the substantial pipeline of ScotWind and consented offshore projects, that exercise demands complete information about this scheme. A divided application cannot supply it.

Weighing the proposal

67. 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 [9][10]. 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.

68. On the benefit side of the scales, the significant weight commanded by NPF4 Policy 11 is acknowledged. But the tests this proposal must pass are stricter than a general weighing: harm to National Scenic Area qualities must be clearly outweighed by benefits of national importance; harm to a scheduled monument's setting demands demonstrated exceptional circumstances; and Policy 11(c) makes support conditional on maximised local and community benefit [9][10]. Nor is the relevant benefit the abstract value of renewable generation. It is the additional benefit of generating from this site rather than another, in a leasing round that created numerous alternative option areas, and the applicant has never quantified what a smaller, more distant or reconfigured scheme would forgo [13][14][26]. *Barnwell Manor* adds a final discipline: once heritage harm is found, the decision-maker is not at liberty to assign it whatever weight convenience suggests [32].

69. On the harm side stand the applicant's own findings of major, significant adverse effects on Colonsay and Oronsay, offered to the Ministers without mitigation and, on the policy's own terms, without end; an island community whose socio-economic exposure was never studied; a scheduled monument whose setting the applicant's own evidence condemns; construction noise no one has assessed for the people who will hear it; and a Special Protection Area for which the applicant has thought it prudent to prepare a derogation [6][9][21][26].

70. When they come to decide, the Ministers' reasons must be intelligible and adequate, and must show what was concluded on the principal controversial issues (*South Buckinghamshire District Council v Porter (No 2)* [2004] UKHL 33; *Dover District Council v CPRE Kent* [2017] UKSC 79) [33]. On these applications those issues include at least: whether the major, significant effects on Colonsay identified by the applicant have been mitigated, and if not, why consent is justified regardless; whether Viewpoint 14's sensitivity was correctly assessed; whether significant adverse impacts on the integrity of Oronsay Priory's setting are avoided, and if not, what exceptional circumstances have been demonstrated; whether sound socio-economic evidence exists for the affected islands as GEN 19 demands; whether reasonable scientific doubt has truly been eliminated for the guillemot of the North Colonsay and Western Cliffs SPA; whether the single-project question has been answered as *Raeshaw* requires; and whether the duties of the Islands (Scotland) Act 2018 have been discharged. A decision passing over any of them would fall short of the standard the law sets [33].

71. Drawing the threads together: the proposal cannot be reconciled with the National Marine Plan, whose presumption in favour of sustainable development under GEN 1 operates only for proposals consistent with the Plan's policies and so is not engaged; no relevant consideration of sufficient weight supports departing from the Plan under section 15 of the 2010 Act; and the proposal fails the protective policies of NPF4 read as a whole [3][9][10].

What the Community Council asks of the Scottish Ministers

72. First and principally, 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 [2][3].

73. 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 [16], 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 (Ground 2);
- identification of the mitigation measure cited as M-47, or confirmation that the citation is an error (Ground 2);
- a representative visualisation from the Strand crossing towards Oronsay Priory (Ground 3);
- a place-based socio-economic and habitability assessment of Colonsay, founded on primary research conducted within the community itself (Ground 4);
- a construction noise assessment addressed to Colonsay's coastal communities (Ground 5); and
- any further ecological information needed for the Ministers to discharge their duties under the Habitats Regulations (Ground 6).

74. The Community Council further asks that the examination of these applications take the form of inquiry sessions. It recognises that, since the Planning and Infrastructure Act 2025 amendments to Schedule 8 of the 1989 Act came into force on 18 February 2026, no objection compels a public inquiry and the choice of procedure rests with the appointed reporter [31]. The request is made because the questions at the core of this objection, how findings of major and significant harm can attract no mitigation, and how conclusions of acceptability can be reached about a community that was never studied, are questions that written exchanges allow the applicant to restate but never to answer under scrutiny. They require the applicant's witnesses to be examined on the record.

75. The Community Council also asks: to be notified of, and given a fair opportunity to comment on, any supplementary environmental information, any addendum to the Environmental Impact Assessment Report, and any material change to the applications before determination; and to be notified promptly of the decision and its reasons, noting that section 36D(4) of the Electricity Act 1989 allows only six weeks from publication of a decision for any application challenging its validity [2].

76. Should consent nevertheless be granted, the Community Council asks that a decommissioning programme, secured by adequate and enduring financial provision, be in place before any works begin, bearing in mind that NPF4 Policy 11(f) treats areas identified for wind farms as suitable for that use in perpetuity and Policy 11(a)(i) supports repowering, extension and expansion [9].

77. Separately, and as recorded under Ground 1, the Community Council will be asking Argyll and Bute Council to request a retrospective island communities impact assessment of the Sectoral Marine Plan for Offshore Wind Energy under section 14 of the Islands (Scotland) Act 2018 [15].

78. Finally, the Community Council reserves the right to supplement this objection, in particular once the representations of Historic Environment Scotland, NatureScot, RSPB Scotland, the National Trust for Scotland and the relevant fisheries bodies are available, and once the applicant's Habitats Regulations documentation has been the subject of specialist review [26] [36].

References

[1] MachairWind Limited, applications for consent under section 36 of the Electricity Act 1989 and for marine licences under Part 4 of the Marine (Scotland) Act 2010, Marine Directorate references 00012385 and 00012386, submitted 25 June 2026, together with the supporting application documentation, including the schedule of mitigation and commitment measures (measures M-20, M-43 and M-47). Application documentation published at marine.gov.scot and energyconsents.scot.

[2] Electricity Act 1989, section 36, section 36D and Schedules 8 and 9.

[3] Marine (Scotland) Act 2010, Part 4 and section 15.

[4] Local Government (Scotland) Act 1973, Part IV, section 51(2), the statutory general purpose of a community council.

[5] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 3 (Project Description), June 2026: Windfarm Development Area of 448 km²; design envelope of between 91 of the largest (335 m blade tip height) and 144 of the smallest (280 m blade tip height) turbines (Tables 3.2 and 3.13), with a maximum rotor diameter of 290 m; maximum blade tip height reduced from 340 m to 335 m and maximum turbine number from 147 to 144 through consultation, expressly to reduce the magnitude of change on seascape receptors (§3.4); nearest land approximately 12.4 km (Colonsay), 15 km (Islay), 20 km (Mull) and 30 km (Jura) (§3.3.2); lease period of 60 years and anticipated operational life of 35 years (Table 3.2); maximum piling hammer energy of 6,600 kJ and maximum piling duration of up to 320 minutes per monopile; up to 33% of turbine locations potentially requiring drilling (§3.6.2.2.3.2); grid connection confirmed in August 2025 in the vicinity of Girvan, South Ayrshire (§3.3.1); Offshore Export Cable Corridor and Onshore Transmission Development Area deferred to separate applications (§3.3.3–3.3.4); NatureScot response of 10 June 2025 and Marine Directorate Licensing Operations Team scoping advice recorded at Table 3.1 (I.D. 36 and I.D. 5), together with the applicant's recorded reasons for the separate submissions.

[6] ScottishPower Renewables / MachairWind Limited, EIAR Appendix 16.3, Coastal Character Baseline and Assessment (prepared by LUC, November 2025): CCA 11 (West Colonsay), approximately 12 km from the WDA, High sensitivity, Large scale of change, Large geographical extent of effects, High magnitude of impact, major and significant effect; CCA 13 (Oronsay), approximately 12 km, High magnitude, major and significant; CCA 12 (The Strand), approximately 13 km, High magnitude, major and significant; CCA 9 (Kiloran Bay to Eilean Dubh, Colonsay), approximately 17 km, High magnitude, major and significant. Available from the applicant's document library at scottishpowerrenewables.com.

[7] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 16 (Seascape, Landscape and Visual Impacts) and Appendices 16.1 (SLVIA and Visualisation Methodology) and 16.2 (Assessment of Effects on Special Landscape Qualities), June 2026, including the representative viewpoint assessment for Viewpoint 14 (B8086 south of Lower Kilchattan, Colonsay).

[8] MachairWind Limited, Planning Statement, June 2026, page 50 (Tables 6.6 and 6.7 and accompanying text).

[9] Scottish Government, National Planning Framework 4 (adopted 13 February 2023), in particular Policies 1, 3, 4, 7 and 11.

[10] Scottish Government, Scotland's National Marine Plan (published 27 March 2015; ISBN 9781785442148), adopted under section 5 of the Marine (Scotland) Act 2010, Chapter 4 (General Policies), which states at paragraph 4.4 that all text in the chapter should be considered as planning policy. Policies relied upon: GEN 1; GEN 6 (paragraphs 4.22–4.23); GEN 7 (paragraphs 4.28–4.30); GEN 9; GEN 13; GEN 18 (paragraph 4.77); GEN 19 (paragraph 4.81); GEN 21 (paragraph 4.85). Available at https://www.gov.scot/publications/scotlands-national-marine-plan/

[11] Landscape Institute and Institute of Environmental Management and Assessment, Guidelines for Landscape and Visual Impact Assessment (3rd edition, 2013) (“GLVIA3”), including its treatment of receptor susceptibility and of primary mitigation through layout alteration, redesign and relocation.

[12] Scottish Natural Heritage, Supplementary Advice to SNH Consultation Response (25 March 2020): Assessment of Potential Seascape, Landscape and Visual Impacts and Provision of Design Guidance, prepared in respect of Marine Scotland's Draft Sectoral Plan for Offshore Wind (December 2019), including the recommendations that

development be limited to beyond 35 km from Colonsay and Islay and that turbine height be limited to a maximum of 200 metres.

[13] Scottish Government, Sectoral Marine Plan for Offshore Wind Energy: consultation on the Draft Plan (18 December 2019 to 25 March 2020) and the associated record of consultation events; Sectoral Marine Plan for Offshore Wind Energy (published 28 October 2020); and the supporting Socio-Economic Impact Assessment, section 3.2.4, which identified that the Draft Plan Options are most likely to have negative impacts on the commercial fisheries, commercial shipping, and tourism and recreation sectors.

[14] Crown Estate Scotland, ScotWind leasing round outcome (January 2022).

[15] Islands (Scotland) Act 2018: Part 3 (Duties in relation to island communities, brought into force on 23 December 2020), section 11 (guidance) and section 14 (Duty of the Scottish Ministers to have regard to request for retrospective island communities impact assessment).

[16] The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (SSI 2017/101); The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (SSI 2017/115).

[17] The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended); The Conservation of Offshore Marine Habitats and Species Regulations 2017.

[18] Historic Environment Scotland designation record: Oronsay Priory and Cross, scheduled monument SM287 (first scheduled 28 April 1920), portal.historicenvironment.scot/designation/SM287; and Historic Environment Scotland guidance, Managing Change in the Historic Environment: Setting.

[19] Canmore, the National Record of the Historic Environment (Historic Environment Scotland), record for Oronsay Priory (Canmore ID 37822), including the record that sanctuary crosses associated with the Priory stood in the Strand.

[20] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 14 (Offshore Archaeology and Cultural Heritage) and Appendix 14.3, June 2026.

[21] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 18 (Socio-economics, prepared by BiGGAR Economics) and Appendix 18.1 (Socio-economic Technical Report), June 2026, including sections 2.2 and 3.3 of Appendix 18.1. The finding on potential impacts on the habitability of island communities is that of BiGGAR Economics, the applicant's commissioned socio-economic consultants, recorded in the MachairWind Development Economic and Social Scenarios: Opportunities and Impacts report (BiGGAR Economics, 2024), which the applicant cites at Table 4.1 of its Without Prejudice Derogation Case as having informed its Socio-economic Action Plan.

[22] Analysis commissioned by Mountaineering Scotland, prepared by Dr Gordon, examining the BiGGAR Economics research on wind farms and tourism in Scotland and its applicability to wild, landscape-dependent settings, including the findings on the absence of a valid baseline, the treatment of all wind farms as equivalent, and the reliance on macro-level employment data.

[23] Glasson, J., Durning, B. and Welch, K., The impacts of offshore wind farms on local tourism and recreation: a research study, Impact Assessment Unit, Oxford Brookes University, October 2021.

[24] Colonsay Community Council, visitor survey on the MachairWind proposal (2026): all respondents opposed the development. Held by the Community Council and available to the Scottish Ministers on request.

[25] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 8 (Benthic Ecology), June 2026: Priority Marine Features and Annex I habitats within the WDA (Table 8.6; Figure 8.3).

[26] MachairWind Limited, Habitats Regulations documentation submitted with the application, June 2026: Report to Inform Appropriate Assessment (Parts 1 to 3); Report to Inform Marine Protected Area Assessment; Windfarm Development Area Habitats Regulations Appraisal Screening Report; Without Prejudice Derogation Case (June 2026); and Appendix 1 thereto, Without Prejudice Guillemot Compensation Plan. The Derogation Case relates specifically to the guillemot feature of the North Colonsay and Western Cliffs Special Protection Area (§1); records that it is submitted without prejudice to the applicant's conclusion of no adverse effect on site integrity, in case the competent authority may not reach the same conclusion (§1.2); sets out six Project Objectives, the sixth being to optimise the W1 ScotWind Plan Option Area and maximise generation capacity of available Scottish seabed (Table 4.1); discounts all alternatives, including a reduced development area and a reduced number of turbines, by reference to those objectives (Tables 4.2–4.6); cites R (Spurrier) v Secretary of State for Transport

[2019] EWHC 1070 (Admin) (§4.2); records that new compensation Regulations come into force in May 2026 and that the supporting statutory guidance has not yet been published (§2.2); and quantifies the asserted employment and Gross Value Added benefits at Scotland and United Kingdom level (§5.2.2). Available from the applicant's document library at scottishpowerrenewables.com.

[27] Case C-127/02 Landelijke Vereniging tot Behoud van de Waddenzee and Nederlandse Vereniging tot Bescherming van Vogels v Staatssecretaris van Landbouw, Natuurbeheer en Visserij [2004] ECR I-7405 ("Waddenzee"), Court of Justice (Grand Chamber), 7 September 2004. See also Case C-461/17 Holohan v An Bord Pleanála (an appropriate assessment must contain complete, precise and definitive findings) and Case C-323/17 People Over Wind v Coillte Teoranta (mitigation may not be taken into account at the screening stage).

[28] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 9 (Fish (including Basking Shark) and Shellfish), June 2026: basking shark disturbance, displacement and vessel collision (Tables 9.16–9.17); underwater noise Zone of Influence to 88 km (Tables 9.13–9.14); modelled effects on herring and lesser sandeel (Figures 9.3–9.4).

[29] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 10 (Marine Mammals and Leatherback Turtle), June 2026.

[30] Raeshaw Farms Limited v Scottish Ministers [2026] CSIH 10 (Inner House, Court of Session, 17 February 2026), on "project splitting" and the requirement for a fact-specific, reasoned assessment of whether a wind farm and its grid connection constitute a single project for the purposes of environmental impact assessment.

[31] Planning and Infrastructure Act 2025 (c. 34), Royal Assent 18 December 2025; relevant provisions in force 18 February 2026. Schedule 1 makes amendments to the Electricity Act 1989, including to Schedule 8 (paragraph 3, objections by other persons; paragraph 4, public inquiries), removing the automatic trigger for a public inquiry and substituting a reporter-led examination in which the appointed person determines the appropriate procedure.

[32] Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council, English Heritage, the National Trust and the Secretary of State for Communities and Local Government [2014] EWCA Civ 137: a statutory heritage duty requires the desirability of preserving the setting of a heritage asset to be given considerable importance and weight; a finding of harm gives rise to a strong presumption against consent. See also Jones v Mordue [2015] EWCA Civ 1243 (no particular formula of words is required to discharge the duty). Cited as persuasive on the principle; decided under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

[33] South Buckinghamshire District Council v Porter (No 2) [2004] UKHL 33, [2004] 1 WLR 1953, per Lord Brown at [36]: the reasons for a decision must be intelligible and adequate, and must enable the reader to understand what conclusions were reached on the principal important controversial issues. See also Dover District Council v CPRE Kent [2017] UKSC 79, per Lord Carnwath: the giving of reasons is an essential element of good administration.

[34] Spinergie, industry analysis of offshore wind farm operations, identifying the construction phase, in particular pile driving for foundations and vessel engine noise, as the noisiest part of a wind farm's life cycle.

[35] Argyll and Bute Council, Local Development Plan 2, Written Statement and Proposals Map (adopted 28 February 2024).

[36] National Trust for Scotland, stated intention to object to the MachairWind proposal, June 2026.

[37] Town and Country Planning (Scotland) Act 1997, section 3A (as amended by the Planning (Scotland) Act 2019): outcomes to which the National Planning Framework must contribute, including improving the health and wellbeing of the people of Scotland and increasing the population of rural areas of Scotland.

[38] Comparative heights: Eiffel Tower, 330 m; tallest building in the United Kingdom, The Shard, London, 310 m.



Clyde Fishermen's Association

Response to Machair Consultation – 15th of August 2026

We have made return comments to the Machair project previously (Annex 1), although it must be noted that we have increased our Islay membership since our initial comments. We requested an extension to the consultation to permit a sit down with our new Islay members to discuss their perspectives in detail, as we haven't had a reply we will submit this initial return and be happy to follow up in more detail if an extension is granted.

We note that of our local static members they are not based in the proposed array site itself, and our local mobile boats are likely to be most impacted by the project cable route and construction/maintence of the project. We note that this proposal is largely in relation to the array site itself and not the cable from the site which will be consulted on separately.

We understand the consultation has to be in two sections for project reasons, but we would flag the bulk of our members potential concerns are likely to focus on the location of the cable corridor and its interaction with fishing. If the cable route is likely to cause a significant snagging risk and potential loss of human life in fishing areas we would object until alternative solutions can be agreed. Likewise we could not agree if fishing ground is permanently lost (or lost for the period of the project and its decommissioning stage) without appropriate mitigation or agreed compensation.

One of our newer Islay mobile scallop members has previously met with the Machair project team to highlight areas where they fish and potential interactions. At this meeting they highlighted there are a lot of tows to the South West of Islay that could be affected depending on the exact location of the cables. It has been noted that in previous projects cables can present a catch hazard for continued local fishing. Members will have to see the more defined consultation on the cable area to ascertain it's area as Islay members work out beside the overfalls and all over the middle bank to the North and South. We are also aware creelers, often from Northern Ireland tend to work this area. In terms of the cable going through the Clyde, our members are keen to work with Machair project to help avoid areas important to fishing. In all cases we would prefer if at all possible all fishing grounds are avoided, but if displacement is to occur both mobile and static boats should be fully engaged with the Machair project to mitigate disturbance, and when this is not possible genuine and appropriate compensation must be a viable option for any boats regardless of their gear type.

In March 2026 the following comments were sent to the Machair Team from CIFA, a national alliance which the CFA are a member of:

"For reference CIFA and its national associations are in discussions with the UK FLOWW regarding potential membership. We will consider other potential options too but we are not involved in any other frameworks at the moment. However CIFA will work in good faith with Machair to obtain suitable outcomes for both parties and in particular our fishing members

As stated in meetings we are just as interested in the Cable routes and would urge consideration of factors such as seasonality of local fishing in respect to the timing of project work.

We would always recommend involving local fishermen and those trusted by the local community in the project development. Fisheries observers on survey vessels where possible or in discussions after survey routes where space does not allow.

We would definitely recommend preferably localised observers on project vessels during cable laying/digging and protection etc. In previous projects in our experiences are that issues come when the project leaves the development table and goes to practical routes and protection work. Any way we can help to assist the project going forward for the long-term benefit of both parties, then we are more than happy to do so. Particularly when it comes to advising on ground composition, routes, hazards and suitable protections.

Our preferences are always buried wherever possible, but obviously if any mattresses or rock dump is a possibility we hope to be involved as early as possible to prevent the loss of ground or potential loss of life re snagging risks etc. In advance of work minimum burial guarantees, fisheries sign-off on protection types and ongoing exposed cable reporting and rapid remediation would be advised through strong lines of communication. A similar process of informing hazards and in relation to dropped objects.

As in all cases we always recommend guardship is offered to local boats from the area.

On general points:

Coexistence" is promised — but not guaranteed. Wherever possible we would like to ensure fishing can continue at site locations and cable corridors. Fishing is a legitimate marine use practiced for generations. It is also vital to local coastal socio-economics and national food security. In recent years spatial squeeze has become pronounced for fishermen through cumulative closures and new sectors, therefore we want to be sure that co-existence does not mean more spatial squeeze and long term loss of fishing grounds.

Increased marine traffic from the construction of the project and its maintenance should be considered in relation to use of harbour space and any potential knock on negative impacts to fishing.

Cumulative exclusion must be assessed, not just individual zones. If significant disruption is encountered during development work compensation should be discussed in advance across the fleet gear types. Scheduling of projects will be important to minimise impact to seasonal fishing.

Regarding compensation when it is appropriate we would argue for inclusion of effort displacement, not just loss. Also a recognition that small vessels without full data records may find it more difficult to prove valid losses.

Regarding gear snagging, in many cases the burden of fault cannot be laid just at the fishermen's end. In the past we have found mattressing and rock dump to be in the wrong areas in relation to the data provided, and so a neutral approach to each incident is essential. Also it must be noted that some fishermen may not have received Notices (NtMs, emails, etc, liaison with FIR/FLO.) in realistic timescales or helpful formats depending on the vessel. We will do all we can to help circulate messages when we can as an organisation.

We support local working groups being involved in the project in a format local fishermen and the developers feel works best. We do feel where possible these groups may help to provide arbitration, but we also recognise there may be instances where independent arbitration overviewed by an agreed party makes sense.

If fishing gear /fishing activity does have to be removed to accommodate the project then operational disruption to fishing and cashflow burdens must be considered. These are generally small scale family businesses with less resilience than large scale companies, and so discussion on requirements and any compensation can be time critical for the survival of the fishing business. Where appropriate payment for time, fuel, and lost fishing opportunity (not just gear handling) should be considered. Mitigation does not mean no impact in many cases.

Monitoring of projects and their impacts often looks at data such as Landings data, VMS and port statistics rather than real life impacts. Under 12m boats are often not captured via VMS/AIS and the data pings are not always reflective of fishing. We would always recommend speaking with local boats and associations. We would want to see the realistic capture of lost opportunity, displacement stress and gear conflict. Economic and spatial displacement must be measured directly with Fisher-led impact reporting, inclusion of qualitative evidence (skipper testimony).

We would support sensible liaison structures with CFLOs, OFLO and Fisheries Liasion Groups as agreed by local stakeholders. We would want these groups carry weight to improve projects for all parties."

We would add that we would like to see ongoing evaluation of impacts on fish stocks through the duration of the project, and that local fishermen are keen to be involved in any monitoring

and science work where there is an opportunity to collaborate and share information. Likewise local fishermen would like to be involved and consulted in any decommissioning plans to minimise disturbance in the longer term.

We would stress with the instability of world events in the last months the importance of food security and fishing as a low carbon sustainable food source has increased, and the need to maintain its viability along with factors such as energy supply is essential.

We should also note that any socio-economic displacement of fishing should be considered not just in terms of catch value and vessel accounts, but also in terms of potential impacts on processing, transport, markets and exporting.

Annex 1 -

Dear All,

Having read the documentation we would make the following points on behalf of our members: Having experience on working on cable projects on the West Coast and Renewables on the East Coast of Scotland we note that the plans of the developers (in the case of Machair, Scottish Power) often make strong efforts to engage with stakeholders in good faith from the outset. However we would also note that common issues start to occur when contractors come in to complete the work and there can be deviations from the originally proposed plans and routes, this is when issues for local fishing fleets present generally. We would urge strong communication throughout the project, particularly if there should be any changes. We note that in the past emergency licences have been used at short notice by contractors on the grounds of safety, but indeed this can lead to safety issues for local fishermen if this is not communicated effectively or if local fishing boats activity is not fully considered. We note the socio-economic impact doesn't detail too strongly on impacts to fishing which could be negative, not only from the Machair site itself but particularly from the cable routes. The cable routes are likely to impact on very valuable scallop, prawn, lobster, finfish and crab ground, and we would note this should be fully considered and mitigated and where appropriate compensated if impact is significant. We would stress that all fishing gear types should be engaged with fairly (mobile/static etc), particularly if displacement occurs to any gear type which is damaging. In the past we have seen individual fishermen approached whilst others have not been and this has caused significant issues between fishermen. These issues happened with other companies, but we are aware of the issues this can cause. Fishing is a community most likely to be impacted by the site and the cables and so we feel this must be fairly reflected as the project

develops. We should also stress that in some cases where fishing might be possible in some respects in relation to renewable sites, it is often the case that vessel insurance and safety aspects would not be covered, so more fishing ground may in practice be lost than is reflected in theory. We are also aware of EMF work ongoing regarding renewable sites and cabling and would stress any research should be considered as it evolves We have relayed to Machair team that we are keen to work with them on cable routes and the burial routes, we have already fed in and we would welcome practical involvement as the project moves forward to minimise impacts to fisheries and push on coexistence, for example observers onboard to help advise on routes, minalise rockdump and mattressing giving a preference to mud burial. We note that any cable protection which presents a risk to safe fishing will be an issue for local fishermen and should be avoided. Many thanks, [Redacted]

Duart Castle

From:	Office | Duart Castle
To:	MD Marine Renewables
Subject:	My Objection to the Planning Application for the MachairWind Offshore Wind Farm
Date:	11 August 2026 14:58:49
Attachments:	image001.png

Dear Sir/Madam,

I am writing to formally object to the planning application for the MachairWind Offshore Wind Farm.

As a resident of Mull, and my family has lived here for many hundreds of years, I feel that I must object to the proposed Machair Wind Farm. My reasons for objecting are as follows,

The size of the development

- The size of this development, which is half the size of Mull, 64% the size of Islay and 51 times the size of Iona which is closely linked to Mull. The impact of a development of this size will be enormous, and I will add that the Treshnish Isles will also be affected. These were key areas for my family for many years and should not be forgotten i.e., in the review of the proposal.

Security

- The potential developers don't seem to have assessed the security of a development of this size. With the Russian fleet spending more time in the waters of Scotland, and with a determination to cut infrastructure projects, the assessment of this site for security purposes seems to have been almost neglected. It's not only the large number of turbines and structures that are set in this area, but also the impact of electricity generation into the grid in the UK.

The effect on the environment

- This is a major area for bird migration, which is bound to be affected by these huge turbines travelling at more than 250mph. Not only that, the seabed and the fishing rights in that area will also be severely affected by the turbulence of firstly building the development, and secondly the running of it for 35 years. It does not seem that the developers have considered all the environmental problems that this development will cause to the whole of this west highland community.

The leading-edge erosion of turbine blades

- It has been brought to my attention that evidence shows that in the northeastern North Sea degradation reduces blade life by 20% compared with the southwest North Sea. The west coast of Scotland is more exposed to western winds with heavy rainfall during winter storms than the North Sea. Erosion rates may be greater still for the proposed development. Annual losses of blade coating material could result in substantial cumulative release of microplastics over the lifetime of the project. These concerns have not been fully analysed by the developers.

Wind wake of neighboring wind farms

- Wind wake can affect neighboring wind farms up to 100km. The Mull of Kintyre has a major development of wind turbines in that area, and the developers don't seem to have considered the reduction in their ability to produce energy with this enormous wind farm being built. Evidence shows that the production of current wind farms can be reduced by up to 10% with this new development. This makes a real impact over the whole area, not only of the development itself, but also with outlying areas.

Economic effect

- The developers are not interested in the effect that this will have on the local communities. I have a visitor attraction business on the Isle of Mull, and with this enormous wind farm

so close to us, it could well deter people from coming to the west coast including Mull, Islay, Colonsay, and drive them away to other parts of Scotland. Our economy is on a knife edge over the problems with Caledonian MacBrayne ferries, and any further disruption could only cause us to have serious effects on the island businesses. The developers aren't interested in taking that into account, they do not understand that islands like us are a fragile community. With the short season that we are open due to the weather, our businesses are very vulnerable to any change in the environment.

In conclusion, Mull is seen as one of the most beautiful islands on the west coast of Scotland, and it is about to be ravaged by this wind farm. I would ask you please to take note of the objections I have made to this wind farm, and I would appreciate an acknowledgment.

Yours faithfully,
[Redacted]



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Licensing Operations Team
Marine Directorate
By e-mail

28 August 2026

Dear Sir/Madam

MD-00012385/ MD-00012386 - MachairWind Offshore Wind Farm - EIA Section 36 consent and Marine Licence Applications

Thank you for contacting us regarding the above development. We would like to make the following comments on the Section 36 consent and Marine Licence Applications, with a focus has been on Chapter 9. Any references to paragraph numbers below relate to Chapter 9 unless otherwise stated.

IUCN Status of Atlantic salmon

Table 9.2. makes several references to FMS highlighting that Atlantic salmon are now considered near threatened. What we actually said was "In the latest species reassessment by the IUCN Red List of Threatened Species, released in December 2023, Atlantic salmon have been reclassified from 'Least Concern' to 'Endangered' in Great Britain (as a result of a 30-50% decline in British populations since 2006 and 50-80% projected between 2010-2025), and from 'Least Concern' to 'Near Threatened' in terms of global populations (as a result of global populations declines of 23% since 2006)." Clearly, in the context of the proposed development, it is the GB status of Atlantic salmon that is pertinent.

River Bladnoch SAC

Row 57 of Table 9.2 states that "The River Bladnoch does not overlap with, nor does it directly outflow into the Regional Study Area, so is beyond the scope of the assessment." We do not agree with this assessment. In row 19 of the same table, NatureScot highlight an

additional data source relevant to the spatial and temporal movement of migratory fish (Lilly *et al.* 2024). We do not believe it is possible to discount the potential for Atlantic salmon from the River Bladnoch SAC to move through the proposed development site.

National Conservation Status of Atlantic salmon (as a PMF)

The document makes several references to 'As such, no impact on their national conservation status or the PMF status of Atlantic Salmon is predicted' (e.g. paragraph 81, 164, 278). We understand why the developer has used this language, as this is the language adopted for PMFs in the National Marine Plan. However, it is important to understand that Atlantic salmon and sea trout populations are not managed on a national basis, and therefore the national conservation status of these species is not really a meaningful term in the context of any proposed development. We would therefore ask the developer, should the proposed development be consented, to be mindful of this dynamic when considering future management and mitigation of diadromous fish in future (see below).

Potential exposure of diadromous fish to impacts

Paragraph 163 states that "Diadromous species such as Atlantic salmon (a PMF), sea trout, river lamprey, and sea lamprey migrate through offshore waters only briefly, limiting their exposure to construction-related noise." This statement fails to recognise more recent work undertaken by the Marine Directorate and presented at ScotMER which demonstrates that post smolts do not always move swiftly through coastal waters, presumably taking time to forage when feeding opportunities arise.

Paragraph 317 states that, "Diadromous species such as Atlantic salmon (a PMF), sea trout, and eel are highly mobile and migrate through the area rather than relying on fixed habitats within the WDA. Therefore, long-term seabed habitat loss is unlikely to significantly affect their populations or migratory behaviour." Whilst this may be the case for Atlantic salmon, subject to the research by Marine Directorate referenced above, we do not believe that this is the case for sea trout. Sea trout, unlike salmon, sped prolonged periods in coastal waters and they may well rely on sea bed habitat for feeding and shelter.

EMFs

Section 9.11.1.9.1.3 relates to the effects of EMFs on diadromous fish. We note that there is an important difference between behavioural effects (such as startle behaviour) and impacts on the ability of salmon to navigate to their home river. As recognised in the documentation, Atlantic salmon can detect magnetic fields and use these to navigate back towards their home river. Whilst it is correct to state that olfactory cues also have a role to play, it is not clear when these cues take over from magnetic fields as the primary means of navigation. Returning adult salmon from a range of rivers to the south of the proposed

development, including the Bladnoch SAC and SAC rivers in north west England are likely to pass through the proposed development. It is also unlikely that salmon destined for these rivers will be able to pick up olfactory cues until they are much closer to their natal rivers.

We remain concerned that EMFs arising from cables have the potential to interfere with the ability of Atlantic salmon to detect the Earth's magnetic field and therefore may confuse their ability to locate their natal river.

Predation impacts

It is well established that hard substrates introduced into the marine environment through construction of offshore wind farms, can result in local increases in the numbers of a wide range of species including gadoid fish, sea birds and seals, all of which can predate adult and juvenile salmonids. Marine mammals have been demonstrated to utilise wind farm sites in Dutch and UK waters, and predatory fish are likely to accumulate in the area. We still have significant concerns about the potential for predation of salmon post smolts, sea trout and returning adult salmon due to aggregation of fish, marine mammals and predatory birds in the vicinity of the development, and we consider that the developer has failed to demonstrate no adverse effect on site integrity of the relevant Atlantic salmon SACs, and impacts on other relevant rivers.

The potential for such effects on Atlantic salmon and sea trout has not been adequately addressed in the documents provided by the developer. If the development is to proceed, at the very least, we would expect to see, as a specific condition of consent, a requirement for a Fish Mitigation Plan. Any such plan should specifically include Atlantic salmon, and there should be a requirement to engage directly with Fisheries Management Scotland and relevant members, as the plan is developed and agreed.

In addition, given the ongoing evidence gaps relating to wild diadromous fish, all offshore wind developers should be required, as a condition of consent, to contribute to addressing evidence gaps identified by the ScotMER diadromous fish receptor group.

Conclusion

It should be emphasised that we have no wish to prevent or delay any proposed development unnecessarily and we remain keen to work constructively with the developers and the Marine Directorate to identify appropriate monitoring and mitigation programmes which will allow us to be able to assess the acknowledged risks of this development, and other proposed developments in a more appropriate manner. There is a clear and urgent need to fund, plan and start strategic research on the movement, abundance, swimming depth, feeding behaviour and impact pathways relevant to diadromous fish. Such research would clearly feed into the potential mitigation measures that might be deemed appropriate, and the

conditions under which such mitigation should be enacted. As stated above, developers should be required to work together to fund strategic monitoring, in order to allow more certainty for all involved.

In conclusion, in the light of the ongoing failure to understand, quantify and address concerns relating to impacts on diadromous fish, we object to the proposal as currently set out. However, should the developer commit to contributing to strategic research to address these information gaps, as a specific condition of consent, and also commit, through a Fish Mitigation Plan, to supporting projects relevant to the conservation and restoration of diadromous fish populations, we may be in a position to lift our objection.

Yours faithfully,

[Redacted]

[Redacted]

CEO, Fisheries Management Scotland

Glasgow Airport

From:	#GLA Safeguarding
To:	MD Marine Renewables
Cc:	**[Redacted]**
Subject:	Re: MD-00012385/ MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm – Windfarm Development Area - EIA Section 36 consent and Marine Licence Applications - Consultation – Response Required by 15 August 2026
Date:	17 August 2026 08:47:36
Attachments:	image003.png image755839.png image172001.png image237168.png image532537.png image132514.png

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This proposal is located outwith the consultation area for Glasgow Airport. As such we have no comment to make and need not be consulted further.

Kind regards

[Redacted]

GLASGOW AIRPORT

#GLA Safeguarding
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Glasgow Prestwick Airport

From:	**[Redacted]**
To:	MD Marine Renewables
Cc:	Safeguarding
Subject:	RE: External - FW: MD-00012385/ MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm – Windfarm Development Area - EIA Section 36 consent and Marine Licence Applications - Consultation – Response Required by 15 August 2026
Date:	26 June 2026 09:16:17
Attachments:	image003.png

Good morning,

On behalf of Glasgow Prestwick Airport, I have reviewed the information available on the marine.gov.scot website detailing the MachairWind Offshore Wind Farm.

The proposed development lies beyond the GPA Safeguarding Area, and consequently we would have no comment or valid objection to make to the proposal.

Future consultations where necessary should be directed towards the aviation safeguarding department (cc'd) to ensure a prompt response. Thank you,

Kind regards,

[Redact

[Redacted]
Aviation Safeguarding Manager
[Redacted]

[Redacted]

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Glasgow Prestwick Airport Ltd.
Aviation House
Prestwick
KA9 2PL
Scotland
United Kingdom

Gigha Community Council

GIGHA COMMUNITY COUNCIL - Machair Windfarm proposal comments

Marine Directorate Reference 00012385 and 00012386

Gigha Community Council is constituted under Part IV of the Local Government (Scotland) Act 1973. Its statutory remit is to represent the views of the residents in the Gigha community it serves. We have consulted islanders and summarise responses in the following submission.

Gigha Community Council wishes to object to the proposal within the applications of made by MachairWind Limited for consent under section 36 of the Electricity Act 1989, and for associated marine licences under Part 4 of the Marine (Scotland) Act 2010, to develop and operate the MachairWind 'Offshore' Wind Farm north-west of Islay and west of Colonsay (Marine Directorate references 00012385 and 00012386), as submitted on 25 June 2026.

Our primary challenge is on the basis of 'need'.
We strongly dispute the presumption of seemingly unlimited renewables expansion in Scotland to seek to allegedly meet commitments made under the 2015 Paris agreement in principle, and particularly any need for the present proposals (Marine Directorate references 00012385 and 00012386)

Currently 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 Prof 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.

For example, Scotland's 'average' electricity winter consumption is 5.7GW but there are now 5.3GW of new demand for AI and hyperscale computer centres in various stages of the planning pipeline. There are currently 8 (+) applications for AI/computer centres in the M74 corridor south of Glasgow, for which there is no current electricity supply, and, in total, 17 hyperscale data centres are reported to be in development at some stage in Scotland.
Those Scottish AI centres in planning already compromise Paris targets for net zero, as well as being heavy water consumers.

There is no strategic energy and resource planning of any merit that could conceivably permit this scale of very high energy and resource consumption whilst intending or expecting to meet the current

2ºC 2100 targets. This lack of overall strategic planning and subsequent management, for both supply and demand targets prevents effective net zero accounting.

Projections by the Energy Department are that UK electricity demand will increase by 10% per annum until 2030, 50% by 2035 and then double by 2050.
This growth alone will prevent the binding Paris agreement climate change targets being met unless offset by parallel reductions in fossil fuel energy consumption.
Without comprehensive demand management strategies and development planning, all further renewables increases do is add capacity, not reduce fossil fuel consumption or improve overall demand or energy efficiency.

Machair very clearly represents considerable over development of inshore marine wind.
Section 6.2.4 'Visual Environment' in the Planning Statement of the Machair proposal to the Marine Directorate, notes:

'…the significant adverse effects on the qualities for which the area has been designated are outweighed by the social, environmental and economic benefits of national importance which would be delivered by the Project.'

The developer clearly recognises both the magnitude and significance of adverse impacts but wrongly concludes that developing this site is necessary. It is not.
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.

Scotland already has installed wind power capacity of 18GW+, so more than 3x our winter domestic electricity demand of 5.7GW.
In 2024 38.4 TWh of renewable electricity was generated in Scotland.
National electricity consumption was 21.8 TWh.

We already have a considerable export market and Scotland is obviously able to absorb its own national electricity market growth: annual increases in renewables generation have run at approximately 10% pa. 2022-24.
With another 80GW of supply projects already in the planning pipeline at September 2025, then there is evidently no need whatsoever to develop marine wind in Argyll at all.

Scotland's rural land and remote seascapes are under a continual development threat as 21stC industrial sites despite their natural resource, scenic and cultural values, with no clear and obvious threshold for over-development stated or set in national planning strategies.

Marine locations for wind turbine developments are the new Scottish 'extractive' industry with power predominantly for export then requiring additional extensive transmission developments. As markets are hundreds of kilometres from generating sites additional generating capacity is required to cover transmission losses, thereby increasing the scale of development sites.

The 2GW capacity proposed at Machair west of Colonsay would be the largest marine scheme in Scotland, double the previous marine sited project, and sufficient to cover the domestic electricity demand for the whole of Wales with some mW to spare.

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.

NO LOCAL ECONOMIC BENEFITS AND NO COMPENSATION

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.

For this proposal, a scale of community payments of £10m pa. would even fail to compensate for turnover loss from a 10% falloff in overnight tourism in Argyll's adjacent Inner Hebrides, (given Argyll's quoted 2022-4 average annual overnight revenue of £160m plus), let alone any decline in the day visitor segment.

The financial damage to the island economies of Colonsay, Iona, Mull, Tiree and Islay of even a 10% impact on visitor numbers or visitor spend, both overnight and day visitors, would very substantially exceed required community payments were the proposed wind farm land based.
Iona alone would see a loss of day visitor revenues of £800k+ with a 10% reduction.

As Scottish Power is owned by Iberdrola, though with companies like Blackrock holding substantial assets, involved then profits from industrialising Scotland's inshore waters are of little or no national benefit.

LANDSCAPE SIGNIFICANCE

Firstly, this is not an 'offshore' development but is inshore in its proximity to the coasts of Islay, Colonsay, Tiree, Mull and Iona. Hence its visual impacts can in no way be evaluated in any way alongside the large East Hornsea and Dogger Bank windfarms which are 130km plus from the coast.

The impacts of such a huge marine scheme over 500 sq.km. are immense, permanently industrialising the landscape and seascape of a very large area within Argyll's Inner Hebrides. These are remote land and sea scapes, not urban fringes or adjacent, so are treasured for their intrinsic as well as for 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.

Visual impact envelopes and impact thresholds for turbines at up to 350m in height in a largely horizontal seascape are entirely subjective, with no empirical evidence offered in the evaluations provided.

Any vertical development in a marine seascape setting of low islands and extensive distant horizons cannot be evaluated in the same manner as a land based development, as vertical elements visually in a predominantly horizontal seascape are disproportionately powerful.
(See Elements of Visual Design in the Landscape - Simon Bell)

Section 6.2.5 'Cultural Environment' wrongly comments:
'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'.

Visual impact "significance" estimates with subjectively applied magnitude thresholds are invariably set too low.

It is worth noting that the planning enquiry for the Ovenden Moor windfarm some thirty years ago in W Yorkshire cited no strong visual impacts above a 20km threshold, when the actual developed site is still prominent within the Pennine landscape at 45km distance.

As far as turbine heights are concerned, the distance to visual horizon for the Eiffel Tower is 79km, and the larger proposed turbines would be higher than that. The mobile blade movements and lighting further raise land and seascape impacts, day and night.
The proposal submission seems to demonstrate the classic strategy of a wind farm developer seeking to understate the impacts of their proposal. The assessment deliberately understates the visual impact and omits the aggregate effects of evident major industrialisation of a currently pristine seascape with large numbers of geometrically spaced turbines.

FAILURE TO COMPLY WITH ISLANDS ACT

"*The Islands (Scotland) Act 2018 recognises that our islands face distinct circumstances and requires public authorities to consider the needs of island communities when exercising their functions*".

Mairi Gougeon MSP Cabinet Secretary for Rural Affairs, Land Reform and Islands

We are extremely concerned that the very short timetable for consideration of this application, which would be the largest inshore marine windfarm in the UK, within a highly sensitive land and seascape, mitigates against compliance with the 2018 Islands Act and its fundamental intention of ensuring a full voice for island communities in actions and developments that affect them.

The Thames Estuary London Array is a fifth the size of the Machair proposal at 100 sq.km, with 150m high turbines, and about 25% the output. The consultation process for that inshore wind turbine development was close to eighteen months.

We note comments made by the various island Community Councils on this particular issue. The spirit of this legislation was to empower island communities, not disempower them. We observe and recognise the lack of compliance with the Islands Act (Scotland) 2018 in this whole project proposal and and 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

[Redacted] for Gigha Community Council 12/8/26

Highlands and Islands Airports Ltd

From:	Safeguarding
To:	MD Marine Renewables
Cc:	Safeguarding
Subject:	MD-00012385/ MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm – Windfarm Development Area - EIA Section 36 consent and Marine Licence Applications - Consultation – Response Required by 15 August 2026
Date:	14 August 2026 16:19:59
Attachments:	Outlook-A picture .png values2025_49f0881e-b581-44a4-b961-1aecd2620b56.png

OFFICIAL

Your Ref: MD-00012385/ MD-00012386

Our Ref: 2026/137/TRE

Dear Sir/Madam,

Proposal: Machair Wind Farm Development comprising a maximum of 147 wind turbine generators ("WTGs") on fixed foundations; inter-array cables ("IACs") linking the WTGs together and to the Offshore Substation Platform

Location: The Wind Farm Development Area is located off the west coast of Scotland, northwest of Islay and west of Colonsay within the ScotWind leasing round W1 Plan Option Area with a boundary compromising 510 square kilometres.

HIAL has been consulted on the above proposed development, received by this office on: 25/06/2026.

With reference to the above planning application, Highlands and Islands Airports Limited (HIAL) has been working closely with the developer throughout the pre-application process, having been invited to undertake preliminary safeguarding assessments of the proposed wind farm. These assessments identified potential impacts upon the Instrument Flight Procedures (IFPs) associated with both Islay and Tiree Airports.

Following identification of these impacts, the developer commissioned IFP Safeguarding Assessments for the respective airports. The identified impacts are now understood, and potential mitigation measures and resolutions are currently being considered by HIAL.

HIAL will continue to work collaboratively with the developer and relevant stakeholders to seek an appropriate resolution to the identified safeguarding impacts. However, until pending the satisfactory resolution of these matters, HIAL currently returns a **holding objection** to the proposed development.

Regards,

[Redacted]

Safeguarding Officer.

Safeguarding
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Inverness Airport Dalcross IV2 7JB
www.hial.co.uk

The Hebridean Whale and Dolphin Trust

Licensing Operations Team,

Marine Directorate

Scottish Government,

Marine Laboratory,

Aberdeen,

AB11 9DB

5th August 2026

Dear Sir or Madam,

Objection: MachairWind Offshore Wind Farm, Environmental Impact Assessment

The Hebridean Whale and Dolphin Trust (HWDT) welcomes the opportunity to comment on the Environmental Impact Assessment (EIA) for the proposed MachairWind Offshore Wind Farm.

HWDT is working for healthy seas for nature and communities. For over three decades HWDT has been leading the way for the conservation of whales, dolphins, and porpoises in the waters of western Scotland. Based on the Isle of Mull, in the heart of the Hebrides, HWDT carries out long-term research to monitor and protect cetaceans, inspire people to take action and make a difference, inform decision-makers, and advocate for the recovery of the marine environment.

HWDT recognises climate change as one of the greatest threats to the marine environment affecting biodiversity and coastal communities. We support efforts to reduce reliance on fossil fuels and accelerate the transition to low-carbon and renewable energy sources, including the sustainable development of offshore wind.

However, this transition must ensure that the location, construction and operation of offshore wind developments are designed to minimise impacts on the marine environment and marine biodiversity. We are facing both a climate emergency and a biodiversity crisis, and these challenges should be addressed together.

Marine mammals play an important role in healthy marine ecosystems and contribute to wider ecosystem functioning and climate regulation. Protecting whales, dolphins and porpoises is therefore not only important for conserving biodiversity, but also for maintaining resilient marine ecosystems in a changing climate.

Summary of review

Following a detailed review of Chapter 10 (Marine Mammals and Leatherback Turtle), the draft Marine Mammal Mitigation Protocol (MMMP) and supporting technical appendices, HWDT objects to the current assessment of impacts on marine mammals.

Chapter 10 demonstrates that effort has been made to incorporate regional datasets, including HWDT's survey data and recommendations regarding their analysis. The assessment also appropriately sets out to adopt a precautionary, worst-case assessment. However, our review identified a number of issues which collectively demonstrate that the assessment does not provide a sufficiently robust or precautionary basis to conclude that significant effects on marine mammals have been adequately assessed or mitigated. Our objection therefore relates to the adequacy of the current assessment rather than to the principle of offshore wind development

Summary of key concerns

The following four overarching concerns underpin our objection:

1. **Underwater noise associated with pile driving during construction has not been sufficiently addressed through the proposed mitigation measures.**

   The underwater noise modelling (Appendix 10.1) demonstrates that a nominal 10 dB reduction in source levels would substantially reduce both the predicted impact ranges and the number of animals potentially affected. For example, the predicted Permanent Threshold Shift range for low-frequency cetaceans reduces from approximately 27 km to 2.1 km, whilst the number of cetaceans and fish affected is reduced by approximately 99% and 95%, respectively. These results demonstrate that reducing underwater noise at source using noise abatement has the potential to substantially reduce risks of both injury and disturbance. HWDT therefore considers that effective Noise Abatement Systems should form the primary mitigation measure for the Project rather than remaining an optional component of the draft Marine Mammal Mitigation Protocol.

2. **The effectiveness of the proposed mitigation has not been demonstrated to the extent assumed within the assessment.**

   The assessment repeatedly relies on embedded mitigation to reduce predicted impacts from significant to not significant. However, it does not consistently demonstrate that the proposed mitigation measures are capable of achieving the reductions assumed within the assessment, particularly given the large, predicted impact ranges associated with piling, the sensitivity of the receptor species and the proximity of designated protected areas for harbour porpoise and minke whale, which lie within 0.4 km and 4.3 km of the Development Area respectively.

3. **The final conclusions are not consistently supported by the assessment evidence.**

   Throughout Chapter 10, precautionary assessment findings are repeatedly moderated through "professional judgement" and assumptions regarding mitigation effectiveness before final significance conclusions are reached. The approach is applied repeatedly throughout Chapter 10 without equivalent quantitative assessment or supporting evidence demonstrating that predicted impacts have been reduced. Consequently, the final conclusions do not represent the precautionary worst-case assessment described at the outset of Chapter 10.

4. **The assessment does not fully reflect how marine mammals are likely to experience the Project spatially and temporally.**

   The assessment primarily considers impacts at the Management Unit scale but gives comparatively less weight to the regional ecological characteristics that determine how marine mammals are likely to experience the Project. These include site fidelity, seasonal habitat use, repeated disturbance, cumulative exposure, long-term behavioural responses and the vulnerability of small regional populations. In several instances, assumptions regarding animal movements and habitat use (for example, avoidance of established shipping routes) are not supported by the available evidence. The assessment should give greater weight to these ecological characteristics and the best available evidence to ensure it reflects how marine mammals are likely to experience the Project both spatially and temporally.

We object because these four methodological issues mean the assessment does not yet provide a sufficiently robust basis for concluding that significant effects have been adequately assessed or mitigated.

Recommendations

HWDT recommends that the applicant:

- Commits to effective underwater noise abatement at source as a primary mitigation measure and demonstrates that the proposed mitigation achieves the reductions assumed within the assessment;
- Revisits significance conclusions where moderate or major adverse effects are identified and provides revised assessment and supporting evidence wherever conclusions depart from the assessment findings;
- Revises the assessment to better reflect regional ecological characteristics that determine how marine mammals are likely to experience the project, ensuring that site fidelity, seasonal habitat use, vulnerable local populations, and relevant impact pathways such as repeated disturbance and cumulative exposure are appropriately considered when interpreting significance;
- Implements project-specific monitoring and adaptive management to validate assessment predictions and assess the effectiveness of mitigation throughout construction and operation;

Further detail on these points, together with additional comments and recommendations, can be found in the Appendix that follows this letter. HWDT would welcome the opportunity to discuss any of these points further.

Kind regards,

[Redacted]

[Redacted] Science and Conservation Manager, Hebridean Whale and Dolphin Trust

Appendix: MachairWind Offshore Wind Farm EIA – HWDT comments and recommendations

Declaration of interests

During the preparation of this response, potential conflicts of interest were considered in relation to the MachairWind project. This review was undertaken by HWDT recognising that we provided data to be included in the EIA, which was analysed by SAMS Enterprise. HWDT has also received project funding from the Scottish Power Foundation. In addition, some staff from the marine mammal team at the Scottish Association for Marine Science (SAMS) act as independent advisors on HWDT's Science Committee.

General comments

Overall assessment: Chapter 10 demonstrates that effort has been made to incorporate regional datasets, including HWDT's survey data and recommendations regarding their analysis to give a view of the site in the wider context of the west coast region. However, these results could be better used in the assessment to draw appropriate conclusions about regional occurrence of species and densities.

The assessment also appropriately sets out to adopt a precautionary, worst-case assessment. Given the uncertainties associated with assessing impacts on highly mobile marine mammals, this is considered an appropriate and proportionate approach. However, our review identified a number of issues which collectively demonstrate that the assessment does not provide a sufficiently robust or precautionary basis for concluding that significant effects on marine mammals have been adequately assessed or mitigated.

Key concerns underpinning HWDT's objection

The detailed comments below are organised under four overarching themes which collectively underpin HWDT's objection. Each section summarises the principal concern, provides examples from the assessment to illustrate the issue, and, where appropriate, identifies recommendations for further assessment, mitigation or clarification.

1. **Underwater noise associated with pile driving during construction has not been sufficiently addressed through the proposed mitigation measures.**

HWDT's primary concern relates to underwater noise generated during impact piling and the associated risks of auditory injury, disturbance and displacement of cetaceans. The assessment also identifies underwater noise associated with impact piling as the principal impact pathway during construction.

The underwater noise modelling (Appendix 10.1) demonstrates that a nominal 10 dB reduction at source would substantially reduce both the predicted impact ranges and the numbers of animals potentially affected. For example, the modelling predicts that a 10 dB reduction would reduce the predicted impact range for PTS in low-frequency cetaceans from 27 km to 2.1 km and reduce the number of cetaceans and fish affected by approximately 99% and 95%, respectively. These results

demonstrate that reducing underwater noise at source using Noise Abatement Systems (NAS) has the potential to substantially reduce the impacts from both injury and disturbance, whereas other mitigation using MMO's or ADDs would be much less effective and only attempts to reduce injury. Effective noise reduction at source using NAS therefore represents the single greatest opportunity to reduce both the spatial extent of impacts and the number of animals potentially affected.

Given the large impact ranges predicted for harbour porpoise and minke whales, together with the proximity of the development area to the Inner Hebrides and the Minches SAC for harbour porpoise (within 0.4 km) and the Sea of the Hebrides MPA for minke whales (within 4.3 km), HWDT does not consider that Noise Abatement Systems should remain an optional component of the draft Marine Mammal Mitigation Protocol (MMMP). The underwater noise modelling demonstrates that effective noise reduction at source has the potential to substantially reduce both the spatial extent of impacts and the number of animals affected. Effective noise abatement systems should therefore form the primary mitigation measure for the project. The assessment should clearly demonstrate the assumptions underpinning the proposed noise reduction, how these reductions will be achieved in practice, and how they will be secured through the final project design. Therefore, the assessment should:

- Demonstrate how the predicted 10 dB reduction will be achieved;
- Provide the evidence supporting the assumed reduction;
- Explain how the mitigation will be secured through the final MMMP;
- Demonstrate that mitigation will be effective across the hearing ranges of all relevant receptor species, particularly low-frequency cetaceans;
- Consider whether greater reductions could be achieved through the use of the latest available noise reduction technologies;
- Explain how the effectiveness of the proposed mitigation will be validated through monitoring.

The effectiveness of different noise abatement systems varies across frequency ranges and environmental conditions. Whilst technologies such as bubble curtains can be highly effective at reducing higher-frequency sound, their performance at lower frequencies may be more limited. Even so, this should not diminish the importance of implementing robust noise reduction measures wherever possible and a precautionary approach should be maintained for cetaceans which are known to be sensitive to underwater noise. Consideration should also extend to more elusive shelf and deep diving species (i.e. beaked whales and long-finned pilot whales), where evidence on abundance and distribution is limited. The assessment should demonstrate that the proposed mitigation is effective across the hearing ranges of all relevant receptor species, rather than assuming equivalent performance across taxa.

Projects should seek to implement the most effective available noise reduction technologies wherever reasonably practicable. Where appropriate, additional mitigation strategies, such as seasonal restrictions of piling activities, should also be considered alongside NAS to minimise impacts for species sensitive to lower frequency sounds. For example, minke whales are sensitive to lower frequency sound (Southall et al., 2019) and exhibit seasonal patterns of occurrence in

Scottish waters. As such, seasonal restrictions on construction activities should be considered as an additional mitigation measure when this species is present in the region.

The assessment distinguishes Temporary Threshold Shift (TTS) from Permanent Threshold Shift (PTS) in accordance with current offshore wind assessment practice. However, TTS remains a measurable auditory effect (Southall et al., 2019) and repeated or widespread sub-lethal hearing impairment may have ecological consequences beyond the immediate exposure event. For species with high energetic demands, such as harbour porpoise, temporary reductions in hearing sensitivity may affect prey detection, navigation and communication, particularly where exposure is repeated or occurs alongside other pressures. Harbour porpoises have exceptionally high energetic requirements and must forage almost continuously to maintain body condition (Wisniewska et al., 2016), making them particularly vulnerable to anthropogenic disturbance. The potential contribution of repeated TTS should therefore be considered within the cumulative assessment.

The assessment concludes that residual auditory injury and disturbance effects are negligible following implementation of embedded mitigation measures. However, these conclusions rely heavily on assumed mitigation efficacy, yet the assessment does not provide sufficient evidence demonstrating that the proposed mitigation is capable of achieving the reductions assumed.

HWDT recommendation

The noise modelling demonstrates that effective noise abatement has the potential to deliver by far the greatest reduction in predicted impact ranges and the numbers of animals affected. HWDT considers that reducing underwater noise at source represents the single greatest opportunity to minimise the risks of auditory injury, behavioural disturbance and displacement identified within the assessment and should therefore be treated as the priority mitigation measure for the Project.

HWDT therefore recommends that effective noise reduction at source through the use of noise abatement systems becomes a committed mitigation measure for the Project rather than an optional component of the MMMP. The assessment should clearly demonstrate how the assumed reduction in source levels will be achieved, provide evidence supporting the proposed mitigation strategy, demonstrate that mitigation is effective across the relevant cetacean receptor groups, and set out how its effectiveness will be validated through monitoring before final significance conclusions are drawn.

2. The effectiveness of the proposed mitigation has not been demonstrated to the extent assumed within the assessment.

The assessment relies heavily on embedded mitigation to reduce predicted impacts from significant to not significant. Whilst the proposed mitigation measures, including Marine Mammal Observers (MMOs), Passive Acoustic Monitoring (PAM), Acoustic Deterrent Devices (ADDs) and the development of a Marine Mammal Mitigation Protocol (MMMP), reflect approaches commonly applied within the offshore wind industry, the assessment does not consistently demonstrate that

these measures are capable of reducing impacts to the extent assumed within the significance assessment.

This is particularly relevant given the large, modelled impact ranges associated with piling, the proximity and overlap of the Development Area with the Inner Hebrides and the Minches SAC (within 0.4 km) and the Sea of the Hebrides MPA (within 4.3 km), and the reliance placed on mitigation to reduce significant effects. The assessment should demonstrate that the proposed mitigation is sufficient for the receptor species, impact pathways and spatial scales before it can be relied upon to reduce the significance of predicted effects.

The efficacy of the proposed Acoustic Deterrent Device mitigation is not sufficient for all receptor species: The assessment relies on Acoustic Deterrent Devices (ADDs) to reduce predicted impacts on marine mammals. However, the evidence presented does not demonstrate that the proposed ADD approach is effective for all relevant receptor species occurring within the Development Area. In particular:

- The assessment acknowledges that ADDs alone are unlikely to provide effective mitigation for mysticetes, yet no additional mitigation measures are proposed to address this limitation.
- The deterrence ranges presented (1–7 km depending on species) remain substantially smaller than the predicted injury and disturbance ranges, which are up to 27 km for low-frequency cetaceans. Again, no additional mitigation measures are proposed to address this disparity.
- The assessment refers to the Lofitech ADD as the basis for estimating deterrence ranges because it states it provides the largest deterrent ranges. However, the operating frequency of this device (approximately 14.6 kHz) exceeds the published upper hearing range for fin whales (~10 kHz; Southall et al., 2019), raising questions regarding its suitability for some low-frequency cetaceans.
- The assessment assumes that findings for minke whales can be extrapolated to other mysticetes. Given known differences in hearing sensitivity and behavioural ecology between baleen whale species, further evidence is required to support this assumption.
- Behavioural responses to ADDs vary between species. For example, humpback whales have shown little or no response to lower frequency ADDs (Pirotta et al., 2016), demonstrating that responses cannot be assumed across taxa.
- The assessment also assumes that animals remain responsive to ADD activation. Boisseau et al. (2021) undertook field trials in Iceland, where previous exposure to ADDs was deliberately limited to minimise the potential influence of habituation. The assessment should therefore provide further justification that behavioural responses observed under these conditions are representative of Scottish waters, where ADDs have previously been

widely used in aquaculture (Findlay et al., 2018), raising the possibility that previous exposure may influence behavioural responses.

Collectively, these points demonstrate that the assessment does not provide sufficient evidence to conclude that the proposed ADD approach is effective for all cetacean receptor species. Consequently, the assessment should not rely on the assumed ADD effectiveness to reduce predicted impacts without appropriate supporting evidence.

Standard mitigation is assumed to reduce impacts across very large spatial scales: The assessment relies on standard mitigation measures (MMO, PAM, and ADDs) to reduce impacts across the large, predicted impact ranges during piling. Whilst these measures represent standard industry practice, the assessment does not provide sufficient project-specific evidence demonstrating that they are capable of mitigating impacts to the extent assumed within the significance assessment. The assessment should therefore demonstrate that the proposed mitigation is effective across the spatial scales over which impacts are predicted before relying on that mitigation to reduce the significance of effects.

Vessel mitigation relies on good practice rather than project-specific mitigation measures that will reduce impact: Mitigation of underwater noise, disturbance and collision risk associated with project vessels relies primarily on existing good practice measures, including adherence to the Scottish Marine Wildlife Watching Code, use of established vessel routes and minimising vessel movements. However, these proposed measures are not specifically designed to reduce underwater noise or collision risk associated with large construction and operational vessels, particularly during transit to and from the Development Area. The assessment should demonstrate that these measures are sufficient to reduce impacts to the level assumed.

The assessment also concludes that vessel collision risk during the operation and maintenance phase is lower than during construction because fewer vessels will be operating. However, this conclusion places greater weight on vessel numbers rather than the characteristics of the vessels that will be in use and their associated impacts on cetaceans. Construction activities are likely to involve larger, slower vessels operating predominately at relatively low speeds (< 10 knots), whereas operation and maintenance commonly relies on very fast vessels, which may travel at speeds exceeding 20 knots. Given that vessel speeds are recognised as a key determinant of collision risk, the assessment should further consider vessel speeds, transit distances and operation and maintenance vessel movements throughout the operational lifetime of the project.

The assessment also assumes that marine mammals are likely to avoid established shipping routes, thereby reducing collision risk. There is no evidence that marine mammals avoid well-established shipping routes in the waters of western Scotland.

Therefore, HWDT considers that the risk of vessel strikes has not been properly assessed particularly for the operational and maintenance phase for the lifetime of the project and there should be a requirement to minimise the speeds and transit distances of vessels during the

operation and maintenance phase because these will also have to travel large distances through areas of important cetacean habitat.

Given the importance of vessel activity as a source of underwater noise, disturbance, and the potential for collision risk, the mitigation strategy should consider additional mitigation measures, including:

- Project-specific vessel speed restrictions;
- Minimising vessel transit through important marine mammal habitat;
- Consideration of vessel types and operational practices that minimise underwater noise;
- Routing and timing of vessel movements to avoid seasonal concentrations of marine mammals where supported by the best available evidence;
- Quieter vessel design and procurement where practicable.

The cumulative assessment should also consider the contribution of project-related vessel activity alongside existing commercial and recreational vessel traffic within the region.

HWDT recommendation

The assessment relies on these mitigation measures to reduce predicted impacts but does not demonstrate that they are capable of achieving the reductions assumed, particularly where large impact ranges are predicted or where moderate and major adverse effects are identified.

Where mitigation forms the basis for reducing significance, the assessment should provide clear evidence demonstrating that the proposed measures are effective for the relevant receptors, impact pathways and spatial scales considered. Where uncertainty remains, additional project-specific mitigation should be considered alongside existing industry good practice and a precautionary approach adopted.

Noise Abatement Systems reduce noise at source, whereas MMOs, PAM and ADDs primarily reduce the likelihood of animals being present during noisy activities. These measures perform different functions and should therefore be considered complementary rather than interchangeable when developing the final mitigation strategy.

3. The final conclusions are not consistently supported by the assessment evidence.

The assessment sets out to adopt a precautionary, worst-case approach to assessing impacts on marine mammals. HWDT supports this approach, particularly where uncertainties remain regarding project design, behavioural responses and population-level consequences. However, throughout the assessment, evidence generated through quantitative modelling, significance matrices and other assessment methods is repeatedly moderated through professional judgement, assumptions regarding mitigation effectiveness or alternative interpretation before final significance conclusions are reached.

In several instances, the assessment identifies major or moderate adverse effects through the significance assessment process, yet these are subsequently reduced to minor adverse or not significant in EIA terms by “professional judgement” without revised quantitative assessment or equivalent evidence demonstrating that predicted impacts have been reduced. Therefore, the final conclusions reached do not represent the precautionary worst-case assessment described. The assessment should clearly explain how assessment findings have been moderated, and why the revised conclusions are considered to better represent the likely ecological response.

Conservative assessment outputs are moderated without presenting revised evidence: The assessment applies conservative assumptions regarding monopile dimensions, hammer energies, piling duration and behavioural thresholds, consistent with a precautionary worst-case assessment. However, where these assumptions result in major or moderate adverse effects, the outputs are frequently described as "overly precautionary" or "not ecologically realistic" and are subsequently moderated through “professional judgement” without presenting revised quantitative assessments demonstrating what the applicant considers to be a more realistic scenario. If the applicant considers the worst-case assumptions to be unrealistic, revised quantitative assessments using alternative assumptions should be presented. Revised quantitative assessments are required to provide a transparent evidence base explaining how the significance conclusions have been reached. However, until that uncertainty has been resolved, the precautionary worst-case assessment should remain the basis for determining significance.

Precautionary assumptions should remain precautionary where species-specific evidence is lacking: The iPCoD modelling for minke whales predicts substantial long-term population decline when Permanent Threshold Shift is incorporated into the assessment, but these findings are presented for information only and are not fully explored within the assessment. Whilst some may consider the current iPCoD framework overestimate disturbance effects, in the absence of species-specific response data to pile driving for all dolphin and baleen whale species, it remains the most appropriate available quantitative tool for assessing potential population-level consequences and therefore remains consistent with the precautionary approach adopted within the assessment. Until improved empirical evidence becomes available, HWDT considers that precautionary assumptions remain appropriate when assessing potential population-level consequences, especially in this case given the minke whale MPA is within 4.3 km of the development site.

Similarly, the assessment adopts several behavioural response assumptions developed primarily for harbour porpoise and applies them to other cetacean species, despite limited evidence supporting their wider applicability. Examples include the application of the Effective Deterrence Radius (EDR), harbour porpoise behavioural response relationships and the 145 dB behavioural response threshold across multiple receptor species. Greater justification is required demonstrating that these approaches appropriately represent the hearing capabilities and behavioural responses of the full range of cetacean species assessed.

Behavioural response assumptions require stronger justification: The assessment relies on several behavioural response approaches that have been developed primarily for harbour porpoise and applies them more broadly to other cetacean species. Whilst this reflects the current lack of species-specific behavioural response data for many cetaceans, the assessment does not demonstrate that these assumptions are appropriate for all receptor species assessed. Greater justification is required to demonstrate that the behavioural response assessments appropriately reflect the hearing capabilities, behavioural ecology and likely responses of the full range of cetacean species present within the Development Area. Key points include:

- Application of harbour porpoise-derived response thresholds: The assessment applies behavioural response relationships and Effective Deterrence Radius (EDR) approaches derived primarily from harbour porpoise to a wide range of cetacean species. Current scientific evidence does not support applying these approaches to a wider range of cetacean species. Additional assessments against other suggested and commonly used behavioural response thresholds, such as those adopted by NOAA and Southall et al. (2019) should be included.

- Reliance on Thompson et al. (2025): The assessment relies on a distance-based approach, which has recently been suggested to provide a less conservative assessment than dose-response methods by Thompson et al. (2025). However, this work specifically relates to harbour porpoise, is based on studies undertaken only in the Moray Firth, and has yet to go through peer-review. Therefore, the assumption that the same approach can be applied to all other species, is not yet supported by any scientific evidence. Further justification is therefore required before these findings are extrapolated to other cetacean species.

- Behavioural response assessment (Impact 7): This assessment uses a behavioural response probability, derived for harbour porpoise, to assess potential response distances for all species. However, it is not clear across which frequency ranges the threshold of 145 dB has been measured, nor how it has been applied here to species with substantially different hearing capabilities. Further justification is required on how the behavioural response assessment is appropriate for all receptor species.

- Interpretation of impulsive and non-impulsive sound: The assessment frequently justifies reducing predicted impacts on the basis that sound is no longer considered impulsive beyond approximately 10 km from the source. However, non-impulsive sounds above a certain level can still cause a behavioural response, or injury where sound levels remain sufficiently high. The assessment should consider the implications of exposure to high-level non-impulsive sound.

These assumptions directly influence the predicted behavioural response distances and therefore the magnitude, significance and interpretation of effects presented throughout the assessment. Given the limited availability of species-specific behavioural response data for many cetaceans, HWDT considers that a precautionary approach should continue to be applied unless supported by

revised quantitative assessment or additional empirical evidence demonstrating that alternative assumptions are more representative of likely responses.

Small Management Units should not be discounted because they are small: Assessments of the Coastal West Scotland and Hebrides bottlenose dolphin MU and West Coast Community killer whales are discounted due to high percentages of affected animals because the Management Unit is small. The assessment then frequently places greater emphasis on larger management units where the proportion of animals affected is smaller. However, small population size is an indicator of vulnerability and as such greater weight should be given to the ecological characteristics of local populations, including long-term site fidelity, social structure and the vulnerability of small, regionally important populations. These factors are particularly relevant in this assessment for the Coastal West Scotland and Hebrides bottlenose dolphins and the West Coast Community killer whales.

The same approach is repeated throughout the cumulative assessment: The same pattern is repeated within the cumulative assessment, where precautionary assessment outputs showing high sensitivity, high magnitude and therefore major adverse effects are subsequently moderated through professional judgement before concluding that effects are minor and not significant in EIA terms.

HWDT recommendation

Where assessment findings are moderated through professional judgement or alternative interpretation, the assessment should clearly explain the decision-making framework used and provide equivalent quantitative evidence supporting the revised conclusions. Where precautionary assumptions are considered unrealistically conservative, revised quantitative assessment based on the alternative assumptions adopted should be presented.

The assessment results in conclusions that differ substantially from the assessment findings, therefore greater transparency and supporting evidence are required to demonstrate how those conclusions have been reached.

4. The assessment does not fully reflect how marine mammals are likely to experience the Project spatially and temporally.

The assessment is based primarily on Management Unit (MU) population estimates and the proportion of those populations predicted to be affected. Whilst this provides an appropriate framework for population-level assessment, it does not always reflect how marine mammals are likely to experience the project in ecological terms. The waters surrounding the Development Area support regionally important populations, some of which are characterised by long-term site fidelity, seasonal habitat use, complex social structures and repeated use of west coast waters. These ecological characteristics influence how impacts are experienced by individuals and local populations but are not considered when interpreting significance. As a result, the assessment

underestimates the potential consequences for small, vulnerable or site-faithful populations occurring close to the development area.

Management units: The assessment primarily considers Management Units and the proportion of each population affected. While these provide an appropriate framework for population-level assessment, they do not fully capture the ecological characteristics that determine how impacts are experienced by marine mammals in the region. The waters around the Windfarm Development Area support regionally important communities of animals that can be characterised by long-term site fidelity, complex social structures and seasonal patterns of habitat use. These ecological characteristics influence how animals may respond to disturbance and determine whether impacts are experienced evenly across Management Units or disproportionately by smaller local populations. Greater consideration should be given to these ecological characteristics to ensure the assessment reflects how marine mammals are likely to experience the project rather than solely the proportion of animals affected within the larger Management Unit.

Small populations: Several receptors comprise relatively small regional populations, including Coastal West Scotland and Hebrides bottlenose dolphins and the West Coast Community killer whales. In several instances, high percentages of affected animals are interpreted as overly precautionary because the populations are small. Small population size represents ecological vulnerability and therefore warrants greater, rather than reduced, consideration when interpreting significance.

Seasonal averages: Seasonal average density estimates may not adequately represent periods of peak habitat use. Whilst seasonal averages are appropriate for broad-scale modelling, they may mask periods of particularly high abundance or ecological importance, especially for migratory whales such as minke, fin and humpback whales. The assessment should give greater consideration to monthly variation and migration near the development area and across the wider west coast region to ensure that peak periods of habitat use are appropriately represented. The assessment also concludes that all receptor species are wide ranging and able to find alternative routes and foraging areas outside of the WDA.

Spatial scale: The cumulative assessment is largely centred on activities within the Windfarm Development Area and frequently adopts piling as the conservative worst-case scenario. However, marine mammals will experience project-related pressures across their wider range rather than within the boundaries of the windfarm development area. This is particularly relevant for vessel activity, which extends well beyond the Development Area as vessels transit between ports and the offshore site. Repeated vessel transit routes, operational turbine noise, behavioural disturbance and interactions with other offshore developments occur over different spatial and temporal scales and may extend well beyond the Development Area. A more integrated assessment of these impact pathways is required to ensure that the assessment reflects long-term ecological exposure rather than individual project components.

Repeated disturbance: The assessment recognises that repeated disturbance and long-term cumulative effects remain uncertain, but these uncertainties are not consistently reflected in the final significance conclusions. Marine mammals are likely to experience repeated exposure over several years of construction and throughout the operational lifetime of the Project. Despite acknowledging these uncertainties, the assessment frequently concludes that impacts remain minor adverse or not significant, with limited explanation of how uncertainty has been incorporated into the final conclusions.

Monitoring: No additional project-specific monitoring is proposed because the assessment concludes that significant impacts are not predicted. However, where assessment findings have been moderated through interpretation, assumptions regarding mitigation effectiveness or acknowledged uncertainty, project-specific monitoring should therefore be implemented to validate assumptions and support adaptive management throughout the lifetime of the windfarm.

HWDT recommendation

The assessment should give greater weight to regional ecological characteristics, including site fidelity, seasonal habitat use, repeated disturbance, long-term exposure and vulnerable local populations when interpreting significance. Where uncertainty remains regarding ecological responses or mitigation effectiveness, project-specific monitoring should be implemented to validate assessment predictions and inform adaptive management throughout construction and operation.

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Hebridean Horizon



HEBRIDEAN HORIZON

ORGANISATIONAL OBJECTION TO THE PROPOSED MACHAIRWIND OFFSHORE WIND FARM

"Wilderness and the idea of wilderness is one of the permanent homes of the human spirit. If we lose wilderness, we lose forever the joy and wonder of what the world is. These are islands in time and there will be no greater grief than the loss of our native seascape"

Colonsay Community Council

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Submitted to: Scottish Ministers / Marine Directorate

Applications: MachairWind Offshore Wind Farm (00012385 / 00012386)

Applicant: MachairWind Limited / ScottishPower Renewables (UK) Limited

Submitted by: Hebridean Horizon

Date: 21/08/2026

1. INTRODUCTION

Hebridean Horizon submits this objection to the proposed MachairWind Offshore Wind Farm.

We recognise the importance of renewable energy and the need for Scotland to decarbonise. Our objection is not an objection to renewable energy in principle. It is an objection to this development, at this scale, in this location, and to what we consider to be significant deficiencies in the evidence and assessment presented in support of it.

MachairWind proposes an offshore wind development covering approximately 448 km^2, with up to 91 turbines reaching approximately 335 metres to blade tip, or an alternative configuration involving a greater number of smaller turbines. The proposed development sits within a seascape directly connected to Iona, Mull, Islay, Jura, Colonsay, Tiree and other islands and coastal communities.

For Hebridean Horizon, however, the most important question is not narrowed to the size of the development.

It is whether the applicant has adequately understood **the place in which it proposes to develop**.

2. WHO WE ARE

Hebridean Horizon is an islander-led campaign formed by people from communities surrounding the proposed development.

Our work has been to increase understanding of MachairWind, examine the application and supporting evidence, connect people with the statutory consultation process, and ensure that those who may be affected have an opportunity to participate.

We have deliberately worked across island and community boundaries.

We have engaged with residents, businesses, community organisations, tourism interests, marine-based businesses, creatives, environmentalists and others whose relationship with these islands is personal, professional, cultural or economic.

We have also worked to make the formal submissions of Community Councils and specialist organisations more accessible to the wider public.

We do not claim to speak for every resident of the affected islands.

Instead, our particular contribution is to **see the connections between the different concerns being raised by those bodies and by individuals**.

We have seen the proposal discussed from the perspectives of landscape, heritage, tourism, fishing, wildlife, community resilience, economics, culture and renewable energy.

That collective picture is the reason we are making a separate organisational representation.

3. WHY OUR COLLECTIVE VIEW MATTERS

We recognise that the number of objections received cannot determine the outcome of a statutory consenting process.

During the consultation, Hebridean Horizon has helped people understand the proposal and the evidence presented in support of it, and has facilitated participation through the ObjectNow platform.

At the time of this submission:

- **4,819** representations have been facilitated through ObjectNow which does not include direct submissions to Marine Directorate.
- **9527** individuals have signed an online petition at Change.org.
- those representations cover **numerous island representations as well as national and international representations**, to be expected due to the nature of the proposed location of development.

The significance of these figures is not that they prove a particular number of people oppose MachairWind - rather, they demonstrate the scale of engagement with the substance of the proposal.

The issues emerging through that engagement closely correspond with those raised independently by Community Councils and specialist organisations.

"True justice cannot be achieved by sacrificing local ecological and human communities"

THE IONA COMMUNITY

International, Ecumenical Christian Movement

4. THE COLLECTIVE PICTURE

The Community Council representations available to us include submissions from Iona, Islay, Colonsay and Tiree, with Mull Community Council and Gigha Community Council also engaging with the proposal. In addition, we have considered submissions from Visit Mull & Iona, The Iona Community, The Hebridean Whale & Dolphin Trust, an interim statement from The National Trust For Scotland and others submitted by individuals with particular areas of interest or expertise.

Despite the discrete characteristics of each individual island and their corresponding communities, many of the same concerns recur. These include:

- **landscape, seascape, visual impact and sense of place;**
- **the scale and location of the development;**
- **cultural, historic and spiritual heritage;**
- **tourism and the visitor economy, island economies and community resilience;**
- **nature, marine ecology, biodiversity and ecological integrity;**
- **fisheries, navigation and marine activity;**
- **dark skies and tranquillity;**
- **community benefit, just transition and equity;**
- **climate benefit and the case for the development**
- **cumulative effects;**
- **adequacy of the Environmental Impact Assessment;**
- **and the quality and completeness of the evidence upon which Ministers are being asked to make their decision.**

Iona Community Council's detailed objection identifies deficiencies across landscape, cultural heritage, socio-economic effects, ecology and biodiversity and argues that the EIA systematically understates impacts.

Islay Community Council raises landscape, heritage, island community, marine, fisheries, navigation, protected habitats and species, climate-benefit and EIA concerns.

Colonsay Community Council raises the suitability of the site, coastline, Oronsay Priory, economic effects, construction noise, the Colonsay Western Cliffs SPA and the omission of associated onshore infrastructure from the present application.

Tiree Community Council raises landscape and visual impact, dark skies, cultural heritage, socio-economic effects, wildlife and biodiversity and the absence of meaningful local benefit. Its submission concludes that the overwhelming majority of opinion submitted to the Council was strongly against the proposal.

Visit Mull & Iona identifies landscape, seascape and visual impact; historic and cultural heritage; ecological and marine disruption; socio-economic impacts; community benefit and equity; and mental health and wellbeing. It represents approximately 150 member businesses operating around 190 tourism enterprises across Mull and Iona.

These are each standalone pieces of painstaking work, undertaken by volunteers and community members, but taken together, they provide an even more striking picture of consistency of concern across multiple 'host' and neighbouring communities, as well as across varying interests and priorities.

5. SINGULAR INSIGHT FROM HEBRIDEAN HORIZON

Since late may, Hebridean Horizon has worked to help people understand the MachairWind proposal and the evidence presented by the applicant in support of it, and to participate in the statutory consultation process.

We have had direct and sustained contact with people across numerous islands and communities, including residents, businesses, community organisations, fishing and marine recreation, tourism operators, artists, environmentalists and others with a connection to the area.

The response we have witnessed is significant in volume, but also because of its breadth and range of interests and concerns represented.

The individual representations and engagements tend to examine particular aspects of the proposal whereas Hebridean Horizon has had the opportunity to observe these concerns **side by side**.

Hebridean Horizon therefore believes that the collective evidence points to a central weakness in the application - the proposal has been assessed through a series of individually narrow assessment categories, while the places affected are experienced as interconnected characteristics.

"The issue isn't only whether these turbines would be seen — which they definitely would be — but that they would completely change the character of one of Europe's most celebrated Atlantic seascapes, transforming it into an industrialised horizon."

SHIONA RUHEMANN,

IONA COMMUNITY COUNCIL

6. LANDSCAPE AND SEASCAPE: MORE THAN VISIBILITY

Landscape and visual effects are among the most consistently raised concerns.

Hebridean Horizon wishes to reinforce this issue not simply because turbines will be visible, but because the applicant's approach risks reducing the significance of landscape to a question of visibility and distance.

The seascape surrounding these islands is characterised by openness, simplicity, natural darkness and a relative absence of industrial infrastructure.

The proposed development would introduce a large concentration of very tall, repetitive engineered structures into that setting.

The issue is therefore not: "Can you see a turbine?" It is:

"What happens to the character of a place when its defining horizon becomes industrialised?"

The evidence available to Hebridean Horizon raises concerns that the applicant's assessment moderates the magnitude of effects with increasing distance, including for highly sensitive areas.

The detailed **Iona Community Council** objection identifies a consistent pattern in which highly sensitive areas beyond approximately 20 km are not assigned the highest magnitude of change and argues that this risks understating effects.

It also identifies limitations in the visualisation material and notes that the proposed aviation and navigation lighting would permanently alter the currently unlit night-time seascape for the operational life of the project.

Iona Community Council similarly considers the open Atlantic horizon and lack of industrial infrastructure central to Iona's landscape sensitivity.

Hebridean Horizon therefore asks Ministers to consider whether distance has been allowed to become a proxy for insignificance when the actual sensitivity of the receiving landscape is the more important consideration.

7. CULTURAL LANDSCAPE AND HERITAGE

The same issue becomes even more important when considering heritage. Iona itself is not simply a collection of individual heritage assets; its significance lies partly in the relationship between its archaeology, historic environment, sacred places, landscape, seascape and continuing living community.

The relationship between the Abbey, Nunnery, high crosses, pilgrimage routes, settlements and landscape is part of the experience.

The detailed evidence submitted through ObjectNow identifies a concern that the applicant recognises these experiential qualities in its baseline but does not adequately demonstrate that they have been incorporated into the assessment of heritage significance.

That matters because a heritage asset does not cease to have a setting simply because the proposed development is offshore - the setting is part of the asset's significance where that setting contributes to how the place is understood and experienced.

Colonsay Community Council raises similar concerns in relation to Oronsay Priory and its open maritime setting.

Hebridean Horizon therefore reinforces the need for Ministers to consider cultural heritage as a landscape relationship, rather than as a collection of isolated monuments.

"A development of this scale required a bespoke, place-based socio-economic assessment of Mull and Iona, and none was undertaken."

VISIT MULL & IONA
Destination Marketing Organisation
for the islands of Mull, Iona and Ulva

8. THE VISITOR ECONOMY: A PLACE-BASED QUESTION

Tourism is the clearest example of why a collective, place-based approach is necessary.

Visit Mull & Iona represents approximately 150 member businesses operating around 190 tourism enterprises across Mull and Iona. It argues that the applicant fails to recognise the interdependence of Iona, Staffa and the Treshnish Isles with Mull's wider economy, while assigning Mull's tourism economy a "low sensitivity" rating.

Visit Mull & Iona's published evidence also identifies the fundamental role of landscape, wildlife, Iona, Staffa and the Treshnish Isles in Mull's visitor proposition and raises concerns about the absence of a detailed, locally grounded assessment of the visitor economy.

Hebridean Horizon considers this a particularly important issue as a visitor does not necessarily experience "Mull tourism" and "Iona tourism" as separate economic units. They may stay on Mull, travel to Iona, visit Staffa, take a wildlife trip, eat in Tobermory, buy local products and stay elsewhere. The visitor economy is therefore geographically interconnected.

The landscape and seascape are not merely the backdrop against which the tourism economy operates - they are an intrinsic part of the visitor offering.

If those qualities are changed, the potential economic effect cannot be assessed simply by looking at the number of businesses within a defined study area.

Has the applicant assessed the visitor economy as it is actually experienced - as an interconnected island economy dependent upon landscape, wildlife, heritage and the character of place - rather than as a collection of businesses within an arbitrary study area?

9. ISLAND ECONOMIES AND COMMUNITY RESILIENCE

The same problem arises in the understanding of island communities. Small island economies are not simply smaller versions of mainland economies. They have different characteristics, including

- **limited economic diversification;**
- **smaller labour markets;**
- **fewer businesses;**
- **greater interdependence;**
- **higher reliance on individual sectors;**
- **constrained infrastructure;**
- **and limited capacity to absorb significant economic shocks.**

The Iona Community Council identifies a particularly important issue: the applicant's own consultants identified "habitability" as a potential pathway through which the proposal could affect island communities, but no specific assessment of habitability or the unique conditions of those islands was undertaken.

The question should not be whether the proposal will create or remove a certain number of jobs - it is whether it could alter the conditions that enable a small community to remain viable.

Hebridean Horizon believes Ministers should therefore examine whether the socio-economic assessment has properly captured and understood:

- **population retention;**
- **attractiveness of the islands as places to live;**
- **tourism dependence;**
- **business interdependence;**
- **community capacity;**
- **access to services;**
- **and the relationship between economic activity and the character of place.**

We would therefore urge Scottish Ministers to carefully consider whether 'habitability' actually been assessed and understood by the proposer?

10. THE MARINE ENVIRONMENT

Hebridean Horizon does not seek to substitute its judgement for that of specialist marine organisations.

We instead wish to emphasise the implications of their evidence for the wider island system.

The Hebridean Whale & Dolphin Trust identifies concerns about construction noise, insufficient mitigation and quantitative assessment, and the failure to adequately consider how marine mammals experience the project spatially and temporally.

Collectively, the **Community Council** objections raise concerns about protected habitats and species, seabirds, marine ecology, fisheries and displacement.

The development area itself sits within a marine environment that supports wildlife, fishing, transport and tourism.

The sea is therefore simultaneously:

- an ecological environment;
- a working environment;
- an economic resource;
- a transport environment;
- a recreational environment;
- and part of the cultural identity of the islands.

This is another area where fragmentation of assessment risks obscuring cumulative effects.

Can Ministers be satisfied that the marine environment has been assessed as an interconnected system — ecological, economic, navigational, recreational and cultural — rather than as a series of separate characteristics?

11. FISHERIES AND MARINE DISPLACEMENT

Islay Community Council has raised concerns regarding fisheries, fishing displacement, navigation, lifeline connectivity and safety at sea. Hebridean Horizon reinforces these concerns.

If fishing or other marine activities cannot continue within the development area, activity may have to move elsewhere.

That can create:

- pressure on neighbouring grounds;
- increased journey distances;
- additional fuel consumption;
- increased interaction between marine users;
- and cumulative impacts beyond the development boundary.

The question for Ministers is therefore whether the proposed development has adequately demonstrated that marine activities can coexist with it without unacceptable consequences.

"The assessment does not provide a sufficiently robust or precautionary basis to conclude that significant effects on marine mammals have been adequately assessed or mitigated."

Hebridean Whale & Dolphin Trust

12. ECOLOGY AND BIODIVERSITY

The ecological significance of the area has been repeatedly identified by Community Councils and specialist organisations.

Concerns include seabirds, marine mammals, protected habitats, biodiversity and the effects of construction and operation.

The application itself includes a "Without Prejudice Derogation Case" and a "Without Prejudice Guillemot Compensation Plan" in relation to potential impacts on the North Colonsay and Western Cliffs SPA.

The detailed evidence submitted through ObjectNow highlights the significance of those documents because they indicate that adverse effects on protected features cannot simply be ruled out at this stage.

Hebridean Horizon considers that this uncertainty is material an we question whether Ministers have sufficient evidence to be confident that the relevant statutory tests can be satisfied.

13. DARK SKIES AND THE NIGHT-TIME ENVIRONMENT

Turbine lighting should not be treated as a minor extension of the daytime visual impact given that the night-time environment is part of the character of these islands.

Tiree Community Council specifically raises degradation of dark skies, while the **Iona Community Council** evidence identifies the concern regarding introduction of aviation lighting into an otherwise dark seascape.

The detailed evidence notes that the applicant itself acknowledges the introduction of aviation and navigation lighting into a currently unlit sea horizon for the 35-year operational period.

The proposal would change not just what the islands look like during the day, but how the seascape is experienced at night, which has implications for tranquillity, wildlife, residents and visitors.

Has the night-time environment, therefore, been assessed as part of the character and ecological functioning of these islands, rather than incorrectly treated as an extension of daytime visual impact?

14. COMMUNITY BENEFIT AND EQUITY

Hebridean Horizon does not consider community benefit to be an adequate answer to the impacts identified in this objection.

Community benefit may be relevant to the wider economic consequences of a development but it cannot, however, make an otherwise unacceptable landscape, ecological, heritage or socio-economic impact acceptable.

Nor should an uncertain future benefit be weighed against known or potentially significant impacts.

The information available to Iona Community Council indicates that offshore community benefit is voluntary and that SPR has not been able to provide a firm indication of the eventual level before consent.

This creates an important question of equity - Who experiences the impacts? Who receives the benefits? Where do the economic benefits accrue?

Hebridean Horizon believes Ministers should keep those questions separate.

15. CUMULATIVE EFFECTS: SEEING THE WHOLE

Cumulative impact is one of the strongest reasons for a collective Hebridean Horizon representation.

The application necessarily divides the development into technical assessment chapters, but communities do not experience their lives in chapters:

The different parts of an island community's character are interconnected; the landscape contributes to the visitor experience. The visitor experience contributes to the reputation of the island. That reputation supports tourism businesses and employment. Those businesses and jobs help families remain on the island. Families and community life contribute to the character and resilience of the place. And that living community is itself part of what visitors come here to experience.

Marine ecological changes may affect wildlife tourism. Fishing displacement may affect other marine users. Heritage impacts may affect visitor experience and cultural identity. Lighting affects landscape, tranquillity and potentially wildlife.

These impacts interact.

The detailed **Iona Community Council** objection also raises a separate concern about the treatment of deferred project components, including export cable and onshore transmission works, arguing that the project should be understood as a whole rather than fragmented into separate future applications.

Hebridean Horizon asks Ministers to consider both forms of cumulative effect: the cumulative effects of the project itself, and the cumulative effects of the project upon the interconnected systems that sustain these islands.

"Human culture emerges from a place while simultaneously being cradled by it"

Rutger Emmelkamp

KNOCKVOLOGAN STUDIOS

16. HAS THE APPLICANT PROPERLY UNDERSTOOD THE PLACE?

This is the central question of our objection.

The application contains an enormous quantity of technical information but understanding a place is not the same as measuring it.

The applicant can measure distance, visibility, population, visitor numbers, turbine dimensions, habitat areas and predicted changes.

WE do not believe that the applicant has adequately addressed or understands:

- **What makes a place valuable?**
- **Why do people visit?**
- **Why do people choose to stay?**
- **What makes a landscape culturally significant?**
- **What makes a community resilient?**
- **What happens when the qualities supporting all of these things are changed simultaneously?**

The detailed evidence submitted through the consultation process describes this as a cascading relationship between landscape, visitor experience, reputation, tourism, employment, families and community resilience.

Hebridean Horizon believes this is the point at which the various strands of the consultation come together and would ask that Scottish Ministers take this into account when considering their decision.

17. THE CONSULTATION EXPERIENCE

There is also a question about whether island communities have had a realistic opportunity to engage with the evidence;

The current application comprises **thousands of pages of highly technical information.**

The consultation period fell during the **busiest part of the tourism season** for many of the communities most directly affected.

The detailed evidence **identifies the imbalance** between an applicant with years and substantial professional resources to prepare its case and island communities being asked to scrutinise it during peak season.

Iona Community Council has separately raised **concerns about the earlier strategic consultation** and the limited opportunity for affected communities to participate when the development area was identified.

Additional concerns have been raised regarding the **imbalance of the Marine Directorate approach to process and publish representations after the final date of the public consultation** period rather than processing to the portal on recipt. This process prevents the public from accessing important key information i.e. representations from local or national bodies, prior to the submission deadline.

Hebridean Horizon has attempted to help individuals address this imbalance by making information more accessible and facilitating participation.

The scale of public engagement achieved should therefore be understood by Scottish Ministers in that context.

Can Ministers regard the evidence before them as having been tested through a genuinely balanced consultation process when island communities were required to scrutinise thousands of pages of technical material during their busiest period of the year, and whilst important representations were not necessarily visible before the submission deadline?

18. WIDER SOCIAL-MEDIA ENGAGEMENT

Hebridean Horizon has also recorded substantial organic engagement with information about MachairWind during the consultation.

Between **7 May and 20 August 2026**, Facebook content generated:

- **501,662 views**;
- **103,708 viewers**;
- approximately **11,500 content interactions**;
- approximately **3,000 link clicks**;
- approximately **10,800 page visits**;
- and **867 new follows**.

The Facebook analytics show **501,662 organic views and zero views from paid advertising**.

Instagram generated a further:

- **42,577 views**;
- approximately **2,300 content interactions**;
- approximately **1,300 profile visits**;
- and **290 new follows**;

again with **zero paid views**.

Hebridean Horizon does **not** present these figures as evidence of the number of people opposed to MachairWind.

We present them as evidence of the extent to which the public has engaged with information about the proposal, the consultation process and the evidence being raised by objectors.

The most widely viewed Facebook material included:

- a light-hearted video demonstrating the physical scale of the proposed turbines — approximately **72,100 views**;
- the publication of the Iona Community Council objection — approximately **23,800 views**;
- material highlighting another island community's response — approximately **19,800 views**;
- EIA and mapping information — approximately **17,300 views**;
- and the launch of ObjectNow — approximately **16,900 views**.

The strongest Instagram content similarly included the Iona Community material, National Trust for Scotland material and consultation information.

This is significant because we believe that it demonstrates to Scottish Ministers the public appetite for understanding and scrutinising when the strongest engagement was with evidence, community submissions and mechanisms for participating in the statutory process.

19. WHY THE NEED FOR A HEBRIDEAN HORIZON VIEW?

We are conscious that Ministers will receive many representations and we do not believe our value lies in repeating them. Our purpose for this document is to identify the bigger picture when the evidence is considered collectively.

- The Community Councils provide place-based, democratic representation.
- Specialist organisations provide technical expertise.
- Businesses provide direct economic evidence.
- Visit Mull & Iona provides evidence from the tourism sector.
- Individuals provide lived experience.

Hebridean Horizon has had the opportunity to bring those perspectives together. Our particular insight is that the issues repeatedly identified by different groups are **not separate problems**. The proposed development therefore cannot properly be understood by considering each effect in isolation.

Across the representations we have reviewed, a recurring concern is that the applicant's conclusions are more confident than the evidence supporting them.

If the applicant has not adequately understood what makes these places valuable, how can Ministers be confident that it has accurately assessed the consequences of changing them?

We believe that question remains unanswered.

21. RENEWABLE ENERGY AND A JUST TRANSITION

Hebridean Horizon wishes to be explicit about our position.

We support the transition away from fossil fuels.

We support renewable energy.

We understand that significant infrastructure will be required if Scotland is to decarbonise.

But a just transition cannot mean that rural and island communities are expected to absorb disproportionate environmental, cultural and economic impacts simply because their population is small. Nor should a development be considered acceptable merely because its purpose is renewable energy.

The question is where infrastructure is located, what impacts it creates, who experiences those impacts, who receives the benefits and whether the evidence demonstrates that the balance is acceptable.

Renewable energy is vital, but development must be at the right scale and in the right location to minimise negative impacts on communities, heritage and nature. We do not consider MachairWind to be in the right location.

23. OUR OVERALL POSITION

Having considered the following:

- MachairWind application and Environmental Impact Assessment;
- the submissions of the affected Community Councils;
- the evidence from Visit Mull & Iona;
- the submissions of specialist organisations;
- the representations facilitated through ObjectNow;
- and the direct public engagement witnessed through Hebridean Horizon's work,

we consider that serious unresolved questions remain regarding:

1. the fundamental suitability of the chosen location;
2. the scale of the proposed development;
3. landscape and seascape effects;
4. cultural and historic heritage;
5. tourism and the visitor economy;
6. island economic resilience;
7. marine ecology and biodiversity;
8. fisheries and marine;
9. dark skies and tranquillity;
10. cumulative and in-combination effects;
11. the treatment of island communities;
12. the adequacy of the socio-economic assessment;
13. the adequacy of the visual and heritage assessment;
14. the completeness of the environmental information;
15. the treatment of deferred project components;
16. and the distribution of costs and benefits.

These concerns are not confined to one island, nor to any one sector nor are they confined to one aspect of the proposal.

We do not claim to speak for every affected community or every individual within them. We do claim to have developed, through the course of this consultation, an unusually broad understanding of the concerns being raised across those communities.

Our contribution is therefore not simply another statement of objection. It is highlighting and reinforcing the evidence already before Ministers.

What we have seen is a striking convergence: different communities, organisations, businesses and individuals, approaching MachairWind from different perspectives, repeatedly identify the same underlying concern — that the proposal has not adequately understood the interconnected landscape, seascape, ecology, heritage, economy and community life upon which these islands depend.

We ask Ministers to consider that collective evidence when determining whether the applicant has demonstrated that this development is appropriate for this place.

"We do not agree that the MachairWind Offshore Windfarm is in the right location."

The National Trust For Scotland

24. REQUEST TO SCOTTISH MINISTERS

Hebridean Horizon respectfully asks Scottish Ministers to **refuse consent for the MachairWind Offshore Wind Farm and refuse the associated marine licence**.

We ask Ministers to consider in particular whether the applicant has demonstrated, with sufficient evidence, that:

- the development can be accommodated without unacceptable harm to nationally important landscapes and seascapes;
- the cultural and historic significance of affected places will be protected;
- internationally and nationally important ecological interests will be adequately safeguarded;
- marine activities can coexist with the development;
- affected island communities have been properly assessed as places in their own right;
- the potential effects upon tourism and community resilience have been adequately understood;
- cumulative effects have been properly assessed;
- and the environmental information before Ministers is sufficiently complete and robust to permit a properly informed determination.

If Ministers are not minded to refuse the application outright, Hebridean Horizon considers that determination should not proceed until the material deficiencies and uncertainties identified through the consultation have been properly addressed and sufficient further environmental information has been provided to enable a fully informed decision.

Should any proposed amendments to the scheme be forthcoming in response to the concerns raised during this public consultation, we would urge that a **further round of public consultation be required** given the sensitivity of the area, the scale of development, and the level of pubic interest.

APPENDIX 1 — CROSS-COMMUNITY THEMES

Theme	Iona	Mull	Gigha	Islay	Colonsay	Tiree
Landscape/seascape	✓	✓	✓	✓	✓	✓
Tourism	✓	✓		✓		✓
Heritage	✓	✓		✓	✓	
Island resilience	✓	✓	✓	✓	✓	✓
Fisheries		✓		✓		
Ecology	✓	✓	✓	✓	✓	✓
Dark skies		✓				✓
Community benefit	✓	✓	✓	✓	✓	✓
Assessment methodology	✓	✓	✓	✓	✓	✓
Cumulative effects	✓	✓	✓	✓	✓	✓

APPENDIX 2 — HEBRIDEAN HORIZON ENGAGEMENT

Social media: 7 May–20 August 2026

Facebook

- Views: **501,662**
- Viewers: **103,708**
- Content interactions: **11,500**
- Link clicks: **3,000**
- Page visits: **10,800**
- New follows: **867**
- Paid views: **0**
- Organic views: **501,662**

Instagram

- Views: **42,577**
- Content interactions: **2,300**
- Profile visits: **1,300**
- New follows: **290**
- Paid views: **0**
- Organic views: **42,577**

These figures are presented as measures of **public engagement with information and consultation material**, not as measures of opposition.

Highest-performing substantive content

Facebook

- 'My MachairWind' scale video: **72,100 views**
- Iona Community Council objection: **23,800 views**
- "Another island has spoken": **19,800 views**
- EIA/map material: **17,300 views**
- ObjectNow launch: **16,900 views**

Instagram

- Iona Community material: **16,900 views**
- Closing days of consultation: **19,800 views**
- Hebridean Horizon campaign material: **12,500 views**
- National Trust for Scotland objection: **8,200 views**

Lost

Stay still. The ocean ahead and the surge beside you are not lost. Wherever you are is called Here,

And you must treat it as a powerful stranger, Must ask permission to know it and be known.

The sea breathes. Listen. It answers, I have made this place around you.

If you leave it, you may come

back again, saying Here.

No two waves are the same to Seal.

No two glittering are the same to Tern.

If what a sea or wave does is lost on you, You are surely lost. Stand still. The seas knows Where you are. You must let it find you.

originally by David Wagoner

and adapted by John MacLean of Lagandorain, Iona

Hynish Trust

Skerryvore Lighthouse Shore Station
Hynish
Isle of Tiree
PA77 6UG

Hynish Trust
Keepers of the Skerryvore Lighthouse Shore Station

12.06.2026

Re: Objection to Proposed Offshore Wind Farm Development Visible from Tiree

Dear Sir/Madam,

On behalf of the Hynish Trust, we wish to register our objection to the proposed offshore wind farm development on the grounds of its significant adverse impact on the historic environment, cultural heritage, and landscape setting of Hynish and the Isle of Tiree.

Hynish is one of Scotland's most important industrial heritage sites. Established in the nineteenth century as the shore base for the construction of the Skerryvore Lighthouse, the site represents a unique and nationally significant chapter in Scotland's maritime and engineering history. Today, Hynish serves not only as a heritage asset of considerable importance but also as a visitor destination, educational resource, and focal point for the cultural identity of Tiree.

A defining aspect of Hynish's significance is its relationship with the surrounding seascape. The open panoramic views across the Atlantic and towards the wider marine environment form an integral part of visitors' understanding and appreciation of the site's historical purpose and setting. The proposed wind farm would introduce large-scale industrial structures into this historically undeveloped seascape, fundamentally altering the visual context in which the heritage asset is experienced.

The setting of a heritage site extends beyond its physical boundaries. National planning policy recognises that the significance of historic assets can be diminished where developments adversely affect important views, landscapes, or seascapes that contribute to their character and understanding. The visibility of numerous large turbines from Hynish and other parts of Tiree would erode the sense of remoteness, openness, and historical authenticity that currently defines the site.

The impact would not be confined to heritage considerations alone. Tiree's landscape and seascape are central to its reputation as a destination for visitors seeking unspoilt coastal scenery, dark skies, and a strong connection to Scotland's natural and cultural heritage. The introduction of a major industrial development on the horizon risks undermining these qualities and could have long-term consequences for tourism and the local economy.

While the Hynish Trust recognises the importance of renewable energy development in addressing climate change, we believe that such development must be carefully balanced against the protection of nationally significant heritage assets and



Skerryvore Lighthouse Shore Station
Hynish
Isle of Tiree
PA77 6UG

Hynish Trust
Keepers of the Skerryvore Lighthouse Shore Station

landscapes. In this instance, the scale, prominence, and visibility of the proposed wind farm would result in unacceptable harm to the setting and significance of Hynish and to the wider character of Tiree.

We therefore respectfully request that the decision-makers give substantial weight to the heritage and landscape impacts identified and refuse consent for the proposal in its current form.

Yours faithfully,

[Redacted]

[Redacted]
Chair of Hynish Trust Board of Trustees

[Redacted] @hynishtrust.org

The Iona Community

Iona Community Objection to MachairWind offshore wind farm proposal

The Iona Community submits this formal objection to the proposed offshore wind development adjacent to the Inner Hebrides.

As an ecumenical Christian community committed to peace, social justice, and the integrity of creation, we occupy a unique position in this consultation. We are a non-profit international organisation with bases in Glasgow and on Iona and Mull. We have a global membership of 3,000. Some of our staff, volunteers and Members live in Iona Abbey and are part of the island community on Iona. We run Iona Abbey for the benefit of others, and as an expression of our commitment to life in community.

Our members include a wide range of professionals, academics and experts from across the globe in a range of fields relevant to this issue. Our historic home on Iona places us in direct relationship with the fragile ecosystems and unique cultural and spiritual landscapes of the Inner Hebrides. Simultaneously, our longstanding commitment to global justice demands that we confront the climate emergency with absolute urgency.

The climate crisis is a spiritual crisis. We view the rapid transition away from fossil fuels as an act of repentance and restoration, with a profound moral and spiritual mandate. Iona Abbey received a Silver EcoCongregations Scotland Award in July 2026. We have pioneered wind and solar power at our centres on Iona and on Mull, and have a public position on environmental justice. Refusing or needlessly delaying renewable projects out of pure convenience or aesthetics is a luxury the earth cannot afford. We actively support the rapid, just transition to renewable energy.

However, true justice cannot be achieved by sacrificing local ecological and human communities for administrative convenience, economic profit and extractive corporate practices.

The question for ministers is not whether offshore wind should be developed in Scottish waters, but whether this proposal complies with Scotland's statutory planning and environmental protection framework, principles of community wealth building, and whether claimed environmental benefits have been well evidenced.

Given deep concern that none of these conditions are met, and based on our objections below, we object to the MachairWind offshore wind farm proposal.

We believe that the scope and scale of this project would have a significant adverse effect, environmentally, culturally and spiritually, on the local ecosystem and on the economy and wellbeing of local communities.

Key Grounds for Objection

1. **Failure of Ecological Care (Care for Creation)**
    a. Unacceptable Risk to Marine Wildlife: The proposed boundary threatens critical habitats within local Marine Protected Areas (MPAs), risking severe disruption to the seabed environment, cetaceans, including harbour porpoises, and vulnerable seabird colonies.
    b. Insufficiency of Pre-Construction Data: The current Environmental Impact Assessment (EIA) relies heavily on mitigation models rather than precautionary avoidance.
    c. Violation of Sacred Space: The waters of the Inner Hebrides are not a barren industrial zone; they are part of a sacred web of life.

2. **Erosion of Community Sovereignty and Hospitality**
    a. Extractive Corporate Models: This proposal mirrors historical patterns of highland and island exploitation, where local assets are extracted for distant financial gain.
    b. Inadequate Local Consent: True consultation requires deep listening and community co-design, not a box-ticking exercise that leaves island residents feeling powerless.
    c. Threat to Island Ways of Life: The scale of the development threatens the fragile tourism and fishing economies that sustain these remote island populations.

3. **Deficit in Landscape and Spiritual Heritage Protection**
    a. Industrialisation of sacred spaces: The Inner Hebrides hold unique spiritual value as places of silence, contemplation, and natural beauty. Iona and its Abbey is a significant cultural site of outstanding universal value to human-kind. Its long-term, 1500 year spiritual and christian credentials will be severely negatively impacted by this development.
    b. Irreversible Impact: The immense scale and proximity of these turbines will permanently industrialise historic seascapes that have offered spiritual sanctuary for centuries.

We call for an urgent public conversation on energy justice, and a just transition from fossil fuels, building on the work of Scotland's Climate Assembly of 2020/2022 which the Iona Community co-convened.

[Redacted] Council Convener
in the name of the Iona Community, Iona Abbey, July 2026

Iona Community Council

OBJECTION

PROPOSED MACHAIRWIND OFFSHORE WIND FARM

North-west of Islay and West of Colonsay
Inner Hebrides, Scotland

July 2026



IONA COMMUNITY COUNCIL

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1. Introduction, Standing and Summary of Objection

1.1 The objector and its standing

1.1.1 Iona Community Council ("the Community Council") objects to the applications made by MachairWind Limited for consent under section 36 of the Electricity Act 1989 and for the associated marine licences under Part 4 of the Marine (Scotland) Act 2010, in respect of the proposed MachairWind Offshore Wind Farm (Marine Directorate references 00012385 and 00012386, submitted on 25 June 2026) [1][2][3].

1.1.2 The Community Council is the statutory community body for Iona, established under Part IV of the Local Government (Scotland) Act 1973. Section 51(2) of that Act provides that the general purpose of a community council is —

> *"to ascertain, co-ordinate and express to the local authorities for its area, and to public authorities, the views of the community which it represents, in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable."*
>
> — Local Government (Scotland) Act 1973, section 51(2) [35]

1.1.3 The Scottish Ministers are a public authority, and the determination of these applications is a matter for which they are responsible. This objection is accordingly made by the Community Council in the discharge of its statutory general purpose. It is not the assertion of a private interest. It is the expression, in the manner the statute prescribes, of the settled view of the community of Iona.

1.1.4 For the avoidance of doubt, the Community Council is *not* the relevant planning authority for the purposes of the Electricity Act 1989; that is Argyll and Bute Council [2]. The Community Council's members live within, work within, and depend economically, culturally and socially upon the island, coastal and marine environment that the proposed development would directly affect.

1.1.5 A household consultation undertaken by the Community Council, with a high response rate, established that **92% of respondents object to the proposal and 3% support it** [4]. This objection is submitted on that mandate, and represents the co-ordinated view of the community which the Community Council exists to express.

1.2 The nature of this objection

1.2.1 This is not an objection to offshore renewable energy, nor to Scotland's transition to net zero. Iona has a longstanding record of supporting renewable energy and that transition, and the Community Council's consultation respondents overwhelmingly maintain that support [4]. The question before the Scottish Ministers is not whether offshore wind should be developed in Scottish waters. It is whether *this proposal, in this location*, complies with Scotland's statutory planning and environmental protection framework.

1.2.2 The national and international significance of Iona, Staffa, the Treshnish Isles and western Mull does not arise only from individual sites. It arises from the relationships between the islands, the surrounding ocean and the open, undeveloped Atlantic horizon. The sea is not merely the setting for this natural and cultural heritage; it is an integral part of it. Together, the islands, the surrounding seas and the Atlantic horizon form one of Europe's most celebrated Atlantic island

landscapes and seascapes, sustained over more than fifteen centuries and recognised through some of Scotland's highest levels of environmental, cultural and nature conservation protection.

1.3 The central issue

1.3.1 The applicant accepts that introducing an offshore wind development of this scale into this environment would give rise to extensive environmental effects, including numerous effects which its own assessment classifies as significant. The central issue raised by this objection is that the Environmental Impact Assessment ("EIA") **repeatedly attributes less significance to those effects than the applicant's own evidence requires**, and that those reduced conclusions do not remain within the landscape assessment. They 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.

1.3.2 The accompanying Evidence Note demonstrates the clearest instance of this pattern [5]. The applicant's written seascape, landscape and visual impact assessment ("SLVIA") methodology contains no distance threshold beyond which highly sensitive landscape receptors cannot experience a high magnitude of change. Neither the *Guidelines for Landscape and Visual Impact Assessment* (3rd edition, "GLVIA3") nor NatureScot guidance establishes any such threshold [6][7]. Yet analysis of the applicant's own assessment outcomes demonstrates that *de facto* thresholds of approximately 20 km — beyond which no highly sensitive receptor in any of the three assessment streams is attributed High magnitude — and approximately 30 km — beyond which magnitude is moderated further still — are repeatedly applied in practice, driving lower magnitude ratings and therefore lower conclusions on the significance of effects for highly sensitive, nationally important receptors [5].

1.3.3 The Sound of Iona provides the clearest illustration. It lies approximately 21 km from the Windfarm Development Area ("WDA") — immediately beyond the *de facto* 20 km point identified in the Evidence Note. The applicant accepts that the Sound of Iona is a highly sensitive receptor; that the geographical extent of change is **Large**; that the development would extend across approximately **39 degrees** of the Atlantic horizon; that it would affect one of Scotland's most significant sea crossings and the setting of Iona itself; and that the resulting effect is **Moderate Significant**. Yet the magnitude attributed is **Medium**, not High [5][8].

1.3.4 Staffa provides the corresponding National Scenic Area example, at approximately 35 km— beyond the applicant's *de facto* 30 km assessment threshold for National Scenic Areas, and at a distance where the assessment outcomes moderate magnitude further still (Sections 4.4.3 and 4.6) [5][8].

1.3.5 A comparable methodological issue arises within the Cultural Heritage Environmental Impact Assessment. The applicant accepts the qualities that make Iona's setting culturally significant, including pilgrimage, arrival by sea, movement through the monastic landscape, relationships between monuments, spirituality, and the surrounding landscape and seascape. The operational assessment then describes the predicted visual changes and concludes that the integrity of setting has been adequately retained. However, it does not actually undertake the assessment required by the applicant's accepted methodology of whether the integrity of setting has been adequately retained. Accordingly, the Environmental Impact Assessment reaches that conclusion without providing the assessment required by the accepted methodology to demonstrate it (see Annex 2).

1.4 Summary of the grounds of objection

1.4.1 The Community Council's grounds are summarised below and developed in the sections that follow.

- **Seascape, landscape and visual (Section 4).** 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 (Section 5).** 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 (Section 6).** 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 (Section 8).** 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 (Section 9).** 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 (Section 10).** Taken together, these recurring assessment approaches deprive the Scottish Ministers of the evidential basis required to determine the applications.

1.5 The grounds and the tests engaged

1.5.1 Table 1 maps each ground of objection to the statutory or policy test which the Community Council submits is not satisfied.

Table 1 — Grounds of objection and the tests engaged

Ground	Test engaged	Section
Seascape, landscape and visual	NMP GEN 7 / para 4.28 (National Scenic Areas); NPF4 Policy 4(c) and 4(d); NPF4 Policy 11(d) and 11(e)(ii)	4
Cultural landscape and heritage	NMP GEN 6 / paras 4.22–4.23; NPF4 Policy 7(h) (scheduled monuments), 7(c), 7(d)	5
Tourism, socio-economics and habitability	NMP GEN 19 / para 4.81 (sound socio-economic evidence; precaution); NPF4 Policy 11(c); Islands (Scotland) Act 2018	6
Connectivity, safety at sea and fisheries	NMP GEN 4 (co-existence); GEN 9(c); NPF4 Policy 11(e)(i)	7
Ecology and biodiversity	Habitats Regulations (appropriate assessment and derogation); NMP GEN 9(a)–(c), GEN 13; NPF4 Policies 3, 4(b), 4(e), 4(f)	8
Cumulative and in-combination effects	NMP GEN 21 / para 4.85; NPF4 Policy 11(e); EIA Regulations (project splitting)	9
Adequacy of the EIA	Electricity Works and Marine Works (EIA) (Scotland) Regulations 2017	10
Burden of proof	Every operative test is a condition the applicant must satisfy; none is disproved by an objector	3.13
Procedure requested	Refusal; failing that, further environmental information, and examination by inquiry sessions	1.6

1.6 The relief sought

1.6.1 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 [2][3].

1.6.2 If the Scottish Ministers are not minded to refuse, the Community Council requests, in the alternative, that further environmental information be required from the applicant under the Electricity Works and Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 before any determination. That information should address the deficiencies identified in Section 10, including in particular: the absence of representative visualisations from St Columba's Bay and from Càrn Cùl ri Èirinn above it, together with quantification, for each representative viewpoint, of the proportion of the visible sea horizon occupied by the proposed development; the methodological matters identified in Annex 1 (Evidence Note) and Annex 2 (Methodological Audit of the Cultural Heritage Settings Assessment); the absence of any place-based socio-economic and habitability assessment founded upon systematic primary research undertaken within the affected island communities themselves; any further ecological information necessary to enable the Scottish Ministers to discharge their duties under the Habitats Regulations; and any further assessment necessary to demonstrate compliance with the Islands (Scotland) Act 2018. The Environmental Impact Assessment does not investigate the affected island communities themselves. Instead, it relies upon regional datasets and generalised assumptions. The applicant's own methodology acknowledges that evidence of this kind cannot identify or evaluate effects on communities of this scale, yet no systematic primary research of the affected island communities was subsequently undertaken. Islay is considered separately because of its potential role as a direct project location, not because it is assessed as an affected island community. Any further assessment should therefore comprise systematic

primary research undertaken within the affected island communities themselves, using methods capable of identifying and evaluating location-specific effects and realistic opportunities for mitigation..

1.6.3 The Community Council further requests that the examination of these applications take the form of **inquiry sessions**. It makes that request in the knowledge that, following the amendments made to Schedule 8 to the Electricity Act 1989 by the Planning and Infrastructure Act 2025 (in force 18 February 2026), no objection now compels a public inquiry, and the form of any examination is a matter for the appointed reporter (paragraphs 3.1.2 to 3.1.4) [39].

1.6.4 The reason for the request is specific. The central issue raised by this objection is not a disagreement about planning merits, on which written submissions might well suffice. It is whether the applicant's assessment conclusions can be reconciled with the applicant's *own stated methodology* — how a receptor of High sensitivity, experiencing a Large geographical extent of change across approximately 39 degrees of horizon, is assessed as experiencing only Medium magnitude (Section 4.13); and how an economy meeting the applicant's own definition of high sensitivity is assessed as being of low sensitivity (Section 6.5).

1.6.5 Those questions cannot be resolved on paper. Written submissions permit an assertion to be restated; they do not permit it to be tested. Only inquiry sessions, in which the applicant's landscape and socio-economic witnesses may be examined on the record, will establish whether there is a reasoned basis for the magnitude and sensitivity judgements upon which this application depends. Inquiry sessions are accordingly the proportionate procedure for the determination of the matters in issue, and written submissions alone would not permit those matters to be tested.

1.6.6 The Community Council further requests that it be notified of, and afforded a proper opportunity to comment upon, any additional or supplementary environmental information, any addendum to the Environmental Impact Assessment Report, and any material change to the application, before determination.

1.6.7 The Community Council **reserves the right to supplement this objection**, in particular once the representations of Historic Environment Scotland, NatureScot, RSPB Scotland, the National Trust for Scotland and the relevant fisheries bodies are available, and once the Report to Inform Appropriate Assessment (Parts 1 to 3), the Without Prejudice Derogation Case and the Without Prejudice Guillemot Compensation Plan have been the subject of specialist review [26].

1.6.8 The Community Council requests that it be notified promptly of any decision, and of the reasons for it. It makes that request having regard to section 36D(4) of the Electricity Act 1989, which allows only six weeks from publication of a decision for any application questioning its validity [2].

1.6.9 If, contrary to the Community Council's primary submission, consent were to be granted, the Community Council requests that the Scottish Ministers secure a decommissioning programme, together with adequate and enduring financial security for its execution, before any works commence — having regard in particular to the fact that NPF4 Policy 11(f) expects areas identified for wind farms to be "suitable for use in perpetuity", and that Policy 11(a)(i) expressly supports repowering, extension and expansion (paragraph 3.6.6) [10].

2. The Proposed Development

2.1 Description

2.1.1 The proposed development is a fixed-bottom offshore wind farm capable of exporting around 2 gigawatts of electricity. The application, as described in the applicant's Project Description, provides for a design envelope of **between 91 and 144 wind turbines** together with offshore substation platforms, inter-array cabling and ancillary infrastructure, within a Windfarm Development Area of **448 km²** [8].

2.1.2 Turbine height and turbine number are inversely related within that envelope. The applicant provides for either **91 of the largest turbines, at up to 335 m to blade tip above Lowest Astronomical Tide, or 144 of the smallest, at up to 280 m** (EIAR Chapter 3, Table 3.2 and Table 3.13) [8]. The taller option exceeds the height of the Eiffel Tower (330 m), and the maximum rotor diameter is 290 m [8]. Structures of this scale, lit for aviation and marine navigation, would be introduced into a presently undeveloped Atlantic horizon. Foundations would be monopile or jacket; gravity base foundations were removed from the design envelope during consultation [8].

2.1.3 The seabed Option Agreement Area was awarded to ScottishPower Renewables in January 2022 under the ScotWind leasing round. The grid connection point was confirmed only in August 2025. The anticipated operational life of the development is 35 years [8].

2.2 Scale

2.2.1 The Windfarm Development Area of 448 km² is equivalent to approximately **51% of the land area of the Isle of Mull** (875 km²), and to approximately **51 times the land area of Iona** (877 hectares) [8][9]. It would be located within the immediate seascape setting of an internationally important landscape.

2.2.2 The determination of these applications will indicate how the statutory framework is applied to development of this scale in the setting of nationally and internationally important island landscapes and seascapes. National Planning Framework 4 ("NPF4") and Scotland's National Marine Plan are intended to prevent precisely that outcome: they support renewable energy strongly, while requiring nationally and internationally important landscapes, cultural heritage, biodiversity and communities to be protected [10][11].

2.3 The design envelope

2.3.1 The assessment proceeds on a "Rochdale Envelope" basis — a range of design parameters rather than a fixed design [8]. The envelope permits a trade-off between turbine height and turbine number: the applicant may install 91 turbines at up to 335 m to blade tip, or 144 turbines at up to 280 m [8]. A reduction in height therefore requires a corresponding increase in number and density across the WDA. The applicant confirmed to Historic Environment Scotland that a smaller turbine option would replace height with stacking and density [12].

2.3.2 This is material, because it means the principal adverse landscape, seascape and heritage effects identified in this objection cannot be avoided by adjusting turbine dimensions. Whichever point within the envelope is ultimately built, the fundamental effect — the industrialisation of a previously undeveloped Atlantic horizon — remains.

2.4 Distance from the affected communities

2.4.1 At their closest points, the WDA lies approximately 12.4 km west of Colonsay, 15 km north-west of Islay, 20 km south-west of Mull, **21 km south-west of Iona**, and 30 km west of Jura [8]. Staffa lies approximately 35 km from the WDA [5].

2.5 Site selection and the identification of the W1 Plan Option

2.5.1 The applicant and the Scottish Government have repeatedly stated that the W1 Plan Option — the site that has become MachairWind — was identified following extensive consultation [13]. Iona Community Council's experience does not support that characterisation.

2.5.2 The relevant consultation ran between 18 December 2019 and 25 March 2020 [13]. Iona Community Council received only two generically titled emails, in January 2020, after the consultation had already begun and amidst a heavy correspondence load. Neither 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.

2.5.3 That period also coincided with the emergence of the COVID-19 pandemic, when community councils were rapidly becoming the local frontline of an unprecedented civil emergency. Against that background, limited and passive communication of this kind cannot reasonably be characterised as meaningful consultation with the communities most directly affected.

2.5.4 The consequence is that, 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.

2.5.5 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" [11]. Two generically titled emails, issued after the consultation had opened and at the onset of a civil emergency, 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.

2.6 Public participation at application stage

2.6.1 The deficiencies in public participation have continued into this application stage. Communities are expected to review thousands of pages of highly technical environmental information, obtain independent expert advice as necessary, and prepare informed representations during the busiest period of the year for islands, when many residents work continuously throughout the tourist season, families are reunited with children home from mainland boarding school, and specialist advisers are less available. By contrast, the applicant has had several years and substantial professional and financial resources to prepare the application.

2.6.2 Iona Community Council requested extension of the public consultation to the end of September 2026. The Marine Directorate declined that request. The Community Council's position is that

this timetable does not afford the most affected communities a realistic opportunity to participate effectively in decision-making, contrary to the principles of the Aarhus Convention.

2.6.3 This bears directly upon the duties considered at Section 3.12: engagement with island communities which is confined to a compressed statutory minimum, falling at the least practicable time of year, is not the meaningful engagement from inception to conclusion which the statutory guidance under the Islands (Scotland) Act 2018 requires. The Scottish Ministers are invited to weigh this history when determining whether those duties have been discharged (Section 12.3).

3. Legislative and Policy Framework

3.0.1 This section sets out the framework against which the applications fall to be determined. It is included because the Community Council's objection is not an expression of preference: it is a submission that the proposal fails to satisfy tests which the law and the development plan require to be met.

3.1 The consent regime

3.1.1 Consent for the generating station is sought under section 36 of the Electricity Act 1989 [2]. The associated marine licences are sought under Part 4 of the Marine (Scotland) Act 2010 [3].

3.1.2 The procedure for handling objections has recently changed, and the Community Council sets the position out accurately so that no misunderstanding arises. Schedule 8 to the Electricity Act 1989 was amended by the **Planning and Infrastructure Act 2025** (Royal Assent 18 December 2025), the relevant provisions of which came into force on **18 February 2026** — four months before this application was submitted [39]. Among other changes, that Act amended paragraph 3 of Schedule 8 (objections by other persons) and paragraph 4 (public inquiries), and **removed the automatic trigger for a public inquiry where the relevant planning authority objects** [39].

3.1.3 In its place, an appointed person — a reporter — determines what procedure is appropriate for the examination of an application to which objection is taken. That procedure may comprise no further procedure at all; or a site inspection; or further written submissions; or hearing sessions; or inquiry sessions; or a combination of these [39].

3.1.4 The Community Council therefore makes no claim to an entitlement to a public inquiry, and does not suggest that any objection — whether its own or that of a planning authority — compels one. Its request is a different and more precise one: that if the Scottish Ministers are not minded to refuse these applications, the examination should take the form of **inquiry sessions**, for the reasons given at paragraph 1.6.3.

3.1.5 In determining the applications, the Scottish Ministers must have regard to the desirability of preserving natural beauty, conserving flora, fauna and geological or physiographical features of special interest, and protecting sites, buildings and objects of architectural, historic or archaeological interest, and must do what they reasonably can to mitigate any effect on those matters (Schedule 9, paragraph 3 to the Electricity Act 1989) [2].

3.2 Environmental impact assessment

3.2.1 The applications are subject to environmental impact assessment under the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 and the Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 [14].

3.2.2 The purpose of EIA is not to describe a proposal. It is to **identify, describe and assess** the likely significant effects of a proposal on the environment, so that the competent authority possesses an adequate evidential basis on which to determine the application. A consent granted on the basis of an EIA which does not achieve that purpose is not a lawfully informed consent. Section 10 of this objection addresses that question directly.

3.3 The Habitats Regulations

3.3.1 Because the development is likely to have a significant effect on one or more European sites, the Scottish Ministers as competent authority must carry out an appropriate assessment, and may grant consent only if they can ascertain, on the basis of the best available scientific evidence and applying the precautionary principle, that the development will not adversely affect the integrity of the site or sites concerned. As the Project spans both inshore and offshore waters, two regimes apply in parallel: the Conservation (Natural Habitats, &c.) Regulations 1994 within 12 nautical miles, and the Conservation of Offshore Marine Habitats and Species Regulations 2017 beyond that limit [15].

3.3.2 Where an adverse effect on integrity cannot be excluded, consent may be granted only under the strict derogation tests: the absence of alternative solutions, imperative reasons of overriding public interest, and the securing of compensatory measures [15]. Section 8 addresses the standard which the applicant's Report to Inform Appropriate Assessment must meet, and the significance of the applicant having submitted, with its application, a Without Prejudice Derogation Case and a Without Prejudice Guillemot Compensation Plan.

3.4 The statutory plans and the decision framework

3.4.1 Two plans are engaged. In relation to the marine licences, section 15 of the Marine (Scotland) Act 2010 requires that authorisation decisions be taken **in accordance with Scotland's National Marine Plan** unless relevant considerations indicate otherwise, and that reasons be stated where a decision-maker departs from the Plan [3][11]. In relation to the wider planning judgement, the development plan — National Planning Framework 4 (adopted 13 February 2023) together with the Argyll and Bute Local Development Plan 2 ("LDP2", adopted 28 February 2024) — is a material consideration of substantial weight, and NPF4 Policy 11 addresses offshore wind expressly [10][17].

3.4.2 The National Marine Plan is therefore the primary statutory yardstick for these applications. Its General Policies are not aspirational: the Plan states in terms that "all text in this chapter should be considered as planning policy" [11].

3.5 Scotland's National Marine Plan: the General Policies engaged

3.5.1 The presumption in favour of sustainable development in the marine environment (GEN 1) is expressly conditional: it applies only "when consistent with the policies and objectives of this Plan" [11]. The Community Council's position is that this proposal is not consistent with those

policies, and that the presumption is accordingly not engaged. The General Policies of principal relevance are set out below.

3.5.2 **GEN 7 (Landscape and seascape).** This is the policy of greatest significance to these applications. Beyond the general requirement that seascape, landscape and visual impacts be taken into account, the Plan provides at paragraph 4.28 that —

> *"Development and use that affect National Scenic Areas, National Parks and World Heritage Sites should only be permitted where: it will not adversely affect the integrity of the area or its special qualities for which it has been designated; or any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance."*
>
> — Scotland's National Marine Plan, paragraph 4.28 (GEN 7) [11]

3.5.3 That is a hard test, and it is directly engaged. The Loch na Keal National Scenic Area — whose Special Landscape Qualities expressly include Staffa, Fingal's Cave and the Treshnish Isles, and views of an island-studded sea — lies within the study area, and the applicant's own assessment identifies effects upon those qualities [7][20]. The Plan further requires that potential effects on landscapes and seascapes, *including cumulative effects*, be considered (paragraph 4.29), and directs particular care where development may affect largely undeveloped or largely unspoiled coast (paragraph 4.30) [11]. Section 4 addresses the application of GEN 7.

3.5.4 **GEN 6 (Historic environment).** Development should protect, and where appropriate enhance, heritage assets in a manner proportionate to their significance. Designated assets "should be protected in situ within an appropriate setting", and the Plan provides that "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" (paragraph 4.23). Marine planning is to ensure that development respects "the setting of important coastal heritage assets" (paragraph 4.22) [11]. Section 5 addresses GEN 6.

3.5.5 **GEN 9 (Natural heritage).** This policy is expressed as a mandatory requirement. Development **must**: (a) comply with legal requirements for protected areas and protected species; (b) **not result in significant impact on the national status of Priority Marine Features**; and (c) protect and, where appropriate, enhance the health of the marine area [11]. The applicant's own evidence confirms that Priority Marine Features lie within the Windfarm Development Area (Section 8). The Plan also records, at paragraph 4.53, that the principles governing protection of European Protected Species from injury and disturbance "may also be of relevance to other species such as basking shark" [11].

3.5.6 **GEN 13 (Noise).** Development should avoid significant adverse effects of man-made noise and vibration, especially on species sensitive to such effects [11]. The applicant models an underwater-noise Zone of Influence extending to 88 km (Section 8).

3.5.7 **GEN 19 (Sound evidence).** Decision-making "will be based on sound scientific **and socio-economic** evidence". Critically, paragraph 4.81 provides that where evidence is inconclusive and impacts are uncertain, "reasonable efforts should be made to fill evidence gaps and decision makers should apply precaution within an overall risk-based approach" [11]. Section 6 demonstrates that the applicant identified a socio-economic risk pathway and then did not fill the resulting evidence gap.

3.5.8 **GEN 18 (Engagement).** Engagement "should be appropriate, proportionate and meaningful" and "undertaken as early as possible", and "the views expressed should be a consideration in decision making" (paragraph 4.77) [11]. Section 2.5 addresses the engagement which preceded the identification of the W1 Plan Option.

3.5.9 **GEN 21 (Cumulative impacts).** Cumulative impacts must be addressed in decision-making, and decision-makers are to consider whether the cumulative impact of activities "outweigh the benefits" (paragraph 4.85) [11]. Section 9 addresses cumulative and in-combination effects.

3.5.10 **GEN 2 and GEN 3 (Economic and social benefit).** The Plan directs that "particular consideration should be given to opportunities that aim to provide benefit to communities" (paragraph 4.9) [11]. Section 6 addresses the distribution of the asserted benefits.

3.6 National Planning Framework 4

3.6.1 NPF4 Policy 11 (Energy) supports all forms of renewable energy development, including offshore wind, and directs that "significant weight will be placed on the contribution of the proposal to renewable energy generation targets and on greenhouse gas emissions reduction targets" [10]. The Community Council does not dispute that this weight is engaged. It disputes that it is determinative, for four reasons drawn from the policy itself.

3.6.2 **First, Policy 11(c) is a condition, not an aspiration.** It provides that "development 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" [10]. Support under Policy 11 is therefore conditional upon the delivery of local and community benefit. Section 6 addresses the distribution of benefit under this proposal.

3.6.3 **Secondly, Policy 11 does not displace Policy 4 — it routes designation impacts to it.** Policy 11(d) provides in terms that "development proposals that impact on international or national designations **will be assessed in relation to Policy 4**" [10]. The applicant cannot therefore rely on the "significant weight" afforded by Policy 11 to avoid the protective tests in Policy 4. Policy 11 itself directs the decision-maker to them.

3.6.4 **Thirdly, the qualification in Policy 11(e)(ii) does not apply to this proposal.** Policy 11(e)(ii) requires project design and mitigation to demonstrate how "significant landscape and visual impacts" are addressed, "recognising that such impacts are to be expected for some forms of renewable energy", and provides that "*where impacts are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable*" [10]. That qualification is conditional on two things, and **neither is present here**:

- **The impacts are not localised.** On the applicant's own assessment they extend across Iona, the Ross of Mull, wider Mull, Staffa, Ulva, Tiree, Jura, Islay, Colonsay and the Scarba, Lunga and Garvellachs area — encompassing multiple National Scenic Areas and Coastal Character Areas across a span exceeding 40 km [5][20].
- **Appropriate design mitigation has not been — and cannot be — applied.** The applicant confirmed to Historic Environment Scotland that reducing turbine height would replace height with stacking and density [12], and its own design envelope permits no arrangement which avoids the fundamental effect (Section 2.3). A five-metre reduction in a 335 m structure is not design mitigation of a significant seascape effect.

3.6.5 It follows that the significant landscape and visual impacts of this proposal fall outside the qualification in Policy 11(e)(ii), and are not to be "generally considered to be acceptable". Policy 11(e) further requires the applicant to demonstrate how it has addressed — (i) impacts on communities; (vii) impacts on the historic environment; (ix) biodiversity, including impacts on birds; and cumulative impacts [10].

3.6.6 **Fourthly, the operational life does not measure the duration of the harm.** Policy 11(a)(i) expressly supports "wind farms including repowering, extending, expanding and extending the life of existing wind farms", and Policy 11(f) provides that although consents "may be time-limited", "**areas identified for wind farms are, however, expected to be suitable for use in perpetuity**" [10]. The 35-year operational life stated by the applicant [8] is therefore not a limit on the harm. A decision to consent this development is, in policy terms, a decision that this seascape is suitable for wind farm use *in perpetuity* — with repowering, extension and expansion expressly supported. The Scottish Ministers are not being asked to accept 35 years of change to the setting of Iona. They are being asked to accept its permanent industrialisation.

3.6.7 The applicant's own parameters bear this out. Against an anticipated operational life of 35 years, it records a **lease period of 60 years** (EIAR Chapter 3, Table 3.2) [8]. The commercial horizon of the Project is therefore already almost double the operational life on which the Scottish Ministers are invited to assess it.

3.7 NPF4 Policy 4: the protective test for designated natural places

3.7.0 Policy 4(a) is expressed as a prohibition: "development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, **will not be supported**" [10]. Type, location and scale are the matters in issue in this case.

3.7.1 Policy 4(c) is the test to which Policy 11(d) directs the decision-maker. It provides —

> *"Development 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."*
>
> — National Planning Framework 4, Policy 4(c) [10]

3.7.2 That test is materially identical to paragraph 4.28 of the National Marine Plan (GEN 7), set out at paragraph 3.5.2 above. The same two-limb test therefore applies **twice over** — once through the statutory marine plan, and once through the development plan. The Loch na Keal National Scenic Area is engaged by both.

3.7.3 Policy 4(d) applies an equivalent test to a "landscape area" designated in the Local Development Plan: such proposals "will only be supported where" there will be no significant adverse effects on the integrity of the area or the qualities for which it has been identified, or any such effects are clearly outweighed by benefits of at least local importance [10]. The applicant's own assessment identifies significant effects on the Central, South and West Mull Local Landscape Area, a designation carried in LDP2 [17][20]. Policy 4(d) is accordingly engaged.

3.7.4 Policy 4(b) requires that proposals likely to have a significant effect on a European site be subject to appropriate assessment; Policy 4(e) provides that "the precautionary principle will be

applied"; and Policy 4(f) provides that proposals likely to have an adverse effect on protected species will only be supported where the relevant statutory tests are met [10]. Section 8 addresses these matters.

3.7.5 Policy 3 (Biodiversity) additionally requires significant adverse effects on biodiversity to be avoided in accordance with the mitigation hierarchy, and Policy 1 requires significant weight to be given to the global climate *and nature* crises, which NPF4 treats together and not as alternatives [10].

3.8 NPF4 Policy 7: the protective test for historic assets

3.8.1 Policy 7(h) provides —

> *"Development proposals affecting scheduled monuments will only be supported where: (i) direct impacts on the scheduled monument are avoided; (ii) significant adverse impacts on the integrity of the setting of a scheduled monument are avoided; or (iii) exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised."*
>
> — National Planning Framework 4, Policy 7(h) [10]

3.8.2 The structure of that test is critical. Where significant adverse impacts on the integrity of the setting of a scheduled monument are *not* avoided, the proposal may only be supported if **exceptional circumstances have been demonstrated**. Section 5 demonstrates that, on the applicant's own evidence, significant adverse impacts on the integrity of the setting of Iona's scheduled monuments are not avoided. The applicant has not sought to demonstrate exceptional circumstances, and the Community Council's position is that none exist.

3.8.3 Policy 7(c) requires that development affecting the setting of a listed building "should preserve its character, and its special architectural or historic interest". Policy 7(d) provides that proposals "in or affecting conservation areas will only be supported where the character and appearance of the conservation area *and its setting* is preserved or enhanced" — a test engaged by the Iona Conservation Area. Policy 7(k) provides that proposals "that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas"; the Community Council invites Historic Environment Scotland to confirm whether the preservation objectives of any Historic Marine Protected Area are engaged [10].

3.9 The place of NPF4 Policy 30 (Tourism)

3.9.1 For completeness, the Community Council notes that NPF4 Policy 30 governs development proposals *for* tourist facilities and accommodation. It is not, on its terms, a protective test applicable to a proposal of this kind, and the Community Council does not advance it as one. Its policy intent — "to encourage, promote and facilitate sustainable tourism development which benefits local people", with the outcome that "communities and places enjoy economic, social and cultural benefits from tourism, supporting resilience" — nevertheless indicates the weight which the development plan attaches to the resilience of tourism-dependent communities, and is relevant context for Section 6 [10].

3.10 Argyll and Bute Local Development Plan 2

3.10.1 LDP2 was adopted on 28 February 2024 and forms part of the development plan for the Argyll and Bute area [17]. It applies directly to the onshore transmission works, which the applicant has deferred to a separate application under the Town and Country Planning (Scotland) Act 1997 (Section 9). It is a material consideration in relation to the present applications, in particular through its treatment of the area's landscape, coastal and historic environment designations — including the National Scenic Areas and the Local Landscape Areas which the applicant's own assessment identifies as affected [17][20].

3.11 The status of the Sectoral Marine Plan and the ScotWind lease

3.11.1 The Community Council anticipates that the applicant will place weight on the identification of the site within the Sectoral Marine Plan for Offshore Wind Energy (2020) and on the grant of the seabed lease. That reliance is misplaced. The Sectoral Marine Plan is not the statutory marine plan for the purposes of section 15 of the Marine (Scotland) Act 2010; its plan-level assessment expressly deferred project-level scrutiny of effects on protected sites to the consenting stage; and the grant of a seabed lease by Crown Estate Scotland confers no entitlement to consent [18]. The Scottish Government's offshore wind ambition is itself expressly stated to be subject to rigorous project-level consenting and impact assessment [18].

3.12 The Islands (Scotland) Act 2018

3.12.1 The Islands (Scotland) Act 2018 requires an Island Communities Impact Assessment where a decision is likely to have an effect on an island community which is significantly different from its effect on other communities [19]. The proposal engages that duty. Section 11 of the Act requires the Scottish Ministers to have regard to the statutory guidance, which stresses the importance of consultation and robust community engagement, addresses the need to consult island communities in order to comply with the section 7 duty, and makes clear that an Island Communities Impact Assessment should not become a "tick box" exercise but should instead be informed by meaningful engagement with affected island communities from inception to conclusion. The Community Council invites the Scottish Ministers to scrutinise whether the duty has been adequately discharged, having regard in particular to the absence of place-based socio-economic assessment of the affected island communities described in Section 6.

3.13 Where the burden lies

3.13.1 One feature of the framework set out above requires to be stated expressly, because it governs how this objection should be read. **Every operative test is framed as a condition which the applicant must satisfy.** None is framed as a matter which an objector must disprove.

- Under the Habitats Regulations, consent may be granted only where the competent authority has *made certain* that the integrity of the site will not be adversely affected — that is, where "no reasonable scientific doubt remains as to the absence of such effects" [15][36].
- Under NPF4 Policy 4(a), proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment "will *not* be supported" [10].
- Under NPF4 Policy 4(c) and NMP paragraph 4.28, effects on a National Scenic Area must be "clearly outweighed" by benefits of national importance [10][11].

- Under NPF4 Policy 7(h)(iii), exceptional circumstances must have been "**demonstrated**" [10].
- Under NPF4 Policy 11(c), proposals "will only be supported where they *maximise* net economic impact, including local and community socio-economic benefits" [10].
- Under NMP GEN 19 and paragraph 4.81, where evidence is inconclusive, "reasonable efforts should be made to fill evidence gaps" and decision-makers "should apply precaution" [11].
- Under NPF4 Policy 4(e), the precautionary principle applies [10].

3.13.2 It follows that it is *not* for the Community Council to prove that harm will occur. It is for the applicant to demonstrate that the statutory and policy tests are met. Where the applicant has not carried out the investigation necessary to demonstrate compliance — as, on the evidence set out in Sections 4 to 9, it has not — the consequence is not that the Ministers may assume compliance. It is that compliance has not been demonstrated, and precaution applies.

3.13.3 The Community Council anticipates that the applicant may respond to this objection by observing that the Community Council has produced no expert evidence of its own. That observation, even if made, does not advance the applicant's case. The tests above are not satisfied by the absence of contrary evidence. They are satisfied only by positive demonstration. This objection accordingly proceeds, throughout, by testing the applicant's evidence against the applicant's own methodology, the applicant's own findings, and the advice of the statutory consultees. The same approach applies to the Cultural Heritage Environmental Impact Assessment. The Community Council does not seek to substitute its own heritage judgement for that of the applicant. Rather, it examines whether the methodology accepted by the applicant has actually been applied in reaching conclusions on the integrity of setting.

4. Seascape, Landscape and Visual Effects

> *"The Atlantic coastline and islands create an exceptional sense of remoteness, openness and exposure, with extensive panoramic views and undeveloped horizons."*
>
> — NatureScot, Special Qualities of the Loch na Keal National Scenic Area [7]

> *"The journey from Mull to Iona on the ferry is spiritually significant for visitors – views towards the Project would affect this key characteristic."*
>
> — MachairWind, EIAR Appendix 16.3, CCA 5: Sound of Iona [42]

> *"Due to the viewing distance of approximately 35 km, the scale of change is judged to be small."*
>
> — MachairWind, EIAR Appendix 16.3, CCA 8: Staffa and the Treshnish Isles [42]

4.1.1 These three extracts illustrate the central finding of the accompanying Evidence Note. The qualities that justify protection — openness, expansive views, undeveloped horizons — are the very qualities the applicant relies upon to reduce the assessed scale of change; and viewing distance is relied upon to reduce it further still.

4.2 The written methodology contains no distance threshold; the assessment repeatedly applies one in practice

4.2.1 Neither GLVIA3, NatureScot guidance, nor the applicant's own written methodology (Appendix 16.1) establishes any distance threshold beyond which highly sensitive landscape receptors

cannot experience a high magnitude of change, or beyond which significant effects cannot arise [5][6][7][20].

4.2.2 The distinction is fundamental. The issue is not what the applicant's methodology *says*; it is what the assessment repeatedly *does*. Across the Landscape Character, National Scenic Area and Coastal Character assessments, the applicant continues to recognise highly sensitive nationally important landscapes, extensive visibility, and important scenic, cultural and experiential qualities. Yet once highly sensitive receptors lie beyond approximately 20 km from the WDA, the assessment repeatedly ceases to attribute High magnitude, and lower ratings are assigned despite the continued presence of characteristics that would ordinarily be expected to support higher assessments [5].

4.2.3 This matters because magnitude drives significance. Where lower magnitude ratings are repeatedly assigned to nationally important receptors, the significance ultimately attributed to those effects is correspondingly reduced — and those reduced landscape conclusions are then relied upon elsewhere in the EIA, including in the cultural heritage assessment, the socio-economic assessment, and ultimately the planning balance.

4.3 The evidence: a cross-assessment audit of the applicant's own outcomes

4.3.1 The Evidence Note audits the applicant's own assessment outcomes across all three assessment streams. The results are set out in Table 2 [5].

Table 2 — Cross-assessment distance audit of the applicant's own SLVIA outcomes

Receptor	Assessment stream	Approx. distance	Sensitivity	Highest magnitude	High magnitude?
Sound of Iona	Coastal Character	~21 km	High	Medium	No
West Coast of Iona	Coastal Character	~21 km	High	Medium	No
Ross of Mull South	Coastal Character	~22–24 km	High	Medium	No
Loch na Keal NSA	National Scenic Area	~21–33 km	High	Medium	No
Jura NSA	National Scenic Area	~28–32 km	High	Medium / Low	No
Scarba, Lunga & the Garvellachs NSA	National Scenic Area	~35–40 km	High	Medium / Low	No
Wilderness & Gribun Rocks	Coastal Character	~33 km	High	Low	No
South Tiree	Coastal Character	~35 km	High	Low	No

Source: Evidence Note, Section 6, derived from EIAR Chapter 16 and Appendices 16.1–16.3 [5][20].

4.3.2 Three findings follow from the applicant's own outcomes. First, **High sensitivity persists**: the applicant consistently retains High sensitivity for nationally designated and highly valued receptors irrespective of distance. Secondly, **magnitude varies instead**: where outcomes differ, the variation occurs almost entirely through judgements on magnitude, which becomes the

mechanism by which the assessment differentiates between highly sensitive receptors. Thirdly, and decisively, **no highly sensitive receptor beyond approximately 20 km is attributed High magnitude** anywhere within the assessments reviewed. The highest magnitude recorded beyond that distance is Medium [5].

4.3.3 The applicant's own synthesis of the Landscape Character assessment reflects the same progression, describing High magnitude within approximately 20 km, Medium magnitude between approximately 20 km and 30 km, and, for some landscape types, Low magnitude beyond approximately 30 km [5][20]. That is an observation derived directly from the applicant's assessment outcomes; it is not a methodological inference.

4.4 The status of NatureScot's scoping advice on assessment distance

4.4.1 During scoping, NatureScot observed that the proposed methodology was described only at a high level, that the scoring criteria were *not* particularly prescriptive, and that those criteria would require to be explained within the topic chapters. The applicant accepted that approach and undertook that the criteria would be set out in the topic-specific chapters [7].

4.4.2 NatureScot therefore neither identified nor justified the thresholds subsequently applied in practice within the SLVIA. Having given that undertaking, the applicant did not go on to justify these criteria methodologically, either in Chapter 16 or in the overarching EIA methodology at Chapter 5 [20][21].

4.4.3 The applicant repeatedly refers to NatureScot's request that effects on National Scenic Area qualities be assessed to approximately 30 km. **An assessment distance is not a significance threshold.** NatureScot did not state that significant effects cannot occur beyond 30 km; that major effects cannot occur beyond 20 km; or that distance determines significance [7]. Previous assessment practice does not establish a methodological rule, and no such rule has been applied to a proposal of this scale, extent and height. The applicant cannot derive from scoping advice a *de facto* significance threshold for National Scenic Areas which neither NatureScot nor recognised assessment guidance has established.

4.5 The relationship between the designated qualities and the assessed magnitude of change

4.5.1 The formal Special Landscape Qualities of the Loch na Keal National Scenic Area include Staffa, Fingal's Cave and the Treshnish Isles; views of an island-studded sea; islands and islet groups of astonishingly varied character; and a vast natural world, dwarfing human settlement [7].

4.5.2 The applicant accepts that the significance of the Iona–Mull–Staffa–Ulva landscapes and seascapes derives from their undeveloped horizons, openness, simplicity, remoteness, wildness and expansive Atlantic views. These are precisely the qualities identified by National Scenic Area designation, by NatureScot guidance and by NPF4 as justifying protection [7][10][20].

4.5.3 Yet the applicant repeatedly argues that effects are reduced *because* —

- horizons are expansive;
- views are open;
- the seascape is simple;
- there is little competing development;

- turbines would occupy only part of the field of view.

4.5.4 The applicant has not explained how the qualities for which these areas are designated can, at the same time, operate to reduce the assessed magnitude of change upon them. The significance of this landscape does not lie in horizons that are *partially* developed, or in expansive Atlantic views *partially* occupied by a 448 km^2 offshore industrial development. It lies in their openness, simplicity and the absence of industrial development. The introduction of turbines of up to 335 m into that openness is not moderated by the fact that they occupy only part of the horizon: **it is the intrusion of industrial development into that openness that constitutes the harm**.

4.5.5 The applicant further argues that the Project would be "partially screened" by the Ross of Mull and by Iona, and is therefore less significant. That reasoning is not supported by the applicant's own visual evidence. The representative visualisations show a single, recognisable offshore wind farm extending across substantial sections of the Atlantic horizon, with turbines projecting above, beyond and between these islands. The relationship between the islands and the turbines demonstrates the scale of the industrial intrusion; it does not mitigate it [20].

4.6 Staffa: a National Scenic Area receptor beyond the 30 km assessment distance

4.6.1 Staffa lies approximately 35 km from the WDA — well beyond the approximately 20 km point beyond which the Evidence Note identifies no attribution of High magnitude to any highly sensitive receptor, and beyond even the approximately 30 km distance to which NatureScot asked that effects on National Scenic Area qualities be assessed (Section 4.4) [5][7].

4.6.2 The applicant accepts that Staffa is one of the Special Landscape Qualities of the Loch na Keal National Scenic Area, and that its significance derives from its position at the centre of an exceptional panorama embracing Iona, the Ross of Mull, Ulva, the Treshnish Isles and beyond. It further accepts that the Project would be visible beyond and on either side of Iona within that very panorama. Yet the assessment concludes that the scale of change is "Small" and the overall effect "Minor and Not Significant" [20].

4.6.3 The applicant's own wireframes and photomontages from Staffa and Ulva show extensive industrialisation of previously undeveloped Atlantic horizons; turbines rising prominently around and above Iona and the Ross of Mull; major disruption of the relationships between islands, sea and horizon; and substantial change to the openness, remoteness and naturalness for which the National Scenic Area is designated [20].

4.6.4 The dispute is therefore not whether effects are significant. The applicant accepts significant effects across much of Iona and Mull, including for residents and visitors on Iona, at Dùn Ì, on the Mull–Iona ferry, at Erraid, on Core Paths on Iona and Mull, and within the Central, South and West Mull Local Landscape Area [20]. The dispute is that the assessment framework has the effect of suppressing the magnitude — and therefore the planning weight — of those effects, while reducing comparable effects on Staffa and Ulva to minor or non-significant conclusions. Those differing conclusions do not arise from the landscapes themselves, nor from the visual evidence. They arise from the applicant's assessment framework.

4.7 The Sound of Iona: a Coastal Character receptor beyond approximately 20 km

4.7.1 The Sound of Iona is approximately three miles long and lies around 21 km from the WDA — immediately beyond the point at which the *de facto* 20 km threshold begins to operate [5].

4.7.2 The applicant assesses the Sound of Iona as a highly sensitive receptor. It accepts extensive visibility of the proposal; approximately 39 degrees of turbine development across the Atlantic horizon; a **Large** geographical extent of change; effects on one of Scotland's most significant ferry crossings and on the setting of Iona itself; and an overall effect of **Moderate Significant**. Despite those findings, the assessment attributes only **Medium** magnitude, rather than High [5][20].

4.7.2.1 The figure of 39 degrees warrants emphasis, and it is the applicant's own [5][20]. A viewer standing on the shore commands approximately 180 degrees of sea horizon, and the proposal would occupy **more than a fifth of the entire seaward panorama** from the Sound of Iona — not a distant incident at the edge of a view, but a continuous band of industrial structures across a substantial arc of it. Even that comparison understates the effect, because a 180-degree panorama includes the full sweep of peripheral vision, well beyond what an observer perceives when looking at the sea. The standard single-frame image prescribed by NatureScot's Visual Representation of Wind Farms guidance — a 50 mm focal length image on a full-frame format, adopted because, viewed at the correct distance, it corresponds geometrically to the view seen in the field — has a horizontal field of view of 39.6 degrees [7]. Development extending across approximately 39 degrees of horizon would therefore fill a standard single-frame view almost exactly from edge to edge. Wherever an observer looks directly towards the affected horizon, the development would occupy substantially the whole of the directed view.

4.7.3 The Sound of Iona is not a counter-example to the pattern identified in the Evidence Note. It is its clearest illustration: it demonstrates that even where High sensitivity, extensive visibility, a substantial geographical extent of change, nationally important cultural associations and a significant effect are all recognised together, High magnitude is nevertheless not attributed once the receptor lies beyond approximately 20 km [5].

4.7.4 The practical consequence is that many of the island's most important landscapes — including the Sound of Iona, the Abbey setting, Dùn Ì, the machair and Columba's Bay — are, on the applicant's own assessment outcomes, not attributed effects exceeding moderate significance, notwithstanding the sensitivity and extent of change the applicant records.

4.8 The omission of a photomontage from Columba's Bay

4.8.1 Columba's Bay is among the most important cultural and spiritual landscapes in Scotland. It marks the traditional arrival place of St Columba from Ireland, and is experienced through its relationship with the open Atlantic horizon towards Jura and Ireland.

4.8.2 No photomontage has been provided from Columba's Bay. The photomontage from Dùn Ì does not remedy that omission: Dùn Ì lies elevated to the north and presents a materially different visual and experiential relationship with the southern Atlantic horizon. Nor has any visualisation been provided from Càrn Cùl ri Èirinn, the raised ground above the bay whose name — the cairn of the back turned to Ireland — records the tradition that St Columba climbed it to confirm that Ireland could no longer be seen. That elevated position commands a wider southern and western sea horizon than the bay itself at sea level, and the visible extent of the development across that horizon would be correspondingly greater.

4.8.3 The available visual evidence indicates that views currently experienced as open Atlantic horizon would instead contain an extensive band of offshore industrial development. The absence of a visualisation from this location means the EIA does not provide the Scottish Ministers with the

evidence necessary to assess the likely significance of effects on one of Scotland's most important cultural landscapes. It also means that the location which would most directly test the recurring assessment approach identified in the Evidence Note has not been the subject of a representative visualisation. The absence of any written methodological threshold makes that question more, not less, important.

4.9 The fragmentation of an integrated landscape and seascape

4.9.1 A recurring weakness throughout the SLVIA is the fragmentation of an integrated landscape and seascape into isolated viewpoints, landscape character units and designated sites.

4.9.2 People do not experience Iona, Mull, Staffa, Ulva, the Treshnish Isles or the Atlantic seascape between them through isolated snapshots. They experience them through movement, journey, changing perspectives, the relationships between islands and sea, and the experience of travelling through an undeveloped Atlantic environment. The significance of this landscape derives precisely from those relationships. The applicant's assessment framework systematically disaggregates them.

4.9.3 The same weakness affects the assessment of the marine tourism economy linking Iona, Staffa, Lunga and the Treshnish Isles. The principal marine tourism operators serving Iona and Mull depend not only on the destinations themselves, but on the experience of travelling through an undeveloped Atlantic seascape. Under the proposal, visitors travelling to and from Staffa, Lunga and the other Treshnish Isles would instead pass an offshore industrial development occupying substantial portions of the Atlantic horizon. That is not an incidental effect: it transforms the experience upon which those businesses, communities and protected landscapes depend.

4.10 The limitations of the visualisations reinforce, rather than reduce, the seriousness of the effects

4.10.1 NatureScot's guidance is clear that wireframes and photomontages are illustrative tools with inherent limitations. They cannot replicate binocular vision, movement through the landscape, changing atmospheric conditions, or the scale perceived by the human eye, and they are intended to inform — not to replace — professional judgement [7].

4.10.2 Where visualisations subject to those acknowledged limitations nevertheless depict an offshore wind farm extending across substantial sections of the Atlantic horizon, and projecting above and beyond nationally important island landscapes, they *reinforce* rather than diminish the seriousness of the likely effects.

4.10.3 A further limitation concerns the measure by which horizontal extent is presented. Where foreground buildings or landform interrupt a view — as in views involving the Abbey, the Nunnery and the village — that screening reduces the length of sea horizon which remains visible; it does not reduce the proportion of the visible sea horizon which the development would occupy. In the applicant's own visualisations from the Sound of Iona and from the Abbey environs, the portions of the maritime horizon which remain visible between and beyond foreground features are themselves occupied by the proposed turbines. Measured as the span from the first to the last visible turbine, the development extends across approximately half of the visible sea horizon from the Abbey environs, and across the whole of it from the Sound of Iona [20][22]. Any suggestion that intervening buildings materially lessen the effect therefore mistakes the relevant measure. The appropriate metric is the proportion of the available — that is, visible — sea horizon

occupied by development, and the Community Council invites the Scottish Ministers to assess the visualisations on that basis.

4.10.4 The visualisations are also inherently limited in conveying vertical scale, and a familiar calibration available to anyone standing on Iona illustrates what they cannot show. Ben Hynish, the highest point on Tiree (141 m), is a recognised feature of Iona's north-western horizon at approximately 33 km. The largest proposed turbines, at up to 335 m to blade tip, would stand approximately 194 m taller than that island summit — and at approximately 21 km from Iona, roughly two-thirds of that distance [8][9]. A printed image viewed at arm's length cannot convey the presence of structures of that height at that proximity; NatureScot's guidance itself acknowledges that visualisations cannot replicate the scale perceived by the human eye [7]. Wireline drawings presented within the same stitched panoramic projections are subject to the same projection and viewing-distance limitations as the photography they accompany: they are a technical rendering within the visualisation, not an independent corrective to it.

4.11 Mitigation of the principal landscape and seascape effects

4.11.1 The applicant has not identified mitigation capable of addressing the principal landscape and seascape effects. As the applicant acknowledges elsewhere in the EIA, reducing turbine height requires increased turbine density across the WDA and does not avoid the fundamental effect identified throughout this objection: the industrialisation of previously undeveloped Atlantic horizons and seascapes [8][12].

4.11.2 The applicant's reduction of the maximum blade tip height from 340 m to 335 m, and of the maximum turbine number from 147 to 144, was made expressly to reduce the magnitude of change on seascape receptors [8]. That a reduction was made *for that purpose* is itself an acknowledgement by the applicant that the development gives rise to a material adverse seascape effect. A five-metre reduction in a 335 m structure does not render that effect acceptable.

4.12 Conclusion on seascape, landscape and visual effects

4.12.1 The applicant's methodology chapter states that "Each chapter in this WDA EIAR assesses a 'realistic worst-case' scenario for each of the identified potential impacts, ensuring a robust and precautionary approach" [21].

4.12.2 The Evidence Note demonstrates that, although the applicant's written methodology broadly reflects recognised landscape assessment practice, its repeated application produces assessment outcomes which —

- apply a *de facto* threshold of approximately 20 km across the Landscape Character and Coastal Character assessments, despite no such threshold appearing in GLVIA3, NatureScot guidance or the applicant's written methodology;
- apply a comparable *de facto* threshold of approximately 30 km across the National Scenic Area assessment;
- repeatedly assign lower magnitude ratings to nationally important landscape and seascape receptors once those thresholds are reached in practice;

- consequently attribute lower significance to those effects than the applicant's own evidence requires — conclusions which are then relied upon by the cultural heritage assessment, the socio-economic assessment, and ultimately the planning balance.

4.12.3 Taken together, these recurring assessment patterns materially undermine confidence in the objectivity, robustness and reliability of the SLVIA. Because those landscape conclusions are relied upon elsewhere in the EIA, they also materially undermine confidence in the wider Environmental Impact Assessment.

4.13 The unexplained variation in the assessment of magnitude

4.13.0 The Community Council anticipates that the applicant will answer the Evidence Note by saying that GLVIA3 requires professional judgement; that viewing distance is a legitimate consideration within that judgement; and that the Evidence Note itself concedes both propositions. All of that is accepted. It does not answer the objection.

4.13.0.1 The applicant *does* attribute High magnitude to receptors within approximately 20 km. High magnitude is therefore achievable under its methodology. The Sound of Iona lies at approximately 21 km. On the applicant's own findings it is of High sensitivity; it experiences extensive visibility; the geographical extent of change is **Large**; the development occupies approximately 39 degrees of the seaward horizon; and the resulting effect is Moderate Significant. Yet the magnitude is Medium [5][20].

4.13.0.2 The applicant must therefore identify what feature of the Sound of Iona, **other than distance**, reduces magnitude from High to Medium. On the applicant's own assessment, that leaves two possibilities, neither of which the EIAR resolves:

- **If the answer is distance**, then distance is operating as a threshold — which is precisely what the applicant denies, and what neither GLVIA3, NatureScot guidance nor Appendix 16.1 authorises [5][6][7].
- **If the answer is not distance**, then the applicant must say what it is — and must explain how a receptor of High sensitivity, experiencing a Large geographical extent of change across 39 degrees of horizon, is nevertheless assessed as experiencing only a Medium magnitude of change, when the applicant's own magnitude criteria in Appendix 16.1 include geographical extent among their components [5][20].

4.13.0.3 The Environmental Impact Assessment Report does not answer that question. It is not, therefore, a case of the Community Council disagreeing with a professional judgement. It is a case of the applicant having reached a conclusion which departs from its own stated methodology **without explaining why**. The Community Council invites the Scottish Ministers to require the applicant to explain, by reference to the magnitude criteria in Appendix 16.1, how that conclusion is reached in each relevant case — and to treat the answer, or the absence of one, as determinative of the reliability of the SLVIA as a whole.

4.13.0.4 The same question arises, in the same terms, for the West Coast of Iona, the Ross of Mull South, Staffa and the Loch na Keal National Scenic Area (Table 2). A single unexplained judgement might be an aberration. Eight, across three independently prepared assessment streams, is a characteristic of the assessment [5].

4.13.0.5 The applicant's own assessment further demonstrates that a High magnitude rating is not precluded by its methodology, and is applied to certain receptors within approximately 20 km. In its Coastal Character assessment the applicant attributes, to each of **West Colonsay (approximately 12 km), Oronsay (approximately 12 km), The Strand (approximately 13 km) and Kiloran Bay on Colonsay (approximately 17 km)**, a High sensitivity, a Large scale of change, a **High** magnitude of impact, and a **major and significant** effect [42]. At 12 to 17 km, therefore, the applicant finds High magnitude and major effects. Beyond approximately 20 km, on the receptors reviewed, it finds none at all.

4.13.0.6 The Sound of Iona lies at 21 km. It is of High sensitivity. The geographical extent of change is Large. The development occupies 39 degrees of its seaward horizon. The effect is Moderate and Significant. And the magnitude is Medium [42]. The applicant has not explained what distinguishes it from West Colonsay, which is of High sensitivity, experiences a Large scale of change and a Large geographical extent, and is awarded High magnitude and a major significant effect [42]. The EIAR does not explain that difference. On the applicant's own figures, the assessment therefore treats comparable receptors differently at the point on which the assessed level of effect depends.

4.14 Effects at night: an unlit horizon would become a lit one

4.14.1 Structures of the height proposed require aviation obstruction lighting, and offshore structures require marine navigation marking and lighting. The Atlantic horizon west of Iona is presently unlit. Under the proposal it would carry a field of lights extending across approximately 39 degrees of that horizon.

4.14.2 This is a distinct effect, and it is not conveyed by daytime visualisations. The qualities for which this seascape is valued — remoteness, tranquillity, darkness, the experience of an unmodified Atlantic edge — are at their most acute at night, and they are central to the experience of Iona as a place of pilgrimage and retreat. The Community Council invites the Scottish Ministers to scrutinise the adequacy of the night-time assessment, and to require night-time visualisations from Iona, from the Sound of Iona and from St Columba's Bay if these have not been provided.

4.15 The consequence for the statutory test under GEN 7 of the National Marine Plan

4.15.1 The reduction of magnitude is not merely an academic concern about assessment method. It bears directly on a statutory test which the Scottish Ministers must apply.

4.15.2 Paragraph 4.28 of the National Marine Plan provides that development affecting a National Scenic Area **should only be permitted** where it will not adversely affect the integrity of the area or the special qualities for which it has been designated, *or* where any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance [11].

4.15.3 The Loch na Keal National Scenic Area is designated for qualities which expressly include Staffa, Fingal's Cave and the Treshnish Isles; views of an island-studded sea; islands and islet groups of astonishingly varied character; and a vast natural world, dwarfing human settlement [7]. Those are precisely the qualities which the applicant accepts would be affected, and precisely the qualities the applicant then relies upon to reduce the assessed magnitude of the change (Section 4.5).

4.15.4 The practical effect of the recurring assessment approach is to reduce the magnitude findings on which the first limb of the GEN 7 test depends. If magnitude is systematically constrained below High for every highly sensitive receptor beyond approximately 20 km, the assessment will rarely, if ever, generate a finding capable of engaging the first limb — and the Scottish Ministers will not be placed in a position to determine whether the integrity and special qualities of the National Scenic Area would in fact be adversely affected [5][11].

4.15.5 The Community Council's position is that, on the applicant's own evidence — extensive visibility, a Large geographical extent of change, approximately 39 degrees of the Atlantic horizon occupied, and significant effects accepted across much of Iona and Mull — the integrity and special qualities of the designated area *would* be adversely affected. The first limb of paragraph 4.28 is therefore not satisfied. As to the second limb, for the reasons given in Section 13, the applicant has not demonstrated benefits of national importance which clearly outweigh that harm.

4.15.6 The same test applies a second time through the development plan. NPF4 Policy 4(c) provides that development affecting a National Scenic Area "will only be supported where" the objectives of designation and the overall integrity of the area will not be compromised, or any significant adverse effects on the designated qualities are clearly outweighed by benefits *of national importance*; and Policy 11(d) directs expressly that proposals impacting national designations "will be assessed in relation to Policy 4" [10]. The applicant cannot rely on the significant weight afforded to renewable energy under Policy 11 to sidestep that test, because Policy 11 itself sends the decision-maker to it.

4.15.7 NPF4 Policy 4(d) applies an equivalent test to landscape areas designated in the Local Development Plan. The applicant's own assessment identifies significant effects on the Central, South and West Mull Local Landscape Area [17][20]. On the applicant's own findings, the first limb of Policy 4(d) is not satisfied either.

4.15.8 Finally, the Community Council anticipates reliance on the qualification in NPF4 Policy 11(e)(ii), that where landscape and visual impacts "are localised and/or appropriate design mitigation has been applied, they will generally be considered to be acceptable" [10]. For the reasons given at paragraph 3.6.4, that qualification does not apply. These impacts are not localised — they extend across multiple National Scenic Areas and Coastal Character Areas over a span exceeding 40 km — and no design mitigation capable of addressing them exists, since reducing turbine height merely substitutes density for height [5][12][20].

5. Cultural Landscape and Heritage

> *"The setting of Iona Abbey extends to encompass the rest of the island and the complex of other sites across it which are associated with St Columba and the monastery's later history. The links between this interrelated group of sites combine to create Iona's setting."*
>
> — Historic Environment Scotland [12]

> *"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."*
>
> — MachairWind, EIAR Appendix 14.3, section 1.6.1.5.5 [22]

5.1 The advice of Historic Environment Scotland, and the assessment's departure from it

5.1.1 Historic Environment Scotland ("HES") advised the applicant that Iona must be assessed holistically: as an integrated cultural landscape whose significance derives not from individual monuments or designated areas considered in isolation, but from the relationships between landscape, seascape, pilgrimage, movement, spirituality, memory and place. HES emphasised that significance arises through the interaction of sea and island, the relationships between sites, movement through the landscape, and the way in which Iona is understood, appreciated and experienced as a whole [12]. The issue raised in this section is therefore not simply one of professional disagreement. The applicant accepts the qualities that make Iona's setting culturally significant. Those qualities include pilgrimage, arrival by sea, movement through the monastic landscape, relationships between monuments, spirituality, and the surrounding landscape and seascape. The operational assessment then provides the applicant's assessment of the visual changes and concludes that the integrity of setting has been adequately retained. However, it does not actually undertake the assessment required by the applicant's accepted methodology of whether the integrity of setting has been adequately retained. The resulting conclusions therefore depend upon an analytical step which the Environmental Impact Assessment does not itself provide. The detailed methodological audit is set out in Annex 2.

5.1.2 The Environmental Impact Assessment does not assess Iona as the integrated cultural landscape which HES described. It fragments Iona into individual heritage assets, isolated viewpoints and static visual compositions. It then repeatedly accepts the relationships that constitute Iona's significance, before using their experiential or symbolic character as the reason to diminish the significance of the effects upon them.

5.1.3 The recurring devices by which the significance of effects is diminished are —

- that the Abbey would remain visually dominant;
- that turbines would be visible only in some views;
- that turbines would be partly screened by buildings, vegetation or landform;
- that only part of the array would be visible;
- that the horizon is expansive;
- that turbines and heritage assets would not appear within the same photographic frame;
- that visitors would be looking elsewhere.

5.1.4 Each of these propositions misunderstands both the nature of Iona's significance and the way in which setting contributes to cultural heritage value. Together they fragment a living cultural landscape into isolated assets and viewpoints; accept the sources of cultural significance and then rely upon those same characteristics to discount the significance of effects; treat lived experience as though it consisted of static observation from fixed positions; and substitute an analysis of visual prominence for an assessment of cultural significance.

5.2 Iona's significance lies in an interconnected cultural landscape, not simply in isolated monuments

5.2.1 Iona's significance derives not simply from the Abbey, the Rèilig Odhráin, St Oran's Chapel, the Nunnery, MacLean's Cross, Dùn Ì and other designated assets considered individually. It derives

from the continuing relationships between people, place, movement, pilgrimage, memory, landscape and seascape.

5.2.2 Iona is not a collection of archaeological remains. It is a living cultural, spiritual and historical landscape whose significance derives from the continuing interaction of these elements over nearly fifteen centuries, and which remains legible and meaningful precisely because those relationships can still be experienced today. The assessment repeatedly disaggregates the very things that constitute that significance: sea from land, views from movement, monuments from landscape, and visual experience from historical and spiritual meaning.

5.2.3 The internal structure of the assessment is set out in Table 3. In each case the applicant accepts the proposition in the left-hand column, and then advances the proposition in the right-hand column in order to reduce the significance of the effect.

Table 3 — The internal structure of the cultural heritage assessment

The applicant accepts that …	… and then argues that
the sea is fundamental to Iona's significance	the sea is merely background setting
pilgrimage and movement are fundamental	effects are intermittent
the relationships between places are fundamental	the heritage assets remain visually dominant
symbolic associations are important	symbolic associations cannot be physically quantified
maritime horizons are significant	maritime horizons are distant
routes and journeys are important	viewers are looking elsewhere
experiential relationships matter	assets are not viewed simultaneously

Source: EIAR Chapter 14 and Appendix 14.3 [22].

5.2.4 This is not a difference of professional interpretation. It is an internally contradictory assessment framework, which accepts the significance of relationships and then treats the effects upon them as less significant *because* those relationships are experiential, symbolic, spiritual or dynamic rather than purely physical. HES's consultation responses point in the opposite direction, repeatedly emphasising that understanding Iona's significance requires assessment of these wider relationships and of the experience of moving through the landscape [12].

5.3 The treatment of the sea and the maritime horizon in the assessment

5.3.1 The applicant acknowledges that Iona's location was deliberately chosen for its remoteness and isolation; that the sea was the principal means of connection; that the horizon beyond Iona possesses profound historical and cultural significance; that the island's identity derives from its position at the western edge of the known world; and that the experience of pilgrimage and arrival is fundamental to its significance [22].

5.3.2 Having acknowledged all of this, the assessment then reduces the importance of the sea and horizon by describing them as merely a "background" to other features. For Iona, the sea is not a backdrop. The open Atlantic horizon, the maritime approaches, the experience of remoteness and the sense of occupying a place at the edge of the world are not secondary to Iona's significance: they are constitutive of it.

5.3.3 The shortcomings identified in the Evidence Note bear directly on this. The cultural heritage assessment relies upon landscape conclusions which have already been reduced by the repeated application in practice of the *de facto* thresholds described in Section 4. It then evaluates the wider experiential relationships that HES identified as fundamental using visualisations which NatureScot, HES and the Landscape Institute all recognise to be inherently limited. The cultural heritage assessment therefore rests upon visual evidence which is itself constrained, and upon landscape conclusions whose robustness is materially in question [5][7].

5.4 Human experience is treated as static rather than lived

5.4.1 During consultation, HES advised that the assessment should reflect the experience of moving through Iona, rather than relying upon isolated static viewpoints, and that understanding setting requires consideration of the sequence of views experienced across the island and the changing relationships between monuments, landscape and sea. Those principles are not carried consistently into the final assessment, which relies predominantly upon representative viewpoints and static visual comparisons [12].

5.4.2 The approach to Iona from Mull illustrates the point. HES specifically identified the experience of approaching Iona from the sea as fundamental to understanding, appreciating and experiencing its significance [12]. The applicant's response is that the Abbey and the wind farm would not occupy the same photographic frame, and that the effect is therefore limited.

5.4.3 That approach does not reflect how the setting of the monument is experienced in practice. People arriving at Iona do not fix their gaze on a single point. They look across the entire island and the surrounding seascape; they turn their heads; they scan the horizon; they experience the island as a whole. Fionnphort lies approximately one mile from Iona. Iona itself is approximately three miles long, and the Abbey lies approximately two-thirds of the way along the island. People standing at Fionnphort, or crossing the Sound of Iona, are therefore not looking at an isolated monument in space: they are looking at an entire island landscape framed by sea and horizon. The proposition that the Abbey may be experienced without the surrounding seascape also being experienced is not supported by the way the island and its setting are encountered in practice.

5.4.4 Indeed, one of the questions most frequently asked of residents by visitors disembarking at the Iona jetty is where the cathedral is — because their attention has been captured by the whole landscape, seascape and island setting. It is that setting which the proposal would alter.

5.4.5 The applicant's own visualisations demonstrate that the turbines would occupy the open seascape to the south-west throughout much of the crossing, altering the experience of approaching a small historic island and its monastery surrounded by open sea. That the Abbey and the turbines cannot be captured within the same narrow photographic frame is not evidence of an absence of effect. It demonstrates the inadequacy of treating lived experience as static images [20][22].

5.5 The assessment of movement and pilgrimage through static viewpoints

5.5.1 HES emphasised that Iona should be understood through movement, pilgrimage and the changing views experienced as people move through the landscape [12]. The applicant itself recognises that the approach to the Abbey is a pilgrimage journey; that the Street of the Dead forms part of a larger ritual and processional landscape; and that movement between sites is fundamental to understanding significance [22].

5.5.2 Yet the assessment then diminishes those effects on the basis that turbines would be visible only in some directions; would be partly screened; would be visible only intermittently; or would lie behind the viewer during parts of a route.

5.5.3 That reasoning misunderstands the nature of pilgrimage landscapes. The significance of movement through Iona arises precisely *because* views emerge, disappear and re-emerge as one moves through the landscape. That turbines would repeatedly appear and disappear during movement through the historic landscape does not diminish their effect. It intensifies it. This is of particular importance in relation to movement between Mull and Iona; the approaches from Staffa and the western seaways; the Street of the Dead; the Abbey precinct; St Columba's Bay; the monastic machair; and movement through the wider island landscape.

5.6 The assessment of effects on views between heritage assets

5.6.1 HES expressly disagreed with the applicant's conclusion that views between the key components of the Iona monument complex would remain unaffected, and identified effects on, among other matters —

- reciprocal views between Martyrs' Bay, the Rèilig Odhráin, St Oran's Chapel and the Abbey;
- the Street of the Dead;
- views from Torr an Aba, Columba's shrine and other key assets;
- views from the north, north-west, north-east and east of the Abbey;
- wider views across the island;
- the relationships between designated and non-designated heritage sites [12].

5.6.2 HES also cautioned against precisely the form of reasoning the assessment adopts, advising that —

> *"if one aspect of an asset's setting is retained or remains unchanged, this does not rule out the possibility of a significant impact on the setting overall."*
>
> — Historic Environment Scotland [12]

5.6.3 The continued visibility or prominence of Iona Abbey cannot therefore, of itself, justify a conclusion that effects on its wider setting are insignificant. Yet the applicant's position is that —

> *"In all cases where WTGs are visible in simultaneous views with the Abbey, the Abbey would remain the visually dominant focal point of views."*
>
> — MachairWind, EIAR Appendix 14.3, section 1.6.1.5.5 [22]

5.6.4 That proposition answers a question which has not been asked. The relative apparent size or visual prominence of the Abbey and the proposed turbines in any particular view is not a meaningful indicator of whether the integrity of setting has been retained. Apparent prominence inevitably varies according to the observer's location and viewing direction. No objector has suggested that offshore turbines would become more visually prominent than Iona Abbey, the Rèilig Odhráin, St Oran's Chapel or the Nunnery. The question identified by HES is not whether the heritage assets remain the largest objects in the view. It is whether the introduction of an offshore industrial development of this scale into the spaces around, between and beyond those monuments fundamentally alters the way in which they are understood, appreciated and experienced. The applicant's own visualisations demonstrate that it does.

5.6.5 The assessment also materially understates visibility from the Nunnery. The Windfarm Development Area is clearly visible from within the Nunnery grounds, and becomes immediately apparent to anyone walking the road around the eastern edge of the monument. Rather than forming a distant or incidental element, the proposed development would occupy a conspicuous position on the principal seaward horizon and would become an unavoidable component of the setting experienced around the monument.

5.6.6 These cultural heritage effects are not confined to visitors or to tourism. They affect residents, pilgrims, volunteers, worshippers, those travelling routinely between the islands, and all whose lives are connected with Iona and its surrounding waters. Fundamentally, these are heritage assets of national and international importance held in trust for the people of Scotland. The assessment of harm cannot be reduced to the experience of an occasional visitor standing at a limited number of selected viewpoints.

5.7 The view towards Ireland and its contribution to significance

5.7.1 The applicant accepts that the development would occupy the historic horizon associated with the relationship between Iona and Ireland, but dismisses that effect on the basis that Ireland cannot be seen from Iona, and that the relationship is therefore "a symbolic manifestation of connectivity rather than a tangible or physical link that can be quantified" [22].

5.7.2 That conclusion is difficult to reconcile with HES's consultation advice. HES accepted that visibility changes as people move around the site, but emphasised the importance of not diminishing the contribution which the view back towards Ireland makes to understanding the Abbey's setting and significance [12]. The final assessment relies upon precisely that reasoning to reduce the significance of the effect.

5.7.3 The applicant's reasoning does not engage with the basis of the significance being assessed. According to Iona's founding tradition, Columba remained on Iona precisely because, having travelled north from Oronsay, he could no longer see Ireland. **The inability to see Ireland is not evidence that the relationship lacks significance: it is the basis of the significance.** The applicant's treatment of this association does not reflect the basis on which its significance is understood in the historic environment record, which reduces the weight that can be placed on this part of the cultural heritage assessment.

5.8 The designations engaged, and the weight the law requires

5.8.1 Iona's principal heritage assets carry the highest levels of statutory protection. **Iona Nunnery is a scheduled monument** (SM90350). **Iona Abbey is a scheduled monument (**SM12968) and **listed building** (LB12310). McLean's Cross (SM90173) and the chapel at Cladh an Diseart (SM804) are scheduled monuments. The village of Baile Mòr lies within a Conservation Area. Nor is the island's scheduled heritage confined to the monastic core: the Iron Age fort of Dun Cul Bhuirg (SM7761) and the Iona Marble Quarry (SM5255) are also scheduled monuments, each standing in a setting formed by Iona's relationship with the surrounding landscape and sea. Both the Abbey and the Nunnery are Properties in Care, looked after by Historic Environment Scotland on behalf of the Scottish Ministers [37]. The Ministers who will determine these applications are therefore also the body in whose care these monuments are held for the nation.

5.8.2 In determining an application under section 36, the Scottish Ministers are under a statutory duty to have regard to the desirability of protecting sites, buildings and objects of architectural, historic

or archaeological interest, and to do what they reasonably can to mitigate any effect (Schedule 9, paragraph 3 to the Electricity Act 1989) [2].

5.8.3 The weight which such a duty commands was considered by the Court of Appeal in *Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council* [2014] EWCA Civ 137 — itself a wind farm case, in which consent was quashed [38]. The Court held that a statutory heritage duty is not discharged by giving the desirability of preserving a heritage setting merely "careful consideration"; it must be given "**considerable importance and weight**" in the balancing exercise, and a finding of harm gives rise to a "strong presumption" against consent. The decision-maker, having found harm, is "not free to give that harm such weight as he chose" [38].

5.8.4 The error identified in *Barnwell Manor* is precisely the error to be guarded against here. The Court observed a "marked contrast" between the "significant weight" which the inspector expressly gave to the renewable energy benefits, and the manner in which he approached the heritage duty [38]. The Community Council respectfully invites the Scottish Ministers to ensure that no such contrast arises in this case: the "significant weight" directed by NPF4 Policy 11 cannot be set against heritage harm to which no corresponding weight has been given.

5.8.5 The Community Council notes, for completeness and in fairness to the applicant, that *Barnwell Manor* was decided under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, an English provision, and that the Court of Appeal subsequently held in *Jones v Mordue* [2015] EWCA Civ 1243 that a decision-maker need not recite any particular formula to discharge the duty [38]. Neither qualification touches the substantive principle, which is that heritage harm attracts considerable importance and weight and a strong presumption against consent. That principle is reflected in Scots planning policy through NPF4 Policy 7(h), and in the Ministers' own duty under Schedule 9 [2][10].

5.9 The assessment substitutes different tests for the policy tests

5.9.1 Two tests apply, and the applicant addresses neither. Under Historic Environment Scotland's guidance, the question for a scheduled monument is whether the understanding, appreciation and experience of the monument and its setting would be adequately retained; for a listed building, whether the cultural significance of the asset and its setting would be preserved [12].

5.9.2 Under the development plan, NPF4 Policy 7(h) provides that proposals affecting scheduled monuments "will only be supported where" direct impacts are avoided; "significant adverse impacts on the integrity of the setting of a scheduled monument are avoided"; *or* "exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting" [10].

5.9.3 The structure of Policy 7(h) is decisive here. On the applicant's own evidence — turbines occupying the seaward horizon throughout the approach from Mull, across the Sound of Iona, in views from Dùn Ì, across the monastic machair, and on the south-western horizon associated with Columba's arrival — significant adverse impacts on the integrity of the setting of Iona's scheduled monuments are **not avoided**. The proposal therefore falls to be considered under the third limb, and may be supported only if **exceptional circumstances have been demonstrated**. The applicant has not sought to demonstrate exceptional circumstances. It has instead sought to demonstrate that the effects are not significant — which is a different proposition, and one its own evidence does not support.

5.9.4 NPF4 Policy 7(d) additionally provides that proposals affecting a conservation area "will only be supported where the character and appearance of the conservation area *and its setting* is preserved or enhanced" [10]. The applicant's visualisations demonstrate turbines within views between the Nunnery, the Abbey and the village, which lies within the Iona Conservation Area (paragraph 5.9.1). That test is not met.

5.9.5 The applicant instead repeatedly substitutes different questions: whether the heritage asset remains visually dominant; whether turbines are continuously visible; whether turbines occupy the same visual frame; or whether relationships can be physically measured. These are not the tests which policy requires. By substituting a narrower question for the policy test, the assessment reduces the practical evaluation of effects on the wider cultural landscape *before* concluding that the relevant heritage policy tests are satisfied.

5.10 The effects demonstrated by the applicant's own visualisations

5.10.1 The applicant's own visualisations demonstrate that turbines would intrude into —

- the approach to Iona from Mull;
- the approach to Iona from Staffa and the western seaways;
- the south-western maritime horizon associated with Columba's arrival;
- views between Martyrs' Bay, the Rèilig Odhráin, St Oran's Chapel and the Abbey;
- the wider setting of the Street of the Dead;
- views between the Nunnery, the Abbey and the village (itself a Conservation Area);
- views from Dùn Ì;
- views south from the Abbey complex;
- views across the monastic machair landscapes;
- the setting of St Columba's Bay;
- the wider relationships between Iona, Staffa, Ulva, Mull and the Atlantic horizon [20][22].

5.10.2 The assessment also fragments what is, in reality, a single interconnected cultural landscape extending well beyond the principal monuments. HES emphasised that relationships with other sites across Iona, including undesignated sites, contribute to the Abbey's setting and cultural significance [12]. Residents, pilgrims and visitors experience Iona together with Erraid, Mull, Staffa, Eilean Annraidh, the surrounding waters and the traditional routes between them as one historic seascape. Boat journeys between these islands are not exceptional tourist experiences: they form part of everyday community life, as well as of centuries of pilgrimage and access. The asset-by-asset approach does not adequately assess these cumulative experiential relationships.

5.11 The absence of identified mitigation for the principal heritage effects

5.11.1 Environmental effects may, in principle, in some cases be reduced through design modification, layout change or technical mitigation. The applicant has not identified any such mitigation capable of addressing the principal cultural landscape effects identified in this Section. The issue is not turbine colour, spacing or arrangement: the applicant confirmed to HES that a smaller turbine option would replace height with stacking and density [12]. The issue is the introduction

of industrial-scale infrastructure into a seascape which forms part of the significance of one of Scotland's most important cultural landscapes. The applicant has not identified any mitigation capable of addressing that effect.

5.12 Conclusion on cultural landscape and heritage

5.12.1 This is not simply a case in which isolated views or individual heritage assets are affected. It is a case in which the applicant's own evidence demonstrates substantial adverse effects across the interconnected network of visual, spatial, historical, spiritual and experiential relationships through which Iona is understood, appreciated and experienced as a living cultural landscape.

5.12.2 As the community that lives within, cares for and helps steward this internationally significant cultural landscape, Iona Community Council considers that the applicant's own evidence demonstrates that the integrity of the setting of Iona's heritage assets, and of the wider Iona cultural landscape, would not be adequately retained. That conclusion does not depend upon the position ultimately reached by Historic Environment Scotland. It follows from the applicant's own assessment, which demonstrates substantial adverse effects on the very attributes and relationships that HES repeatedly identified, throughout the assessment process, as fundamental to Iona's significance.

5.12.3 Accordingly, this objection is not confined to disagreement with the applicant's professional judgement. It identifies a methodological failure within the assessment itself. The Environmental Impact Assessment concludes that the integrity of setting has been adequately retained without undertaking the assessment required by the applicant's accepted methodology to demonstrate that conclusion. The reliability of the resulting significance judgements is therefore materially reduced. The proposal accordingly conflicts with NPF4 Policy 7, which requires development affecting the setting of a scheduled monument or listed building to be managed so that the understanding, appreciation and experience of the asset is not compromised [10]. It also conflicts with GEN 6 of the National Marine Plan. GEN 6 requires that designated heritage assets be "protected in situ within an appropriate setting", that marine development respect "the setting of important coastal heritage assets", and that "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" [11]. The applicant has not demonstrated that this development is *necessary* to deliver such benefits, nor that those benefits outweigh the harm to a cultural landscape of international significance.

6. Tourism, Socio-economic Effects, Habitability and Island Sustainability

> *"There are potential impacts on habitability for island communities in particular."*
>
> — BiGGAR Economics, commissioned by ScottishPower Renewables [23]

6.1 Habitability: identified by the applicant's consultants, and not subsequently assessed

6.1.1 The applicant's own commissioned consultants identified habitability — particularly for island communities — as a potentially significant effect pathway. BiGGAR Economics expressly recognised that island communities raise distinctive issues relating to population sustainability, demographic resilience, attractiveness, community participation, local economy, social

resilience, environmental quality and long-term habitability, and concluded that there are potential impacts on habitability for island communities in particular [23].

6.1.2 BiGGAR's concept of habitability extends well beyond tourism. It encompasses the long-term ability of island communities to remain socially, economically and environmentally viable places in which people choose to live.

6.1.3 Yet having identified habitability as a key consideration for island communities, the applicant undertook **no assessment of the habitability of Iona, or of any other affected island community**, other than some socio-economic assessment on Islay, which is considered separately because of its potential role as a direct project location, not because it is assessed as an affected island community. No assessment was made of the place-specific characteristics that determine the resilience and long-term sustainability of those communities — community resilience, destination attractiveness, business vulnerability, demographic sustainability or habitability.

6.1.4 The applicant's own evidence therefore discloses a fundamental contradiction: it recognises that island communities require particular scrutiny because of their distinctive characteristics and the potential for impacts on habitability, yet no equivalent scrutiny was undertaken for the island communities most likely to experience those effects.

6.2 The conclusions reached are unsupported by the investigation undertaken

6.2.1 Notwithstanding the absence of place-based investigation, the applicant concludes that Iona's tourism receptor is of **low sensitivity**; that the magnitude of tourism effects is **low**; and that the overall significance of those effects is **minor adverse**. Comparable conclusions are reached in respect of the other affected island communities [23].

6.2.2 Those conclusions are not supported by the investigation carried out. The assessment relies upon regional proxy datasets; desktop demographic and economic statistics; trends such as ferry passenger numbers, which do not establish resilience to the effects of this proposal; analysis focused largely on a small number of locations identified as potential port communities; and professional judgement. None of these provides direct evidence about the likely socio-economic effects of the proposal on Iona.

6.2.3 Professional judgement cannot substitute for evidence. Its value depends upon investigation of the receiving environment. Here, no such investigation was undertaken. Professional judgement has instead been used to bridge an evidential gap created by the absence of place-based assessment, while reliance upon studies undertaken elsewhere imports assumptions derived from different communities rather than evidence about Iona itself. The resulting methodology is structurally incapable of supporting the conclusions reached.

6.3 Chapter 18 is not, in substance, a socio-economic assessment of the affected island communities

6.3.1 Although Chapter 18 is presented as an assessment of socio-economic impacts on affected communities, the substantial majority of the chapter concerns economic and social impacts associated with a small number of potential port locations [23].

6.3.2 That omission follows directly from the applicant's own stated assumption. The socio-economic technical report states that "the main local epicentres of impact are expected to be the ports"

(Appendix 18.1, section 3.3) [23]. That assumption effectively predetermines the conclusion that environmental, cultural and experiential effects on island communities are of limited socio-economic significance, because those communities are not treated as primary socio-economic receptors in the first place.

6.3.3 The approach misunderstands the pathways through which major environmental change affects island economies and communities. Rather than assessing Iona as a socio-economic receptor in its own right, the applicant reduces the island to a brief assessment of tourism effects which itself depends largely upon conclusions reached elsewhere in the EIA. The result is not a place-based socio-economic assessment of Iona, but a methodology in which the absence of evidence generated by the chosen approach is treated as evidence that significant socio-economic effects are unlikely.

6.3.4 The applicant expressly cites Marine Directorate guidance requiring local study areas to reflect the appropriate impacts and to be understandable to the communities they describe (Appendix 18.1, section 2.2) [23]. In relation to Iona and the other affected island communities, the assessment relies instead upon aggregated demographic statistics, regional economic indicators, Gross Value Added modelling, port-based analysis and professional judgement, rather than upon investigation of the communities themselves.

6.4 The evidential test applied by the assessment

6.4.1 In substance, the assessment addresses the question: *can significant adverse effects be demonstrated?* The question that environmental impact assessment requires to be addressed is: **has sufficient evidence been obtained to enable the Scottish Ministers to conclude, on an informed and precautionary basis, that significant adverse effects can reasonably be excluded?** [14].

6.4.2 Where recognised pathways to significant socio-economic effects exist, but the applicant has not undertaken the site-specific investigation necessary to assess those pathways, **the absence of evidence of harm cannot properly be treated as evidence of an absence of harm**. That approach is inconsistent with the precautionary approach embedded within NPF4, the National Marine Plan and the EIA regime [10][11][14].

6.4.3 This engages GEN 19 of the National Marine Plan squarely. GEN 19 provides that decision-making in the marine environment "will be based on sound scientific **and socio-economic** evidence". Paragraph 4.81 of the Plan then provides that —

> *"Where evidence is inconclusive and impacts of development or use on marine resources are uncertain, reasonable efforts should be made to fill evidence gaps and decision makers should apply precaution within an overall risk-based approach."*
>
> — Scotland's National Marine Plan, paragraph 4.81 (GEN 19) [11]

6.4.4 The applicant's own consultants identified the evidence gap — potential impacts on the habitability of island communities — and no reasonable effort was then made to fill it. The Plan's direction in that circumstance is not that the gap may be bridged by professional judgement; it is that **precaution** is to be applied. The socio-economic assessment does the opposite: it treats the absence of investigation as though it were a finding of no effect.

6.5 The applicant's own methodology indicates that Iona should be regarded as highly sensitive

6.5.1 The applicant defines a highly sensitive tourism economy as one that "will not be able to absorb changes without fundamentally altering its present character or value", and recognises that sensitivity is increased where the economy is strongly dependent upon a single sector, and where that sector itself depends upon environmental conditions [23].

6.5.2 That description closely matches Iona. Iona's economy depends overwhelmingly upon the continued quality of its landscape, seascape, cultural heritage, tranquillity, remoteness, wildlife, pilgrimage, spirituality, artistic inspiration and the experience of a living island community — the same environmental and cultural qualities which the applicant acknowledges elsewhere in the EIA would be affected by the proposal. Notwithstanding this, the applicant concludes that Iona's tourism economy is of low sensitivity. That conclusion is neither explained nor consistent with the applicant's own methodology.

6.5.2.1 That is the same failure identified in the SLVIA, appearing in a second and independently prepared chapter: a stated methodology, and a conclusion which departs from it **without explanation**. In the SLVIA, receptors of High sensitivity experiencing a Large geographical extent of change are assessed as experiencing only Medium magnitude. Here, an economy which meets the applicant's own definition of high sensitivity is assessed as being of low sensitivity. In neither case does the applicant explain the departure. The recurrence of that pattern across two separate disciplines is itself a matter to which the Scottish Ministers should attach weight [5][23].

6.5.3 The applicant also relies upon increasing visitor numbers and ferry passenger statistics as evidence of lower sensitivity. That reasoning is unsound. Increasing dependence upon tourism does not reduce vulnerability; it increases it, because a growing proportion of economic activity comes to depend upon maintaining the environmental and cultural qualities that attract visitors. Ferry passenger numbers demonstrate demand for travel to Iona under existing conditions. They provide no evidence that Iona is resilient to the introduction of an offshore industrial development of this scale into the landscape and seascape upon which its visitor economy depends.

6.6 Iona is not a regional average

6.6.1 Independent community research commissioned by Iona Community Council and Iona Village Hall Community Trust confirms the socio-economic sensitivity and fragility of Iona. Based on survey responses from approximately 45% of the island's permanent population, together with qualitative interviews and extensive community engagement, the research describes a highly interconnected, highly constrained and socio-economically fragile island community [24].

6.6.2 The research confirms that Iona's resilience depends upon the interaction between environmental quality, cultural identity, destination attractiveness, housing, transport connectivity, economic opportunity, social cohesion and population retention. These are precisely the characteristics that determine long-term island habitability — and precisely the characteristics on which the applicant undertook no equivalent investigation [24].

6.6.3 Gross Value Added measures the value of economic output across an economy. It does not measure community resilience, cultural identity, environmental dependence, destination attractiveness or short- or long-term habitability. Reliance upon GVA therefore answers a

different question from the one which determines the resilience of island communities such as Iona.

6.6.4 The applicant's reliance upon correspondence with Iona Community Council as evidence of socio-economic consultation is not sustainable. That correspondence did not constitute socio-economic research, investigation or assessment, and most of the substantive issues raised in it were either treated as outside scope or as irrelevant to the socio-economic assessment of island communities. No place-specific assessment has been undertaken.

6.7 The characterisation of Iona's economy in the assessment

6.7.1 The assessment addresses tourism impacts principally in terms of visitor numbers and direct tourism employment. That approach does not account for the wider role of tourism within island communities such as Iona, described below.

6.7.2 Tourism underpins not only accommodation providers, hospitality businesses and tour operators, but also retail activity, transport services, artists and craftspeople, heritage organisations, cultural activity, seasonal employment, community infrastructure, and the viability of many services used by permanent residents. Visitors provide the market that sustains much of the island's economic, social and cultural life.

6.7.3 The relevant question is therefore not simply whether visitor numbers decline in the short term. It is whether the environmental, cultural and experiential qualities upon which this integrated economic and social system depends would be **materially degraded**. That question has not been assessed.

6.8 The pathway to socio-economic harm has not been assessed

6.8.1 A principal pathway through which adverse socio-economic effects would arise is —

> *major environmental and cultural change → altered perceptions of place, quality and authenticity → changes in visitor experience, resident experience, artistic and cultural activity, destination reputation and business confidence → changes in economic activity, resilience and attractiveness → impacts on community sustainability and long-term habitability.*

6.8.2 The Evidence Note demonstrates why the *first step* in that pathway is understated. Where the underlying SLVIA reduces the significance attributed to landscape and seascape effects through the repeated application in practice of *de facto* distance thresholds, the socio-economic assessment necessarily begins from an already reduced assessment of the environmental change on which the whole pathway depends [5].

6.8.3 The potential effects are not limited to reductions in visitor numbers. They extend to changes in the nature, quality and reputation of Iona itself: the distinctive combination of landscape, heritage, spirituality, artistic inspiration, biodiversity, tranquillity and island identity upon which the island's economy and long-term sustainability depend. That pathway has not been assessed.

6.9 The circularity of the assessment

6.9.1 The socio-economic assessment expressly relies upon conclusions reached elsewhere in the EIA. That produces a circular methodology —

- the SLVIA repeatedly applies *de facto* distance thresholds in practice, reducing the significance attributed to nationally important landscape and seascape effects;
- the cultural heritage assessment then relies upon those reduced landscape conclusions, while itself narrowing the assessment of setting and experiential relationships;
- the tourism assessment relies upon those reduced landscape and heritage conclusions when evaluating destination attractiveness and visitor experience; and
- the socio-economic assessment then concludes that wider effects are unlikely, because the preceding assessments have already attributed lower significance to the environmental changes upon which those effects depend.

6.9.2 The result is that the conclusion of each assessment is relied upon by the next, such that the conclusion that significant socio-economic effects are unlikely rests upon earlier conclusions whose robustness is itself in question.

6.10 The proposed mitigation does not address the pathways of harm

6.10.1 The embedded mitigation identified within Chapter 18 does not address the principal pathways of adverse socio-economic effect on island communities. Retention of an existing Community Engagement Manager, and facilitation of access to skills, may at most support local economic opportunities associated with the Project — but those opportunities are proposed in relation to port and infrastructure locations, not in relation to the pathways through which changes to landscape, cultural heritage and destination attractiveness give rise to adverse effects on island communities [23].

6.10.2 Those measures do not mitigate changes to landscape, cultural heritage, destination attractiveness, community resilience or long-term habitability. They proceed on the assumption that the relevant socio-economic effects have already been correctly identified and assessed. That assessment has not been undertaken.

6.10.3 The Community Council further notes that the applicant's socio-economic assessment quantifies employment and Gross Value Added benefits principally at the Scotland and United Kingdom level, with local economic benefit tied to the port locations selected for marshalling, assembly and operations and maintenance — not to the islands nearest the WDA [23]. The communities that would bear the seascape, heritage, connectivity and tourism effects are island communities; the supply-chain benefit is directed elsewhere.

6.10.3.1 The applicant's own Without Prejudice Derogation Case quantifies the benefit it asks the Scottish Ministers to weigh. During construction it forecasts a peak of approximately **3,400 jobs in Scotland and 11,463 across the United Kingdom**, and £803 million of Gross Value Added in Scotland against £2,435 million across the United Kingdom; for the whole Project it forecasts 4,750 jobs in Scotland and 14,490 across the United Kingdom, and £1,105 million against £3,064 million of Gross Value Added [26]. It further records a commitment of approximately £2.1 billion of expenditure within the Scottish supply chain [26].

6.10.3.2 Every one of those figures is expressed at national level. **Not one is expressed for Argyll and Bute, for the Inner Hebrides, or for Iona.** The applicant's own case for the public benefit of this development is therefore made without any quantification of benefit to the communities which would bear its harm. This distribution of the quantified benefit is material to NPF4 Policy 11(c),

which the applicant itself quotes, at Table 4.1 of the Derogation Case, as requiring that proposals "maximise net economic impact, *including local and community socio-economic benefits*" [10][26].

6.10.4 That asymmetry is not a matter of fairness alone. NPF4 Policy 11(c) provides that development 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" [10]. Support under Policy 11 is therefore *conditional* upon the delivery of local and community benefit. A proposal which concentrates benefit in mainland ports while concentrating harm on island communities does not satisfy that condition. GEN 2 and GEN 3 of the National Marine Plan point the same way, directing that "particular consideration should be given to opportunities that aim to provide benefit to communities" [11].

6.10.5 The Community Council's objection does not turn on the presence or absence of a community benefit fund. Its point is a different and fundamental one: the applicant has not assessed the harm to these communities, and cannot therefore demonstrate that net economic impact has been maximised for them, as Policy 11(c) requires.

6.11 Conclusion on tourism, socio-economics and habitability

6.11.1 The applicant's own consultants identified habitability, particularly for island communities, as a potentially significant effect pathway. The applicant then failed to assess the habitability of Iona or of the other affected island communities, while nevertheless concluding that tourism sensitivity is low, that the magnitude of effect is low, and that the overall significance of effect is only minor adverse. Those conclusions are unsupported by any place-based socio-economic investigation of the communities concerned.

6.11.2 For Iona, environmental quality is not simply an environmental asset, and tourism is not simply an economic sector. Together they provide the conditions that sustain the island's economy, its community resilience and its long-term habitability. By reducing socio-economic assessment to regional proxy data, port-based analysis, economic modelling and professional judgement unsupported by equivalent community-level investigation, the applicant has not demonstrated that significant adverse socio-economic effects can reasonably be excluded. The Scottish Ministers are not therefore in a position to conclude, on an informed and precautionary basis, that the long-term sustainability, resilience and habitability of Iona and the other affected island communities would be adequately protected.

7. Island Connectivity, Safety at Sea and Inshore Fisheries

7.0.1 Iona depends upon the sea for all external access. Its residents, visitors, goods, services and emergency response reach the island by water. The applicant's own assessments identify adverse effects upon each of those matters. They are nevertheless assessed principally from the perspective of commercial shipping and of the ports selected for construction and operation, rather than from the perspective of the island communities most exposed to them.

7.1 Access to local ports and harbours, and the lifeline ferry

7.1.1 The applicant's shipping and navigation assessment identifies seven impacts, among them **reduced access to local ports and harbours**, vessel displacement with increased third-party

collision risk, reduced under-keel clearance, and vessel-to-structure allision (EIAR Chapter 13, Tables 13.13–13.19) [32]. Caledonian MacBrayne's lifeline ferry services are among the navigational receptors identified [32].

7.1.2 For Iona, the Fionnphort crossing is not a matter of transport convenience. It is the island's only link to the wider network, and the means by which residents reach medical care, schooling, employment and family, and by which food, fuel and freight arrive. Reliability of that crossing is a precondition of the island remaining habitable — the very concept which the applicant's own socio-economic consultants identified as being at risk (Section 6.1).

7.1.3 The Community Council does not suggest that the development would interrupt the operation of the Fionnphort–Iona crossing itself: the Sound of Iona lies well inshore of the WDA, and the effects upon the crossing are visual, experiential and heritage-related. Those effects are nevertheless significant on the applicant's own assessment: the crossing is identified in the SLVIA as a receptor experiencing significant effects and a Large geographical extent of change (Section 4.7) [5][20], and as a component of the setting of Iona's heritage assets (Section 5).

7.1.4 The navigational effects identified in the applicant's assessment fall instead upon the wider vessel operations on which the island depends. Caledonian MacBrayne vessels serving the west coast network are taken periodically to the Clyde for annual overhaul and dry dock, and passages between these waters and the Clyde would be affected by the presence of a 448 km^2 development area, with consequent re-routeing and extended passage times [8][32]. Cruise and cargo vessels would likewise be presented with a 448 km^2 area to be avoided, and some may choose not to call at Iona at all — an effect which bears directly upon the tourism economy addressed in Section 6.

7.1.5 The same crossing and the services which sustain the island are therefore affected across three distinct chapters of the applicant's own assessment — visually, as heritage setting, and through the navigational receptors identified in Chapter 13 [5][12][20][32]. No chapter considers the compound effect of those changes upon an island community wholly dependent upon a single crossing and the wider ferry network. This is a direct consequence of the fragmented, topic-by-topic approach identified throughout this objection.

7.2 Emergency response and search and rescue

7.2.1 The applicant identifies, as a discrete impact, a **reduction of emergency response capabilities** (EIAR Chapter 13, Tables 13.13–13.19) [32]. The bodies consulted include the Maritime and Coastguard Agency, the Royal National Lifeboat Institution and the Northern Lighthouse Board [32].

7.2.2 For an island of approximately 170 permanent residents, with no hospital and no fixed link to the mainland, timely sea-based and air-based emergency response is a matter of life safety. A reduction in search and rescue capability in the waters west of Iona and the Ross of Mull is not an issue of amenity, and it is not adequately addressed by generic navigational mitigation.

7.2.3 The Community Council invites the Scottish Ministers to require the applicant to demonstrate, on evidence and to the satisfaction of the Maritime and Coastguard Agency and the Royal National Lifeboat Institution, that emergency response and search and rescue capability serving Iona, the Ross of Mull and the surrounding islands would not be degraded, either during construction or across the operational life of the development.

7.2.4 The EIAR separately assesses major accidents and disasters, including marine casualty, vessel allision, and loss of containment and pollution (EIAR Chapter 21) [33]. A significant pollution incident in these waters would affect Iona's beaches, its machair, its shellfish and its marine wildlife tourism directly, and would fall upon a community with no capacity to absorb it. GEN 9(c) of the National Marine Plan requires development to protect and, where appropriate, enhance the health of the marine area [11].

7.3 Inshore fisheries

7.3.1 The applicant's commercial fisheries chapter assesses five impacts: reduction in, or exclusion from, access to the Windfarm Development Area; displacement leading to gear conflict and increased fishing pressure elsewhere; displacement or disruption of commercial resources; increased project vessel traffic; and gear snagging leading to loss of earnings (EIAR Chapter 12, Tables 12.11–12.15) [34]. Landed value within the local study area is quantified by species and by gear type on a five-year average for 2019 to 2023 [34].

7.3.2 The **Mull and Iona Fishermen's Association** is among the bodies consulted by the applicant, together with the Scottish Creel Fishermen's Federation and the South West Coast Regional Inshore Fisheries Group [34]. The applicant therefore accepts that the fishing communities of Mull and Iona are among those affected.

7.3.3 Displacement does not eliminate fishing effort; it relocates it. Effort excluded from a 448 km^2 area does not cease: it is pushed onto adjacent grounds, increasing pressure and the risk of gear conflict for the inshore creel fleets on which these island communities depend [34]. The applicant's own fish and shellfish chapter maps Nephrops burrow density within the study area, confirming a commercial langoustine resource, and assesses "changes in fishing activity" as a discrete impact [29].

7.3.4 GEN 4 of the National Marine Plan encourages proposals which enable *co-existence* with other development sectors and activities [11]. The Community Council invites the Scottish Ministers to scrutinise whether genuine co-existence has been demonstrated with an established inshore fishery, or whether the proposal in substance displaces a long-standing and sustainable use of these waters in favour of a new one — and, if the latter, whether that displacement has been properly weighed.

7.4 Conclusion on connectivity, safety and fisheries

7.4.1 The applicant's own assessments identify reduced access to local ports and harbours, reduced emergency response capability, and the exclusion and displacement of inshore fishing effort. Each of those effects falls disproportionately upon small island communities which have no alternative to the sea, and each is assessed without reference to that dependence.

7.4.2 These matters engage GEN 4 (co-existence) and GEN 19 (sound socio-economic evidence and precaution) of the National Marine Plan, and NPF4 Policy 11(e)(i) (impacts on communities) [10][11]. They have not been assessed from the standpoint of the communities that would bear them.

8. Ecology and Biodiversity

8.1 The ecological importance of the receiving environment

8.1.1 The proposed development lies within, and in close proximity to, one of Scotland's most ecologically important marine environments. The wider area supports internationally and nationally designated sites, including Special Protection Areas, Special Areas of Conservation and Marine Protected Areas, together with Priority Marine Features, internationally important seabird colonies, and habitats supporting protected marine mammals and other species.

8.1.2 The applicant's own benthic assessment confirms that **Priority Marine Features and Annex I habitats are present within the Windfarm Development Area itself** (EIAR Chapter 8, Table 8.6 and Figure 8.3) [25]. Permanent habitat loss would arise from foundations, scour protection and cable protection, with further pathways including increased suspended sediment, electromagnetic fields from inter-array cabling, and the risk of introducing invasive non-native species.

8.1.3 That finding engages GEN 9 of the National Marine Plan, which is framed in mandatory terms. Development **must** comply with legal requirements for protected areas and protected species; **must not result in significant impact on the national status of Priority Marine Features**; and must protect and, where appropriate, enhance the health of the marine area [11]. Priority Marine Features are not merely near this development: they lie beneath it. The Community Council invites the Scottish Ministers to require the applicant to demonstrate positively that GEN 9(b) is satisfied, rather than to infer it.

8.2 The Habitats Regulations: the applicant's own documents indicate that adverse effect on integrity cannot be excluded

8.2.1 The applicant has submitted, with its application, a Report to Inform Appropriate Assessment in three parts, a Windfarm Development Area Habitats Regulations Appraisal Screening Report, a Report to Inform Marine Protected Area Assessment, a **Without Prejudice Derogation Case**, and, as Appendix 1 to that document, a **Without Prejudice Guillemot Compensation Plan** [26].

8.2.2 The standard which the Habitats Regulations impose is a demanding one. In *Waddenzee*, the Court of Justice held that a competent authority may authorise a plan or project "only if they have made certain that it will not adversely affect the integrity of that site", and that "that is the case where **no reasonable scientific doubt remains as to the absence of such effects**" [36]. The Court further held that Article 6(3) "integrates the precautionary principle", and that an appropriate assessment requires that "all the aspects of the plan or project which can, by themselves or in combination with other plans or projects, affect the site's conservation objectives must be identified in the light of the best scientific knowledge in the field" [36]. The assessment must contain complete, precise and definitive findings capable of removing all reasonable scientific doubt [36].

8.2.3 The Community Council states the applicant's position accurately, and does not overstate it. The applicant's Report to Inform Appropriate Assessment concludes that *no* adverse effect on site integrity would arise, alone or in-combination, on the ornithological features of any Special Protection Area, and the applicant maintains that no derogation is required. The Derogation Case is submitted expressly "without prejudice" to that position [26].

8.2.4 The applicant has nevertheless prepared, and submitted with its application, a full derogation case *and* a species compensation plan, directed at a single feature: the **guillemot of the North Colonsay and Western Cliffs Special Protection Area**. It explains why in its own words —

> *"It is, however, possible that the Competent Authority may not reach the same conclusion in relation to the guillemot feature of the North Colonsay and Western Cliffs SPA. In this event, a derogation from the Habitats Regulations would need to be undertaken and compensation may be deemed necessary for the guillemot feature of the North Colonsay and Western Cliffs SPA, which has been identified for potential compensation planning on a without prejudice basis."*
>
> — MachairWind Limited, Without Prejudice Derogation Case (June 2026), section 1.2 [26]

8.2.5 That passage is central to this ground. The test is not whether the applicant is confident. It is whether the competent authority can be **certain** — whether "no reasonable scientific doubt remains as to the absence" of adverse effects on site integrity [36]. An applicant which judges it necessary to prepare, at substantial expense, a full derogation case and a species compensation plan for a named feature at a named European site has thereby recognised that the question is not free from doubt. The Community Council submits that where a reasonable and well-advised applicant considers it prudent to plan for a conclusion of adverse effect on integrity, reasonable scientific doubt exists — and where reasonable scientific doubt exists, Article 6(3) does not permit consent [36].

8.2.6 The site at risk lies in close proximity to the development. The North Colonsay and Western Cliffs Special Protection Area lies near the waters in which the development would stand: the Windfarm Development Area lies approximately 12.4 km west of Colonsay [8][26]. The feature at risk is the guillemot — the very species for which the applicant has prepared its compensation plan.

8.2.7 Should the derogation route be engaged, three strict tests apply: the absence of alternative solutions; imperative reasons of overriding public interest; and the securing of compensatory measures [15].

8.2.8 As to the *first* test, the applicant concludes that there are no feasible alternative solutions [26]. The Community Council invites the Scottish Ministers to examine **how** that conclusion is reached. The applicant defines six Project Objectives against which every alternative is measured. The sixth is to "optimise the W1 ScotWind Plan Option Area" while "maximising generation capacity of available Scottish seabed" [26]. Every alternative is then discounted — including a smaller development area and a reduced number of turbines — on the ground that it would fail to meet that objective.

8.2.9 That reasoning is circular. If one of the objectives against which alternatives are tested is the maximal use of *this particular site*, then no alternative site, and no smaller or less damaging design, can ever satisfy it: the test is decided before it is applied. The applicant's own authority makes the point. It cites *R (Spurrier) v Secretary of State for Transport* [2019] EWHC 1070 (Admin) for the proposition that an alternative solution "must necessarily be directed at identified objectives or purposes" [26]. Just so — which is precisely why the framing of those objectives cannot be left to the applicant alone. The Community Council invites the Scottish Ministers to scrutinise whether the Project Objectives have been drawn so as to predetermine the outcome of the alternatives test, and in particular whether a reduced development area or a reduced

number of turbines — options the applicant itself examined and rejected for failing its *own* objectives — would in fact reduce the displacement risk to guillemot.

8.2.10 As to the *third* test, the applicant records that new Regulations governing compensatory measures "will come into force in May 2026 and will apply to the Project", and that the Scottish Government's statutory guidance supporting those requirements "has not yet been published" [26]. The derogation case is therefore advanced in the absence of the very guidance which is to govern it. The Community Council invites the Scottish Ministers to consider whether a derogation case can lawfully be determined, and compensatory measures lawfully secured, before the statutory guidance governing those measures exists. In any event, the adequacy, deliverability, timing and long-term security of any compensatory measures must be established on evidence and secured before consent could lawfully be granted [15].

8.2.11 The Community Council further notes, in relation to Section 9, that *Waddenzee*'s requirement that "all the aspects of the plan or project" be identified is not satisfied where the export cable corridor and the onshore transmission works — functionally indispensable components of the same project — are deferred to a separate application in 2027, and where the applicant concedes that the assessment of combined effects is "commensurate with the level of detail available at the time" [8][26][36].

8.3 Offshore ornithology

8.3.1 The waters affected support internationally and nationally important seabird populations. The applicant's assessment, informed by digital aerial surveys of the WDA and a 2 km buffer (4 km for great northern diver), screens in a wide range of species, including common guillemot, razorbill, puffin, kittiwake, fulmar, gannet, great black-backed gull, herring gull, Arctic tern, common tern and great northern diver [27].

8.3.2 Displacement mortality is assessed for great northern diver, kittiwake, Arctic tern, common tern, common guillemot, razorbill, puffin, fulmar and gannet. Collision mortality is assessed for kittiwake, great black-backed gull, Arctic tern, common tern, herring gull and gannet. Combined displacement and collision effects are assessed for kittiwake, Arctic tern, common tern and gannet [27].

8.3.3 Two features of the applicant's own approach are significant. First, the Population Viability Analysis is projected over 25, 35 and 50 years, notwithstanding a stated operational life of 35 years [8][27] — indicating that effects on slow-reproducing seabird populations persist beyond the life of the development itself. Secondly, the applicant increased the minimum air gap from 22.45 m to 28.4 m above Highest Astronomical Tide expressly in order to reduce ornithological collision risk [8]. That design change is an acknowledgement that collision risk is material.

8.3.4 The applicant has undertaken dedicated Manx shearwater tracking on Lunga, in the Treshnish Isles, in 2025 [27] — reflecting the importance of that colony, which lies within the area addressed by this objection. The Community Council further notes that the export cable corridor approaches the Ailsa Craig Special Protection Area and Site of Special Scientific Interest near the Girvan landfall, a major gannet colony, the effects upon which fall to be assessed as part of the whole Project [8].

8.3.5 The Community Council is concerned that the cumulative assessment, conducted across the Western Biologically Defined Minimum Population Scale, may demonstrate adverse effect at the

population level when this proposal is taken together with the substantial pipeline of other ScotWind and consented offshore wind projects, even where the project alone is argued to be acceptable [27].

8.3.6 The Community Council is separately aware of concerns regarding the adequacy of aspects of the ornithological surveys, including the **omission of corncrake** from the assessment, notwithstanding the international importance of the Iona area for that species. That matter requires detailed specialist consideration.

8.4 Marine mammals, fish and basking shark

8.4.1 The waters surrounding Iona, Staffa, Mull and the Treshnish Isles are of recognised importance for marine mammals. The applicant addresses these effects in a dedicated chapter — EIAR Chapter 10, Marine Mammals and Leatherback Turtle — in which the effects of underwater noise from pile-driving and from the clearance of unexploded ordnance are assessed [8][28]. Pile-driving generates underwater noise capable of causing auditory injury and behavioural disturbance over considerable distances: the applicant's maximum piling hammer energy is 6,600 kJ, with a maximum piling duration of up to 320 minutes per monopile, and up to 33% of turbine locations may require drilling [8]. The Community Council has not been able to review Chapter 10 in full and reserves its position upon it (Section 8.6).

8.4.2 The applicant's fish and shellfish assessment treats the **basking shark** as a discrete and sensitive receptor, assessing both its disturbance and displacement and the risk of vessel collision (EIAR Chapter 9, Tables 9.16–9.17) [29]. The basking shark is a protected species and the Sea of the Hebrides is of recognised national importance for it.

8.4.3 The National Marine Plan expressly contemplates the basking shark in this context: paragraph 4.53 records that the principles governing the protection of European Protected Species from injury and disturbance "may also be of relevance to other species such as basking shark" [11]. The level of protection afforded must accordingly be factored into the planning and design of the development, and the impacts fully considered before determination, consistent with GEN 9(a) and with NPF4 Policy 4(f) [10][11].

8.4.4 Underwater noise from pile-driving is modelled by the applicant over a Zone of Influence extending to **88 km**, and is assessed against the presence of key prey and spawning species, including herring and lesser sandeel (Chapter 9, Tables 9.13–9.14 and Figures 9.3–9.4) [29]. Effects on those prey species have consequences not only for fish stocks but, through the food web, for the seabird and marine mammal populations addressed above. Those inter-related effects require to be assessed together, rather than in isolation.

8.4.5 GEN 13 of the National Marine Plan requires that development "avoid significant adverse effects of man-made noise and vibration, especially on species sensitive to such effects" [11]. A modelled Zone of Influence of 88 km, in waters supporting cetaceans, seals and basking shark, requires that this policy be addressed directly rather than through generic mitigation commitments.

8.5 The precautionary principle

8.5.1 The precautionary principle is of particular importance where receptors are highly sensitive, where scientific uncertainty remains, and where significant or irreversible ecological effects may

arise. Those circumstances are present here. Where uncertainty arises from limitations in survey evidence or assessment methodology, that uncertainty cannot properly be relied upon as evidence that significant effects are absent. NPF4 Policy 4(e) requires the precautionary principle to be applied [10].

8.6 Reserved position pending specialist review

8.6.1 Iona Community Council does not hold itself out as a specialist ecological consultee. Having undertaken an initial review, the Community Council is not satisfied that the EIA demonstrates, on the basis of sufficiently robust ecological evidence, that significant adverse effects on protected species, designated sites, ecological networks and cumulative ecological processes can be excluded. Areas of concern include the survey effort for some receptors; assumptions made where evidence remains incomplete; conclusions of low or moderate effect which may not be proportionate to the acknowledged uncertainties; and cumulative effects.

8.6.2 The National Trust for Scotland and RSPB Scotland are understood to be undertaking detailed technical review of the ecological assessments and are expected to submit specialist representations. The National Trust for Scotland has already indicated its intention to object, citing significant environmental, social and economic risks and the industrialisation of a nationally and internationally significant cultural and natural heritage landscape encompassing Iona, Staffa, the Treshnish Isles and western Mull [30].

8.6.3 Iona Community Council accordingly **reserves its position** on ecology and biodiversity, adopts and supports the specialist representations of those bodies so far as they are consistent with this objection, and invites the Scottish Ministers to give substantial weight to that specialist ecological evidence before determining these applications.

9. Cumulative and In-combination Effects

9.1 The application assesses only part of the Project

9.1.1 The applications now before the Scottish Ministers relate to the Windfarm Development Area *only*. On the applicant's own account, the grid connection point was confirmed only in August 2025, and the Offshore Export Cable Corridor and the onshore transmission works — the route to landfall near Girvan and the associated onshore infrastructure — are to be the subject of **separate, later** consent and environmental impact assessment applications, the export cable corridor application being anticipated in 2027 [8].

9.1.2 The consequence is that the full, in-combination effects of the entire scheme — turbines, inter-array cabling, export cable corridor and onshore transmission infrastructure — cannot properly be evaluated at the point of decision. The cumulative and in-combination assessment required by the Habitats Regulations and by NPF4 Policy 11(e)(xiii) is undermined where significant components of the same project are deferred to a later process [10][15].

9.1.3 This is not a concern which the Community Council raises for the first time, nor one which the applicant was not warned of. It was put to the applicant, in terms, by the statutory nature conservation adviser. In its response of 10 June 2025, recorded in the applicant's own Project Description chapter, NatureScot advised —

> *"Whilst we understand that this is due to uncertainty around grid connection options, it does raise concerns that not all potential impacts will be assessed to enable full consideration of the proposal and mitigation options. Therefore, we advise that we expect, at the Section 36 application stage, for both the WDA and OfTDA assessment to be contained within one EIA Report."*
>
> — NatureScot, recorded at EIAR Chapter 3, Table 3.1, I.D. 36 [8]

9.1.4 The applicant did not follow that advice. The Windfarm Development Area assessment and the offshore transmission assessment are *not* contained within one EIA Report. The very concern which NatureScot identified — that not all potential impacts will be assessed, and that full consideration of the proposal and of mitigation options will therefore not be possible — is the concern which arises on this application.

9.1.5 The Marine Directorate's Licensing and Operations Team advised to the same effect at scoping, stating that it is "essential that sufficient information concerning proposed offshore export cable works and onshore works is included in the wind farm development area EIA Report to understand the cumulative impacts of the Proposed Development", and that the EIA Report "**must** consider the cumulative impacts with the onshore works" (EIAR Chapter 3, Table 3.1, I.D. 5) [8].

9.1.6 Iona Community Council raised the point itself. Its scoping response of 9 January 2025 — recorded in the applicant's own consultation table — asked the applicant to "present more clearly and upfront the routes and impacts of substations and battery storage required to store and send this power south". The applicant's answer was that, because of the early stage of the grid connection, "it is not possible at this stage to provide a full description of the Offshore ECC and OnTDA" (EIAR Chapter 3, Table 3.1, I.D. 4) [8]. Eighteen months later, at the point of application, it is still not provided.

9.1.7 The applicant's reasons for dividing the Project are also set out in its own document. It records that the key drivers were grid connection uncertainty; "limitations relating to the validity of ornithological baseline data"; and "existing precedent for separate consent submissions for project development areas" (EIAR Chapter 3, Table 3.1, I.D. 36) [8].

9.1.8 None of those is an environmental justification. The second is, in substance, an acknowledgement that the Project was divided in part because the applicant's own ornithological survey data was approaching the end of its useful life. That is an administrative and commercial convenience. It is not a reason why the environmental effects of the whole Project need not be assessed. The third is an appeal to established common practice — which is precisely the reasoning which the Inner House **rejected** in *Raeshaw Farms* (Section 9.2) [31].

9.2 The approach is contrary to the principle affirmed in Raeshaw Farms

9.2.1 The lawfulness of dividing a renewable energy project from its grid connection for the purposes of environmental impact assessment was considered by the Inner House of the Court of Session in *Raeshaw Farms Limited v Scottish Ministers* [2026] CSIH 10, decided on 17 February 2026 — four months before the present application was submitted [31]. There, planning permission had been granted on appeal on the footing that the grid connection was not part of the current proposal and would be assessed later. The Court quashed that permission.

9.2.2 The Court held that the decision-maker had erred by failing to carry out a fact-specific assessment of whether the wind farm and its grid connection constituted a single "project" for EIA purposes, relying instead upon established common practice; and it found force in the argument that it was irrational to take the renewable-energy *benefits* of a wind farm into account without also addressing the potential adverse *impacts* of its grid connection [31]. The relevant question is not whether the developer intended to divide the project so as to avoid assessment, but whether the division would result in an incomplete or inadequate assessment of environmental effects; where elements are functionally interdependent and under common ownership, they may constitute a single project notwithstanding that they are pursued through separate applications [31].

9.2.3 Raeshaw was decided under the terrestrial planning EIA regime, while the present applications proceed under the Electricity Act 1989 and the Marine Works EIA regime. The project-splitting principle, however, derives from the same body of jurisprudence and applies equally. The Community Council submits that the reasoning applies with particular force here. MachairWind and its export cable corridor and onshore transmission works are functionally interdependent and under common ownership; the wind farm cannot export a single unit of electricity without the connection; and the applicant nonetheless invites the Scottish Ministers to attach significant weight to the renewable-energy benefits of the scheme as a whole. That is the very asymmetry — benefits counted, connected impacts deferred — which the Court identified as potentially irrational [31].

9.2.4 The Community Council invites the Scottish Ministers to undertake the fact-specific, reasoned assessment which Raeshaw requires, and submits that whole-Project effects must be properly assessed before any consent is granted.

9.3 Cumulative effects with other offshore wind development

9.3.1 The EIA addresses cumulative effects alongside other offshore wind developments. The Community Council notes, however, that the cumulative ornithological assessment is conducted across the Western Biologically Defined Minimum Population Scale, and that the cumulative landscape and seascape assessment is subject to the same *de facto* distance thresholds identified in Section 4 and in the Evidence Note. A cumulative assessment which is built upon individually understated conclusions cannot itself be robust [5][27].

9.3.2 GEN 21 of the National Marine Plan requires cumulative impacts to be addressed in decision-making, and directs decision-makers to consider whether "the cumulative impact of activities, either by themselves over time or in conjunction with others, outweigh the benefits", and whether "a series of low impact activities would have a significant cumulative impact which outweigh the benefit" (paragraph 4.85) [11]. That second formulation is directly apposite. Where the assessment methodology repeatedly returns moderate or minor conclusions for individual receptors, the risk that a series of individually understated effects combines into a significant cumulative impact is not reduced — it is concealed. GEN 7 likewise requires cumulative effects on landscape and seascape to be considered (paragraph 4.29) [11].

9.4 The wider significance of this decision

9.4.1 This application has significance beyond itself. The receiving environment includes some of Scotland's most internationally significant island landscapes, cultural heritage and biodiversity, and the island communities that depend upon and sustain them.

9.4.2 If the Scottish Ministers were to conclude that development of this scale complies with Scotland's planning and environmental assessment framework in such a location, notwithstanding the assessment approaches demonstrated throughout this objection, it would be necessary for Ministers to explain what meaningful protection that framework will provide in future for nationally and internationally important coastal and island environments. This decision will demonstrate how Scotland's planning and environmental protection framework is applied in practice to offshore renewable energy proposals affecting its most sensitive coastal and island environments.

10. Adequacy of the Environmental Impact Assessment

10.1.1 The purpose of environmental impact assessment is not to describe a proposal. It is to identify, describe and assess the proposal's likely significant environmental effects, so that the Scottish Ministers have an adequate evidential basis on which to determine the application [14].

10.1.2 The preceding sections demonstrate recurring assessment approaches across several environmental disciplines. Those approaches differ in their detail, but each has the same practical consequence: each progressively narrows the identification and evaluation of significant adverse effects. The Cultural Heritage Environmental Impact Assessment illustrates this in a distinct way. The applicant accepts the qualities that make Iona's setting culturally significant in the baseline assessment, but the operational assessment proceeds by describing predicted visual changes before concluding that the integrity of setting has been adequately retained. It does not undertake the assessment required by the accepted methodology of whether the integrity of setting has in fact been retained. The Environmental Impact Assessment therefore reaches conclusions on integrity of setting without providing the assessment required to demonstrate them (Annex 2).

- In the **landscape and seascape assessment**, the *written* methodology is broadly consistent with recognised guidance; but analysis of the applicant's own assessment outcomes demonstrates the repeated application in practice of *de facto* distance thresholds of approximately 20 km and approximately 30 km, which assign lower magnitude ratings to highly sensitive, nationally important receptors [5].
- In the **cultural heritage assessment**, the applicant progressively narrows accepted concepts of setting, and fragments an interconnected cultural landscape into individual assets and viewpoints, substituting a test of visual dominance for the policy test of whether understanding, appreciation and experience of the setting would be adequately retained [12][22].
- In the **socio-economic assessment**, place-based investigation of highly sensitive island communities is replaced by regional proxy data, economic modelling and professional judgement unsupported by equivalent community-level assessment [23][24].

- In the **cumulative assessment**, the Project is divided from its own transmission infrastructure, such that whole-Project effects cannot be evaluated at the point of decision [8][31].

10.1.3 The issue is therefore not whether individual professional judgements could reasonably differ. Reasonable professionals may of course differ. The issue is whether the Environmental Impact Assessment adopts methodologies capable of providing the Scottish Ministers with a sufficiently robust and transparent evidential basis upon which to identify, describe and assess the proposal's likely significant environmental effects.

10.1.4 The applicant's own methodology chapter states that each chapter assesses a "realistic worst-case" scenario, "ensuring a robust and precautionary approach" [21]. For the reasons set out throughout this objection, the assessment does not achieve that standard. The Environmental Impact Assessment does not provide an adequate evidential basis upon which the Scottish Ministers could properly conclude that the proposal's likely significant effects have been identified, described and assessed as the Regulations require.

11. Matters on which the Applicant is Anticipated to Rely

11.0.1 The Community Council sets out below the principal responses which it anticipates the applicant will make, and its reply to each. It does so in order to assist the Scottish Ministers, and so that the issues in dispute may be identified now rather than at a later stage.

11.1 "This is professional judgement, and GLVIA3 requires it"

11.1.1 The Community Council accepts that GLVIA3 requires professional judgement, and that viewing distance is a legitimate consideration within it. The objection does not dispute either proposition, and does not substitute an alternative professional judgement of its own.

11.1.2 The objection is that the applicant has reached conclusions which **depart from its own stated methodology without explaining why**. The Sound of Iona is assessed as being of High sensitivity, experiencing extensive visibility, a Large geographical extent of change across approximately 39 degrees of horizon, and a Moderate Significant effect — yet only a Medium magnitude of change. High magnitude is attributed elsewhere, within approximately 20 km. The applicant must therefore identify what feature of the Sound of Iona, other than distance, accounts for the difference. If the answer is distance, an unstated threshold is operating. If it is not distance, the applicant has not said what it is (Section 4.13) [5][20].

11.1.3 Consistency in the application of professional judgement is ordinarily a virtue. It ceases to be so where the consistent outcome is one that the written methodology neither requires nor explains, and which operates only in one direction.

11.2 "Significant weight must be given to renewable energy, and that outweighs the harm"

11.2.1 The Community Council accepts that NPF4 Policy 11 directs that significant weight be given to a proposal's contribution to renewable energy and emissions-reduction targets [10]. Three points follow.

11.2.2 First, the applicable tests do not ask whether the benefits outweigh the harm; they ask whether the harm is **clearly outweighed** by benefits **of national importance** (NPF4 Policy 4(c)(ii); NMP paragraph 4.28), and, for scheduled monuments, whether **exceptional circumstances** have been demonstrated (NPF4 Policy 7(h)(iii)) [10][11]. Those are higher thresholds, and the burden of satisfying them rests on the applicant (Section 3.13).

11.2.3 Secondly, the relevant benefit is not the abstract national importance of renewable energy. It is the benefit of *this development, at this site*. Where the same generating capacity could be delivered at an alternative location — and the Sectoral Marine Plan identified a range of plan option areas, while the ScotWind round awarded a substantial number of separate option areas [18] — the marginal national benefit attributable to this site is not the whole of its output. It is the difference between this site and the alternative. The applicant has not quantified that difference, and it is that difference which must clearly outweigh the harm.

11.2.4 Thirdly, NPF4 Policy 1 requires significant weight to be given to the climate crisis *and* the nature crisis, which the Framework treats together and not as a hierarchy [10]. The climate benefit of a renewable energy proposal cannot, without more, be deployed to defeat the protective policies which NPF4 enacts to address the nature crisis. And, following *Barnwell Manor*, a decision-maker who finds harm to the setting of heritage assets is "not free to give that harm such weight as he chose" [38].

11.3 "The objector has produced no expert evidence of harm"

11.3.1 For the reasons given at Section 3.13, this does not advance the applicant's case. Every operative test is a condition which the applicant must positively satisfy. None is satisfied by the absence of contrary evidence. Under the Habitats Regulations in particular, consent may be granted only where "no reasonable scientific doubt remains as to the absence" of adverse effects on site integrity [36]. It is for the applicant to remove that doubt; it is not for the Community Council to create it. And the applicant has itself prepared a derogation case and a compensation plan for guillemot at the North Colonsay and Western Cliffs SPA, precisely because it recognises the Ministers may not share its confidence (Section 8.2).

11.3.2 In any event, this objection does not rest on evidence of the Community Council's own. It rests on the applicant's documents, the applicant's methodology, the applicant's findings, the advice of Historic Environment Scotland, and the guidance of NatureScot.

11.4 "The statutory consultees have not objected"

11.4.1 If that is said, it does not discharge the Scottish Ministers' own duties. The duty under Schedule 9, paragraph 3 to the Electricity Act 1989 is the Ministers' duty, not a consultee's [2]. The tests in NPF4 Policies 4(c), 7(h) and 11(c), and in the National Marine Plan, are applied by the Ministers [10][11]. A consultee's silence cannot demonstrate the "exceptional circumstances" which Policy 7(h)(iii) requires to be demonstrated, nor can it remove reasonable scientific doubt for the purposes of the Habitats Regulations [36].

11.4.2 The Community Council further notes that the National Trust for Scotland has stated its intention to object [30], and that Historic Environment Scotland's consultation advice identified, in terms, effects which the applicant's final assessment does not adequately address (Section 5.6) [12].

11.4.3 Nor is it correct to say that the statutory consultees are content with the way this application has been brought. **NatureScot advised the applicant, in terms, that it expected the Windfarm Development Area and the offshore transmission works to be assessed within one EIA Report**, and warned that separating them raised concerns "that not all potential impacts will be assessed to enable full consideration of the proposal and mitigation options". The Marine Directorate advised that the EIA Report "must consider the cumulative impacts with the onshore works". Both are recorded in the applicant's own consultation table, and neither was followed (Section 9.1) [8].

11.5 "Raeshaw is a terrestrial case and marine practice differs"

11.5.1 The Community Council has acknowledged that distinction candidly (Section 9.2). It does not assist the applicant. The reasoning which the Inner House **rejected** in *Raeshaw* was precisely the reasoning that established common practice justified assessing a wind farm separately from its grid connection [31]. An appeal to common practice in marine licensing is therefore an appeal to the argument that failed.

11.5.2 The project-splitting principle derives from EU-derived jurisprudence which is regime-neutral, and the same requirement appears in the Habitats context: an appropriate assessment must identify "all the aspects of the plan or project" which may affect a site's conservation objectives [36]. The applicant's own concession — that the level of detail available for the export cable corridor and onshore works is limited, and that the combined assessment is commensurate with that limited detail — is not a defence. It is the admission [8].

11.5.3 The point is sharper still on the applicant's own evidence. Asked why it had divided the Project, the applicant gave three reasons, the third of which was "**existing precedent for separate consent submissions**" (EIAR Chapter 3, Table 3.1, I.D. 36) [8]. That is not an answer to *Raeshaw*; it is the argument *Raeshaw* rejected. And the applicant's second reason — "limitations relating to the validity of ornithological baseline data" — discloses that the division was driven, at least in part, by the shelf-life of its own survey data. Neither reason engages the question the Court said must be asked: whether dividing the Project results in an incomplete or inadequate assessment of environmental effects [31].

11.6 "The site was identified through the Sectoral Marine Plan"

11.6.1 The Sectoral Marine Plan is not the statutory marine plan for the purposes of section 15 of the Marine (Scotland) Act 2010; its plan-level assessment expressly deferred project-level scrutiny of effects on protected sites to the consenting stage; and a seabed lease confers no entitlement to consent (Section 3.11) [18]. The consultation which preceded the identification of the W1 Plan Option did not, so far as the affected island communities were concerned, meet the standard which GEN 18 of the National Marine Plan requires (Section 2.5) [11].

11.7 "Community benefit will be provided"

11.7.1 The provision of a voluntary community benefit fund would not affect the planning merits of these applications. Such payments are not mitigation of environmental harm and are not material to the determination of whether consent should be granted. Nor do they satisfy the requirement in NPF4 Policy 11(c), which is concerned with whether the proposal itself maximises net economic impact, including local and community socio-economic benefits [10]. A proposal which

concentrates supply-chain benefit almost entirely in mainland ports — any island benefit being confined to Islay's cited potential role as a direct project location — while concentrating seascape, heritage, connectivity, fisheries, habitability and tourism harm on island communities whose socio-economic position it has not assessed, does not satisfy that requirement (Section 6.10).

11.8 "At this distance the turbines would be barely perceptible"

11.8.1 That is not what the applicant's own assessment says. It says that the geographical extent of change at the Sound of Iona is **Large**; that the development occupies approximately 39 degrees of the seaward horizon — more than a fifth of the visible sea panorama; and that the effect is **Moderate Significant** [5][20]. It further accepts significant effects on residents and visitors on Iona, at Dùn Ì, on the Mull–Iona ferry, at Erraid, and on Core Paths on Iona and Mull (Section 4.6).

11.8.2 Nor is perceptibility a function of scale alone. Moving blades draw the eye in a way that static structures do not; and the introduction of aviation and navigation lighting would transform a presently unlit Atlantic horizon after dark (Section 4.14).

11.9 "The assessment adopted a realistic worst case"

11.9.1 The applicant states that each chapter assesses a "realistic worst-case" scenario, "ensuring a robust and precautionary approach" [21]. The design envelope, however, permits a trade-off between turbine height and turbine number: fewer and taller, or more and shorter (Section 2.3) [8][12]. Those alternatives do not share a single worst case. The scenario which is worst for seascape and visual effects is not necessarily the scenario which is worst for ornithological collision risk, or for benthic habitat loss.

11.9.2 The Community Council accordingly invites the Scottish Ministers to require the applicant to demonstrate that the scenario assessed is the worst case **for each receptor individually**, and not merely a single scenario asserted to be worst overall. If it is not, the assessment does not achieve what the applicant claims for it, and any consent would require conditions fixing the parameters actually assessed.

12. The Duty to Give Reasons, and the Matters Requiring Express Determination

12.0.1 The Community Council sets out in this Section the matters upon which it submits the Scottish Ministers are bound to reach express conclusions, and to give reasons. It does so not to threaten litigation, but because these are the matters which, on the applicant's own evidence, require to be determined — and because a decision which does not determine them would not be a lawful decision.

12.1 The standard which the Ministers' reasons must meet

12.1.1 The standard was stated by Lord Brown in *South Buckinghamshire District Council v Porter (No 2)* [2004] UKHL 33 —

> *"The reasons for a decision must be intelligible and they must be adequate. They must enable the reader to understand why the matter was decided as it was and what conclusions were reached on the 'principal important controversial issues', disclosing*

> *how any issue of law or fact was resolved. … The reasoning must not give rise to a substantial doubt as to whether the decision-maker erred in law, for example by misunderstanding some relevant policy or some other important matter or by failing to reach a rational decision on relevant grounds."*
>
> — South Bucks DC v Porter (No 2) [2004] UKHL 33, per Lord Brown at [36][40]

12.1.2 In *Dover District Council v CPRE Kent* [2017] UKSC 79 the Supreme Court confirmed that the giving of reasons is "an essential element of good administration" [40]. The Community Council has identified in this objection what it submits are the principal important controversial issues. The Ministers are not obliged to accept its submissions upon them. They are obliged to confront them, to reach conclusions upon them, and to explain those conclusions.

12.2 Rationality: the reasoning must contain no unexplained gap

12.2.1 In *R (Finch) v Surrey County Council* [2024] UKSC 20 — an environmental impact assessment case — the Supreme Court confirmed that a decision may be set aside where there is "a demonstrable flaw in the reasoning", including where "there was no evidence to support an important step in the reasoning", and endorsed the question: "does the conclusion follow from the evidence or is there an **unexplained evidential gap or leap in reasoning** which fails to justify the conclusion?" [41]

12.2.2 That is the question raised by Section 4. The applicant awards High magnitude and major significant effects to receptors at 12 to 17 km. It awards Medium magnitude to the Sound of Iona at 21 km, notwithstanding High sensitivity, a Large geographical extent of change, 39 degrees of occupied horizon, and a Moderate Significant effect [42]. It has not explained the difference. If the Scottish Ministers adopt that conclusion without explanation, their reasoning will contain the very gap which *Finch* identifies [41].

12.3 The matters upon which express conclusions and reasons are required

12.3.1 The Community Council submits that the following are the principal important controversial issues raised by these applications, and that the Scottish Ministers are bound to reach express, reasoned conclusions upon each. This includes determining whether the Cultural Heritage Environmental Impact Assessment has applied the assessment methodology accepted by the applicant before concluding that the integrity of setting has been adequately retained. That issue is distinct from disagreement with professional judgement and goes directly to the adequacy of the Environmental Impact Assessment as the evidential basis for determining the application.

(a) Whether the Windfarm Development Area, the Offshore Export Cable Corridor and the Onshore Transmission Development Area constitute a single "project" for the purposes of the EIA Regulations, applying the fact-specific assessment required by Raeshaw Farms Limited v Scottish Ministers; and, if so, whether the environmental effects of that project have been adequately assessed (Section 9).

(b) Why the advice of NatureScot — that it expected, at the section 36 application stage, "for both the WDA and OfTDA assessment to be contained within one EIA Report" — has not been followed, and what weight is given to it and to the corresponding advice of the Marine Directorate (Section 9.1).

(c) Whether the applicant's attribution of Medium magnitude to the Sound of Iona can be reconciled with its attribution of High magnitude and major significant effects to receptors at 12 to 17 km; and, if so, on what reasoned basis (Sections 4.13 and 12.2).

(d) Whether the integrity and the special qualities of the Loch na Keal National Scenic Area would be adversely affected, applying paragraph 4.28 of the National Marine Plan (GEN 7) and NPF4 Policy 4(c); and, if so, whether those adverse effects are clearly outweighed by social, environmental or economic benefits of national importance (Sections 3.5, 3.7 and 4.15).

(e) Whether significant adverse impacts on the integrity of the setting of Iona's scheduled monuments are avoided, applying NPF4 Policy 7(h); and, if they are not, whether exceptional circumstances have been demonstrated (Sections 3.8 and 5).

(f) Whether GEN 6 of the National Marine Plan is satisfied, namely that substantial harm to designated heritage 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" (Section 3.5.4).

(g) Whether, applying Waddenzee, no reasonable scientific doubt remains as to the absence of adverse effect on the integrity of the North Colonsay and Western Cliffs Special Protection Area in respect of its guillemot feature — having regard to the fact that the applicant has itself prepared, and submitted, a Without Prejudice Derogation Case and a Without Prejudice Guillemot Compensation Plan directed at that very feature (Section 8.2).

(h) If the derogation provisions are engaged: whether the applicant's Project Objectives — which include the maximal use of the W1 Plan Option Area — have been framed so as to predetermine the outcome of the alternatives test; and whether a reduced development area, or a reduced number of turbines, would reduce the displacement risk to guillemot (Sections 8.2.8 and 8.2.9).

(i) Whether a derogation case can lawfully be determined, and compensatory measures lawfully secured, before the statutory guidance which is to govern those measures has been published (Section 8.2.10).

(j) Whether GEN 9(b) of the National Marine Plan is satisfied, namely that the development "must not result in significant impact on the national status of Priority Marine Features" — those features lying within the Windfarm Development Area itself (Sections 3.5.5 and 8.1).

(k) Whether GEN 19 of the National Marine Plan is satisfied, namely that the decision is based on sound socio-economic evidence and that, where evidence is inconclusive, "reasonable efforts should be made to fill evidence gaps" — in circumstances where the applicant's own consultants identified potential impacts on the habitability of island communities and no place-based assessment of those communities was then undertaken (Sections 3.5.7 and 6).

(l) Whether NPF4 Policy 11(c) is satisfied, namely that the proposal maximises "net economic impact, including local and community socio-economic benefits" — in circumstances where the applicant quantifies benefit only at Scotland and United Kingdom level, and nowhere for Argyll and Bute, the Inner Hebrides or Iona (Sections 3.6.2 and 6.10).

(m) Whether the duty under the Islands (Scotland) Act 2018 to carry out an Island Communities Impact Assessment has been discharged — including whether the assessment has been informed by meaningful engagement with the affected island communities from inception

to conclusion, as the statutory guidance made under section 11 of the Act requires, rather than undertaken as a "tick box" exercise (Section 3.12).

(n) Whether the engagement which preceded the identification of the W1 Plan Option met the standard required by GEN 18 of the National Marine Plan, namely engagement which is "appropriate, proportionate and meaningful" and "undertaken as early as possible" (Section 2.5).

(o) Whether the duty under Schedule 9, paragraph 3 to the Electricity Act 1989 has been discharged, giving to the desirability of protecting sites, buildings and objects of architectural, historic or archaeological interest the considerable importance and weight which the law requires (Sections 3.1 and 5.8).

(p) Whether the Environmental Impact Assessment Report identifies, describes and assesses the likely significant effects of the development as the EIA Regulations require (Section 10).

12.4 The consequence

12.4.1 If the Scottish Ministers were to grant consent without reaching express, reasoned conclusions on each of the matters set out at paragraph 12.3.1, their decision would not enable the reader to understand what conclusions were reached on the principal important controversial issues raised by this objection. It would not meet the standard in *South Bucks*, and it would be vulnerable accordingly [40][41].

12.4.2 The Community Council reserves all of its rights, including its right to apply to the Court of Session questioning the validity of any decision. It repeats its request (paragraph 1.6.8) to be notified promptly of any decision and of the reasons for it, having regard to the short statutory period allowed for any such application [2].

13. The Planning Balance

13.1.1 NPF4, the National Marine Plan and Scotland's environmental legislation are clear that renewable energy development must be delivered in a manner which protects nationally and internationally important landscapes, cultural heritage, biodiversity and communities [10][11]. The planning balance is therefore not an exercise in choosing between renewable energy and environmental protection. It is an exercise in determining whether *this proposal* complies with the statutory framework established to achieve both.

13.1.2 The Community Council repeats that this is not an objection to offshore renewable energy or to Scotland's transition to net zero, which Iona supports and has long supported. The question is whether this proposal, in this location, complies with that framework.

13.2 The weight to be given to the asserted benefits

13.2.1 NPF4 Policy 11 directs that significant weight be given to a proposal's contribution to renewable energy targets. That weight is significant; it is not overriding, and it does not disapply the protective policies of the development plan [10].

13.2.2 Three matters bear on the weight properly attributable to the asserted benefits. First, the economic benefit is quantified principally at national level, with local benefit tied to port locations rather than to the communities bearing the harm — which engages Policy 11(c) directly [10][23].

Secondly, the applicant seeks the benefit of the whole scheme while deferring assessment of the connected transmission infrastructure to a later application, which is the asymmetry identified in *Raeshaw* [31]. Thirdly, the identification of this site did not follow the meaningful engagement with affected island communities upon which the applicant relies (Section 2.5).

13.2.3 The Community Council does not dispute the importance of expanding renewable electricity generation in pursuit of Scotland's net zero commitments. Its position is that no location-specific justification has been demonstrated for causing this level of harm to this nationally and internationally important landscape and seascape. General assertions of national need cannot, of themselves, determine the planning balance where the statutory framework requires careful evaluation of the effects arising in this particular location. The applicant also relies upon conclusions within the Environmental Impact Assessment that landscape and cultural heritage effects are generally moderate and therefore not of sufficient weight to outweigh the asserted national benefits. For the reasons set out in Sections 4 and 5, and in the accompanying methodological annexes, the Community Council submits that those conclusions are themselves not shown to derive from the assessment methodologies accepted by the applicant and cannot therefore simply be relied upon in the planning balance.

13.2.4 The Community Council does not adopt the applicant's characterisation of Iona and other island communities as "host communities". The terminology assumes a relationship of acceptance and consent which is neither given nor established. It also demonstrates one of the fundamental asymmetries underlying these applications: the principal asserted benefits are advanced at national level, while the environmental, cultural and socio-economic consequences of the proposal would be borne by the island communities.

13.3 The weight to be given to the harm

13.3.1 Once the effects are properly recognised, and assessed without the repeated application in practice of the *de facto* distance thresholds identified in the Evidence Note, the balance changes materially. The proposal gives rise to substantial adverse effects on landscape and seascape; on the setting and significance of internationally important cultural heritage; and on the resilience, sustainability and long-term habitability of island communities. Important issues also remain outstanding in relation to biodiversity, pending specialist review, and the applicant has itself prepared a Without Prejudice Derogation Case and a Without Prejudice Guillemot Compensation Plan for the North Colonsay and Western Cliffs SPA — which is to say that it has planned for the possibility that adverse effect on the integrity of that site cannot be excluded [5][26][36].

13.3.2 Nor has the applicant demonstrated meaningful mitigation. In relation to landscape and cultural heritage, the applicant’s own assessment demonstrates that the adverse effects cannot be reduced through changes to turbine dimensions or layout, because a reduction in height requires a corresponding increase in density [8][12]. In relation to socio-economic effects on island communities, no meaningful mitigation is proposed — because those effects have not been assessed, and mitigation cannot be devised for effects which have never been identified [23].

13.4 Conclusion on the planning balance

13.4.1 The applicant has not demonstrated that the adverse effects of the proposal are outweighed by public benefits of sufficient weight to justify this development in this location.

13.4.2 In terms of the statutory framework, the proposal is not in accordance with Scotland's National Marine Plan. It does not satisfy the National Scenic Area test in paragraph 4.28 (GEN 7); the heritage test in paragraph 4.23 (GEN 6); the mandatory Priority Marine Features requirement in GEN 9(b); the sound-evidence and precaution requirements of GEN 19; or the engagement requirements of GEN 18. Cumulative impacts have not been shown to be outweighed by the benefits, as GEN 21 requires. Since the presumption in favour of sustainable development under GEN 1 applies only where a proposal is consistent with the policies and objectives of the Plan, that presumption is not engaged [11].

13.4.3 Section 15 of the Marine (Scotland) Act 2010 requires the Scottish Ministers to take their decision in accordance with the National Marine Plan unless relevant considerations indicate otherwise, and to state their reasons if they depart from it [3][11]. For the reasons given, the Community Council submits that no relevant consideration of sufficient weight indicates a departure. The proposal likewise fails the protective policies of NPF4 read as a whole, and no material consideration of sufficient weight indicates that consent should nevertheless be granted [10][17].

14. Conclusion and Request

14.1.1 This objection does not oppose offshore renewable energy, or Scotland's transition to net zero. The issue before the Scottish Ministers is whether this proposal, in this location, complies with Scotland's statutory planning and environmental protection framework.

14.1.2 The Environmental Impact Assessment repeatedly adopts assessment approaches which narrow the practical identification and evaluation of significant adverse effects. In the landscape assessment, that narrowing arises through the recurring application in practice of de facto distance thresholds which appear nowhere in GLVIA3, in NatureScot guidance, or in the applicant's own written methodology. The consequences of that approach extend beyond the landscape assessment into the cultural heritage and socio-economic assessments. In the cultural heritage assessment, narrowing also arises because the applicant accepts the qualities that make Iona's setting culturally significant but then concludes that the integrity of setting has been adequately retained without undertaking the assessment required by the accepted methodology to demonstrate that conclusion. In the socio-economic assessment, narrowing also arises through the progressively restrictive treatment of place-based assessment. The effects of those reductions do not remain within their own chapters: they are carried through the assessment and into the planning balance.

14.1.3 The applicant has therefore not demonstrated that the proposal's likely significant effects have been properly identified, described and assessed; nor that the principal adverse effects can be meaningfully mitigated. The planning balance advanced by the applicant is not supported by an adequate evidential basis.

14.1.4 This proposal affects one of Scotland's nationally and internationally important island environments. The decision will therefore carry significance beyond MachairWind itself: it will demonstrate how Scotland's planning and environmental protection framework is applied to future offshore renewable energy proposals affecting the most sensitive coastal and island environments. The accompanying methodological annexes demonstrate that the principal concerns raised by this objection are not simply matters of differing planning judgement. They

concern whether the Environmental Impact Assessment has consistently applied the methodologies which the applicant itself accepted as the basis for assessing landscape and cultural heritage effects.

14.1.5 For the reasons set out in this objection, the accompanying Evidence Note (Annex 1), and the Methodological Audit of the Cultural Heritage Settings Assessment (Annex 2), Iona Community Council submits that the Environmental Impact Assessment does not provide a sufficiently robust evidential basis upon which the Scottish Ministers could conclude that environmental effects have been properly identified, described and assessed. The proposal fails to demonstrate compliance with Scotland's statutory planning and environmental protection framework.

14.1.6 Finally, the Community Council asks the Scottish Ministers to be clear about what is being decided. NPF4 Policy 11(f) provides that areas identified for wind farms are "expected to be suitable for use in perpetuity", and Policy 11(a)(i) expressly supports repowering, extension and expansion [10]. The 35-year operational life stated by the applicant is therefore not the measure of the harm. The decision before the Ministers is not whether the setting of Iona should be altered for a generation. It is whether this seascape should become an industrial energy landscape permanently.

14.1.7 Iona Community Council accordingly requests that the Scottish Ministers **REFUSE** consent under section 36 of the Electricity Act 1989, and **REFUSE** the associated marine licence applications [2][3].

14.1.8 In the alternative, and as set out at paragraphs 1.6.2 to 1.6.9 above, the Community Council requests that further environmental information be required from the applicant before determination; that the examination of these applications take the form of **inquiry sessions**, so that the applicant's magnitude and sensitivity judgements may be tested on the record rather than merely restated on paper; that the Community Council be notified of, and permitted to comment upon, any additional information; and that, in any event, the Community Council's right to supplement this objection be reserved [14][39].

15. References

[1] MachairWind Limited, applications for consent under section 36 of the Electricity Act 1989 and for marine licences under Part 4 of the Marine (Scotland) Act 2010, Marine Directorate references 00012385 and 00012386, submitted 25 June 2026. Application documentation published at marine.gov.scot and energyconsents.scot.

[2] Electricity Act 1989, section 36 and Schedules 8 and 9.

[3] Marine (Scotland) Act 2010, Part 4.

[4] Iona Community Council, household consultation on the MachairWind proposal (March 2026): high response rate; 92% of respondents object; 3% support.

[5] Iona Community Council, Evidence Note — Review of the Seascape, Landscape and Visual Impact Assessment: Assessment of the Relationship Between Viewing Distance and Magnitude of Effect (2026), submitted with this objection.

[6] Landscape Institute and Institute of Environmental Management and Assessment, Guidelines for Landscape and Visual Impact Assessment (3rd edition, 2013) ("GLVIA3").

[7] NatureScot, guidance on landscape and visual impact assessment and on the use of visualisations; Special Qualities of the Loch na Keal National Scenic Area; and NatureScot scoping advice on the MachairWind proposal.

[8] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 3 (Project Description), June 2026 — Windfarm Development Area of 448 km^2, of which approximately 51 km^2 is a "restricted build area" unsuitable for foundations (§3.3.2, §3.5); design envelope of "between 91 of the largest (335 m blade tip height) and 144 of the smallest (280 m blade tip height) WTGs" (§3.5; Table 3.2; Table 3.13), with a maximum rotor diameter of 290 m; maximum blade tip height reduced from 340 m to 335 m and maximum turbine number from 147 to 144 through consultation, expressly to reduce the magnitude of change on seascape receptors (§3.4); minimum air gap increased from 22.45 m to 28.4 m above HAT to reduce ornithological collision risk (§3.4); gravity base foundations removed as a turbine foundation option (§3.4); nearest land approximately 12.4 km (Colonsay), 15 km (Islay), 20 km (Mull), 21 km (Iona) and 30 km (Jura) (§3.3.2); lease period of 60 years and anticipated operational life of 35 years (Table 3.2); maximum permanent seabed footprint of 6,705,031 m^2 and maximum temporary construction footprint of 25,385,076 m^2 (Tables 3.3 and 3.4); up to 33% of turbine locations potentially requiring drilling (§3.6.2.2.3.2); maximum piling hammer energy of 6,600 kJ (Table 3.2). Girvan: the grid connection location "was confirmed in August 2025 to be in the vicinity of Girvan, South Ayrshire" and the Project "will connect to a new High Voltage Direct Current (HVDC) switching station to be built by the Transmission System Operator near Girvan" (§3.3.1); the Offshore Export Cable Corridor is "the preliminary boundary extending from the WDA to mean high water springs near Girvan, South Ayrshire" (§3.3.3; Figure 3.2; Glossary of Terms); its boundary was constrained by "environmentally sensitive areas (such as the Ailsa Craig SPA and SSSI)" (§3.3.3); the Onshore Transmission Development Area is to be the subject of a planning application to South Ayrshire Council under the Town and Country Planning (Scotland) Act 1997 (§3.3.4; Table 3.1, I.D. 5).

[9] Land areas: Isle of Mull, 875.35 km^2; Iona, 877 hectares (8.77 km^2). Eiffel Tower height: 330 m. Ben Hynish, Tiree: 141 m; distance from Iona approximately 33 km; distance from Iona to the WDA approximately 21 km.

[10] Scottish Government, National Planning Framework 4 (adopted 13 February 2023) — in particular Policies 1, 2, 3, 4, 7, 10, 11 and 30.

[11] Scottish Government, Scotland's National Marine Plan (published 27 March 2015; ISBN 9781785442148), adopted under section 5 of the Marine (Scotland) Act 2010 — Chapter 4 (General Policies), which states at paragraph 4.4 that "all text in this chapter should be considered as planning policy". Policies relied upon: GEN 1 (general planning principle); GEN 2 and GEN 3 (economic and social benefit, and paragraph 4.9); GEN 6 (historic environment, and paragraphs 4.22–4.23); GEN 7

(landscape/seascape, and paragraphs 4.28–4.31); GEN 9 (natural heritage, and paragraphs 4.43 and 4.53); GEN 13 (noise); GEN 18 (engagement, and paragraph 4.77); GEN 19 (sound evidence, and paragraph 4.81); and GEN 21 (cumulative impacts, and paragraph 4.85). Available at https://www.gov.scot/publications/scotlands-national-marine-plan/

[12] Historic Environment Scotland: consultation responses on the MachairWind proposal, and Historic Environment Scotland guidance, Managing Change in the Historic Environment: Setting. The advice and passages referred to in this objection are those cited in, and quoted from, the application documentation and Iona Community Council's review of it; they are identified here by source rather than by individual document reference.

[13] Scottish Government, Sectoral Marine Plan for Offshore Wind Energy: consultation on the Draft Plan, 18 December 2019 to 25 March 2020.

[14] The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (SSI 2017/101); The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (SSI 2017/115).

[15] The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended); The Conservation of Offshore Marine Habitats and Species Regulations 2017.

[16] Town and Country Planning (Scotland) Act 1997, section 25.

[17] Argyll and Bute Council, Local Development Plan 2 — Written Statement and Proposals Map (adopted 28 February 2024). Available at https://storymaps.arcgis.com/stories/0e4137e311864857937eee8f140aeb9e

[18] Scottish Government, Sectoral Marine Plan for Offshore Wind Energy (October 2020); Crown Estate Scotland, ScotWind leasing round outcome (January 2022).

[19] Islands (Scotland) Act 2018, sections 7 to 13 (Island Communities Impact Assessments).

[20] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 16 (Seascape, Landscape and Visual Impacts) and Appendices 16.1 (SLVIA and Visualisation Methodology), 16.2 (Assessment of Effects on Special Landscape Qualities) and 16.3 (Coastal Character Baseline and Assessment), June 2026.

[21] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 5 (EIA Methodology), June 2026, p.10.

[22] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 14 (Offshore Archaeology and Cultural Heritage) and Appendix 14.3, June 2026 — including section 1.6.1.5.5.

[23] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 18 (Socio-economics, prepared by BiGGAR Economics) and Appendix 18.1 (Socio-economic Technical Report), June 2026 — including sections 2.2 and 3.3 of Appendix 18.1. The finding on potential impacts on the habitability of island communities is that of BiGGAR Economics, the applicant's commissioned socio-economic consultants, recorded in the MachairWind Development Economic and Social Scenarios: Opportunities and Impacts report (BiGGAR Economics, 2024), which the applicant cites at Table 4.1 of its Without Prejudice Derogation Case as having informed its Socio-economic Action Plan.

[24] Independent community research commissioned by Iona Community Council and Iona Village Hall Community Trust, based on survey responses from approximately 45% of the island's permanent population, together with qualitative interviews and community engagement. Held by Iona Community Council and available to the Scottish Ministers on request.

[25] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 8 (Benthic Ecology), June 2026 — Priority Marine Features and Annex I habitats within the WDA (Table 8.6; Figure 8.3).

[26] MachairWind Limited, Habitats Regulations documentation submitted with the application, June 2026: Report to Inform Appropriate Assessment — Part 1 (Upfront Sections), Part 2 (Marine Mammals) and Part 3 (Ornithology); Report to Inform Marine Protected Area Assessment; Windfarm Development Area Habitats Regulations Appraisal Screening Report; Without Prejudice Derogation Case (June 2026); and Appendix 1 thereto, Without Prejudice Guillemot Compensation Plan. The Derogation Case relates specifically to the guillemot feature of the North Colonsay and Western Cliffs Special Protection Area

(§1); records the applicant's position that the RIAA concluded no adverse effect on site integrity, the Derogation Case being submitted without prejudice to that position (§1.2); sets out six Project Objectives, the sixth being to optimise the W1 ScotWind Plan Option Area and maximise generation capacity of available Scottish seabed (Table 4.1); discounts all alternatives, including a reduced development area and a reduced number of turbines, by reference to those objectives (Tables 4.2–4.6); cites R (Spurrier) v Secretary of State for Transport [2019] EWHC 1070 (Admin) (§4.2); records that new compensation Regulations come into force in May 2026 and that the supporting statutory guidance "has not yet been published" (§2.2); and quantifies the asserted benefits — 2,851,685 tonnes CO2e avoided; a peak of c.3,400 construction jobs in Scotland and 11,463 across the UK; £803 million GVA in Scotland and £2,435 million across the UK; and, for the whole Project, 4,750 jobs in Scotland and 14,490 across the UK, with £1,105 million and £3,064 million GVA respectively (§5.2.2). Available from the applicant's document library at scottishpowerrenewables.com.

[27] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 11 (Offshore Ornithology) and Appendices 11.1–11.7, June 2026 — digital aerial survey methodology; displacement, collision and combined mortality assessments; Population Viability Analysis at 25, 35 and 50 years; cumulative assessment across the Western BDMPS; Manx shearwater tracking on Lunga (2025).

[28] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 10 (Marine Mammals and Leatherback Turtle), June 2026. The Community Council has not been able to review this chapter in full; its existence and scope are confirmed at EIAR Chapter 3, Table 3.1 (I.D. 13 and I.D. 17).

[29] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 9 (Fish (including Basking Shark) and Shellfish), June 2026 — basking shark disturbance, displacement and vessel collision (Tables 9.16–9.17); underwater noise Zone of Influence to 88 km (Tables 9.13–9.14); modelled effects on herring and lesser sandeel (Figures 9.3–9.4).

[30] National Trust for Scotland, stated intention to object to the MachairWind proposal, June 2026.

[31] Raeshaw Farms Limited v Scottish Ministers [2026] CSIH 10 (Inner House, Court of Session, 17 February 2026) — on "project splitting" and the requirement for a fact-specific, reasoned assessment of whether a wind farm and its grid connection constitute a single project for the purposes of environmental impact assessment.

[32] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 13 (Shipping and Navigation) and Appendix 13.1 (Navigational Risk Assessment), June 2026 — seven assessed impacts (Tables 13.13–13.19), including reduced access to local ports and harbours and reduction of emergency response capabilities; Caledonian MacBrayne ferry services among the navigational receptors; consultation with the Maritime and Coastguard Agency, the Royal National Lifeboat Institution and the Northern Lighthouse Board.

[33] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 21 (Major Accidents and Disasters), June 2026 — assessment of marine casualty, vessel allision, and loss of containment and pollution, applying the IEMA primer on major accidents and disasters in EIA and MAIB / MGN 654 guidance.

[34] ScottishPower Renewables / MachairWind Limited, EIAR Chapter 12 (Commercial Fisheries) and Appendix 12.1 (Commercial Fisheries Technical Report), June 2026 — five assessed impacts (Tables 12.11–12.15); landed value by species and gear type, five-year average 2019–2023; consultation with the Mull and Iona Fishermen's Association, the Scottish Creel Fishermen's Federation and the South West Coast Regional Inshore Fisheries Group.

[35] Local Government (Scotland) Act 1973, Part IV, section 51(2) — the statutory general purpose of a community council.

[36] Case C-127/02 Landelijke Vereniging tot Behoud van de Waddenzee and Nederlandse Vereniging tot Bescherming van Vogels v Staatssecretaris van Landbouw, Natuurbeheer en Visserij [2004] ECR I-7405 ("Waddenzee"), Court of Justice (Grand Chamber), 7 September 2004 — authorisation only where the competent authority has "made certain" that site integrity will not be adversely affected, that is, where "no reasonable scientific doubt remains as to the absence of such effects"; Article 6(3) "integrates the

precautionary principle"; and all aspects of the plan or project affecting conservation objectives must be identified in the light of the best scientific knowledge. See also Case C-461/17 Holohan v An Bord Pleanála (an appropriate assessment must contain complete, precise and definitive findings) and Case C-323/17 People Over Wind v Coillte Teoranta (mitigation may not be taken into account at the screening stage).

[37] Historic Environment Scotland designation records: Iona Nunnery, scheduled monument SM90350; Iona Abbey, listed building LB12310. Iona Abbey and Nunnery are Properties in Care, managed by Historic Environment Scotland on behalf of the Scottish Ministers.

[38] Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council, English Heritage, the National Trust and the Secretary of State for Communities and Local Government [2014] EWCA Civ 137 — a statutory heritage duty requires the desirability of preserving the setting of a heritage asset to be given "considerable importance and weight", not merely careful consideration; a finding of harm gives rise to a strong presumption against consent; the decision-maker is not free to give that harm such weight as he chooses. See also Jones v Mordue [2015] EWCA Civ 1243 (no particular formula of words is required to discharge the duty). Cited as persuasive on the principle; decided under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

[39] Planning and Infrastructure Act 2025 (c. 34), Royal Assent 18 December 2025; relevant provisions in force 18 February 2026. Schedule 1 makes amendments to the Electricity Act 1989, including to Schedule 8 (paragraph 3, objections by other persons; paragraph 4, public inquiries). The Act removes the automatic trigger for a public inquiry where the relevant planning authority objects, and substitutes a reporter-led examination in which the appointed person determines the appropriate procedure — which may comprise no further procedure, a site inspection, further written submissions, hearing sessions, inquiry sessions, or a combination of these.

[40] South Buckinghamshire District Council v Porter (No 2) [2004] UKHL 33, [2004] 1 WLR 1953, per Lord Brown of Eaton-under-Heywood at [36] — the reasons for a decision must be intelligible and adequate, must enable the reader to understand what conclusions were reached on the "principal important controversial issues", and must not give rise to a substantial doubt as to whether the decision-maker erred in law. See also Dover District Council v CPRE Kent [2017] UKSC 79, per Lord Carnwath — the giving of reasons is "an essential element of good administration".

[41] R (Finch) v Surrey County Council [2024] UKSC 20, [2024] PTSR 988 — on environmental impact assessment and the standard of review: a decision may be set aside where there is "a demonstrable flaw in the reasoning which led to the decision", including where "there was no evidence to support an important step in the reasoning"; the question being whether "the conclusion follow[s] from the evidence or [whether] there is an unexplained evidential gap or leap in reasoning which fails to justify the conclusion".

[42] ScottishPower Renewables / MachairWind Limited, EIAR Appendix 16.3 — Coastal Character Baseline and Assessment (prepared by LUC, November 2025). CCA 5 (Sound of Iona): approximately 21 km from the WDA; sensitivity high; maximum horizontal angle of view approximately 39 degrees; scale of change medium; geographical extent of effects large; magnitude of impact medium; effect moderate and significant. CCA 6 (Iona West Coast): approximately 21 km; high; medium; moderate and significant. CCA 7 (Ross of Mull South): approximately 20 km; high; medium; moderate and significant. CCA 8 (Staffa and the Treshnish Isles): approximately 35 km; high; "due to the viewing distance of approximately 35 km, the scale of change is judged to be small"; minor and not significant. CCA 2 (The Wilderness and Gribun Rocks): approximately 33 km; high; "given the viewing distance of over 30 km, the scale of change is judged to be small"; minor and not significant. CCA 1 (South Tiree): approximately 35 km; high; low; minor and not significant. By contrast — CCA 11 (West Colonsay): approximately 12 km; high sensitivity; scale of change large; geographical extent large; magnitude HIGH; MAJOR AND SIGNIFICANT. CCA 13 (Oronsay): approximately 12 km; magnitude HIGH; MAJOR AND SIGNIFICANT. CCA 12 (The Strand): approximately 13 km; magnitude HIGH; MAJOR AND SIGNIFICANT. CCA 9 (Kiloran Bay to Eilean Dubh, Colonsay): approximately 17 km; magnitude HIGH; MAJOR AND SIGNIFICANT. Available from the applicant's document library at scottishpowerrenewables.com.

Note on sources

N.1 Two matters of sourcing are recorded here for transparency.

N.2 First, the passages attributed in this objection to Historic Environment Scotland, and the finding attributed to BiGGAR Economics on the potential for impacts on the habitability of island communities, are drawn from the consultation record and from the applicant's own supporting documentation as reviewed by Iona Community Council. They are identified in the reference list by source rather than by individual document reference. The Community Council will provide the underlying documents to the Scottish Ministers on request.

N.3 Secondly, the independent community research referred to in Section 6.6 was commissioned by Iona Community Council and Iona Village Hall Community Trust and is held by the Community Council. It is likewise available to the Scottish Ministers on request.

N.4 No argument advanced in this objection depends upon a source which the Community Council is unable to produce



Iona Community Council
Annex 1 Evidence Note

EVIDENCE NOTE

Review of the Seascape, Landscape and Visual Impact Assessment (SLVIA): Assessment of the Relationship Between Viewing Distance and Magnitude of Effect

Prepared in support of Iona Community Council's review of the MachairWind Environmental Impact Assessment

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Section 1 – Purpose and Scope

1.1 Purpose

This Evidence Note has been prepared to examine the methodology and assessment outcomes presented within the Seascape, Landscape and Visual Impact Assessment (SLVIA) for the proposed MachairWind Offshore Wind Farm.

It is intended as an analytical working paper to support consideration of the Environmental Impact Assessment. It is not a planning objection and does not advocate a predetermined conclusion. Its purpose is to test whether a recurring methodological pattern can be identified within the applicant's own assessment and, where such a pattern exists, to determine whether it arises from the written methodology itself or from the applicant's repeated application of professional judgement.

The review has been undertaken directly from the applicant's submitted documentation rather than from summaries or secondary sources.

1.2 Documents Reviewed

The analysis is based upon the following documents submitted with the application:

- Chapter 16 – *Seascape, Landscape and Visual Impacts (SLVIA)*;

- Appendix 16.1 – *SLVIA and Visualisation Methodology*;
- Appendix 16.2 – *Assessment of Effects on Special Landscape Qualities*; and
- Appendix 16.3 – *Coastal Character Baseline and Assessment*.

The four documents are considered together because the methodology set out in Appendix 16.1 is implemented through three complementary assessment streams:

- Landscape Character;
- National Scenic Areas; and
- Coastal Character.

A principal objective of this Evidence Note is to examine whether those three assessment streams demonstrate a consistent methodological pattern.

1.3 Central Question

The principal question examined throughout this review is:

Does the applicant's repeated application of professional judgement produce an apparent practical ceiling on the magnitude capable of being attributed to highly sensitive Landscape Character, National Scenic Area and Coastal Character receptors beyond approximately 20 km from the Development Area?

This question is deliberately distinguished from two propositions that are **not** advanced in this report.

First, the review does **not** suggest that either GLVIA3 or NatureScot guidance establishes any distance threshold or ceiling on landscape effects.

Secondly, it does **not** suggest that the applicant's written methodology contains such a threshold.

Instead, the review examines whether a recurring pattern emerges from the **assessment outcomes themselves**.

1.4 Hypotheses to be Tested

The review examines five related hypotheses.

Hypothesis 1

The applicant's assessment repeatedly relies upon viewing distance, together with closely related considerations such as apparent scale, horizon location and geographical extent, when determining magnitude of change.

Hypothesis 2

Across highly sensitive Landscape Character, National Scenic Area and Coastal Character receptors situated beyond approximately 20 km from the Development Area, the assessment outcomes exhibit an apparent practical ceiling on the magnitude capable of being attributed to those receptors.

Hypothesis 3

That apparent practical ceiling is **not** prescribed by GLVIA3 or by the written assessment methodology but emerges from the applicant's repeated application of professional judgement.

Hypothesis 4

The same assessment pattern recurs consistently across the three principal assessment streams:

- Landscape Character
- National Scenic Areas
- Coastal Character

Hypothesis 5

Material counter-examples weaken or disprove those propositions.

No hypothesis is assumed to be correct at the outset. Each is tested objectively against the applicant's own evidence.

1.5 Analytical Principles

Throughout the Evidence Note a clear distinction is maintained between **Evidence** and **Interpretation**.

Evidence

Evidence consists of matters directly stated within the applicant's documentation, including:

- methodology
- receptor descriptions
- sensitivity assessments
- magnitude judgements
- significance conclusions
- the reasons given for those judgements

Interpretation

Interpretation refers only to recurring methodological implications that emerge when those individual assessments are examined collectively.

Accordingly, no conclusion is drawn from isolated examples. Individual examples are used to illustrate recurring assessment patterns rather than to establish them. Particular examples, including the Sound of Iona, are therefore examined in the context of wider assessment outcomes rather than in isolation.

This distinction is particularly important because the review is concerned not with whether any individual assessment is reasonable, but with whether repeated assessment outcomes reveal a consistent methodological tendency.

1.6 Scope of the Review

The review does not seek to re-assess landscape effects independently.

It does not substitute alternative professional judgement for that of the applicant.

Instead, it examines whether the applicant has applied its own methodology consistently and whether repeated assessment outcomes reveal characteristics that are not explicit within the written methodology itself.

Particular attention is therefore paid to:

- the relationship between sensitivity and magnitude
- the role of viewing distance within assessments of magnitude
- the treatment of designated landscapes
- the treatment of highly sensitive coastal and island landscapes
- consistency between the three assessment streams
- the relationship between assessment methodology and assessment outcomes

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1.7 Structure of the Evidence Note

The Evidence Note proceeds in six further sections.

Section	Purpose
Section 2	Examination of the written methodology in Appendix 16.1 and comparison with GLVIA3 principles.
Section 3	Audit of Landscape Character and Seascape assessments, identifying recurring patterns in the assessment of sensitivity, magnitude and significance.
Section 4	Audit of National Scenic Area assessments and the treatment of Special Landscape Qualities.
Section 5	Audit of Coastal Character Areas, including detailed examination of the Sound of Iona, West Coast of Iona, Ross of Mull South and other relevant Coastal Character Areas.
Section 6	Cross-Assessment Distance Audit comparing all three assessment streams to determine whether the assessment outcomes exhibit an apparent practical ceiling on the magnitude capable of being attributed to highly sensitive receptors beyond approximately 20 km from the Development Area.
Section 7	Overall conclusions identifying, for each hypothesis, whether it is Supported, Partially Supported or Not Supported, together with the evidential basis for those conclusions.

1.8 Preliminary Observation

Before examining the detailed assessments, one important distinction should be noted.

Appendix 16.1 contains **no explicit distance threshold** beyond which High magnitude effects cannot be recognised. Nor does it prescribe any relationship between viewing distance and significance. Instead, it adopts the GLVIA3 approach of combining assessments of sensitivity and magnitude through professional judgement.

Accordingly, if the subsequent analysis identifies a consistent practical ceiling on the magnitude capable of being attributed to highly sensitive receptors beyond approximately 20 km, that pattern cannot be attributed to the written methodology itself. It would instead represent a characteristic of the applicant's repeated application of professional judgement across the assessment.

The purpose of the following sections is therefore to determine whether such a recurring pattern emerges consistently across Landscape Character, National Scenic Area and Coastal Character assessments, and whether it is sufficiently consistent to constitute a characteristic of the assessment as a whole rather than isolated professional judgements.

Section 2 – Assessment Methodology (Appendix 16.1)

2.7 Relationship Between the Written Methodology and the Assessment Outcomes

The distinction established above between the written methodology and its subsequent application is central to this Evidence Note.

Appendix 16.1 provides the analytical framework within which professional judgement is to be exercised.

It does not prescribe the outcome of that judgement.

Accordingly, if later sections demonstrate that:

- highly sensitive receptors remain highly sensitive beyond approximately 20 km
- important scenic, cultural and experiential qualities continue to be recognised
- significant effects continue to be identified
- yet High magnitude is repeatedly absent beyond approximately 20 km,

that pattern cannot be attributed to the methodology itself.

Instead, it would represent a recurring characteristic of the applicant's repeated application of professional judgement across multiple assessments.

Interpretation

The purpose of the following sections is therefore not to criticise the methodology described in Appendix 16.1.

Rather, it is to examine whether the applicant's repeated assessment outcomes reveal a consistent pattern that the methodology itself neither requires nor expressly anticipates.

2.8 Emerging Analytical Propositions

The review of Appendix 16.1 supports a number of propositions that provide the framework for the remainder of this Evidence Note.

Proposition 1

Sensitivity is determined by the characteristics and value of the receiving environment rather than by viewing distance.

Supported.

Proposition 2

The written methodology establishes no distance threshold beyond which High magnitude cannot be recognised.

Supported.

Proposition 3

Neither GLVIA3 nor Appendix 16.1 prescribes any practical ceiling on the magnitude capable of being attributed to highly sensitive landscapes beyond a particular distance.

Supported.

Proposition 4

Professional judgement is an integral component of the methodology and is expected to determine magnitude and significance on a case-by-case basis.

Supported.

Proposition 5

If a recurring practical ceiling on the magnitude capable of being attributed to highly sensitive receptors beyond approximately 20 km is identified within the assessment outcomes, that characteristic must arise from the applicant's repeated application of professional judgement rather than from the written methodology itself.

To be tested in the following sections.

2.9 Section 2 Conclusion

Appendix 16.1 presents a methodology that is broadly consistent with GLVIA3.

It distinguishes clearly between:

- sensitivity
- magnitude
- significance

and requires those matters to be brought together through professional judgement.

Importantly, neither GLVIA3 nor the applicant's written methodology establishes:

- a distance threshold
- a practical ceiling on magnitude
- or any rule preventing High magnitude from being attributed to highly sensitive landscapes beyond a particular viewing distance

The methodology therefore leaves open the possibility that highly sensitive landscapes beyond approximately 20 km may experience High magnitude where the nature and extent of change justify that conclusion.

The analysis that follows examines whether the applicant's repeated assessment outcomes nevertheless exhibit a recurring practical ceiling on the magnitude capable of being attributed to highly sensitive receptors beyond approximately 20 km from the Development Area.

If such a pattern is identified, it represents a characteristic of the applicant's repeated application of professional judgement rather than a requirement of the written methodology.

Section 3 – Landscape Character Assessment

3.8 Assessment Outcomes

The Landscape Character assessment demonstrates a consistent distinction between the treatment of sensitivity and the treatment of magnitude.

Across the assessment:

- High sensitivity continues to be recognised for nationally important and highly valued landscapes beyond approximately 20 km from the Development Area
- important scenic and perceptual qualities continue to be acknowledged
- and significant landscape effects continue to be identified

Where the assessment outcomes change, that change occurs principally through moderation of magnitude rather than reduction of sensitivity.

This moderation is repeatedly explained by reference to combinations of:

- viewing distance
- reduced apparent scale
- horizon location
- geographical extent of influence
- retained physical landscape characteristics
- professional judgement

One of the strongest pieces of evidence is the applicant's own synthesis of the Landscape Character assessment, which repeatedly describes certain Landscape Character Types as exhibiting:

- **High magnitude within approximately 20 km**
- **Medium magnitude between approximately 20 km and 30 km**

- **and, for some landscape types, Low magnitude beyond approximately 30 km**.

Those summaries do not establish a formal rule.

They do, however, demonstrate that the progression identified within this review is reflected in the applicant's own overview of the assessment outcomes.

Finding 3.3

The Landscape Character assessment demonstrates a recurring relationship between increasing viewing distance and moderation of magnitude.

That relationship is expressed through professional judgement rather than through any explicit methodological threshold.

3.9 Relationship Between Sensitivity and Magnitude

A notable feature of the assessment is that sensitivity and magnitude do not reduce together.

Instead:

- sensitivity frequently remains High
- important landscape qualities continue to be recognised
- significant effects continue to be acknowledged

while

- magnitude is moderated through professional judgement

Consequently, the assessment repeatedly differentiates between highly sensitive receptors by reducing magnitude rather than by reducing sensitivity.

This distinction is consistent with the written methodology but becomes significant because of the consistency with which it recurs across the assessment.

Finding 3.4

The Landscape Character assessment provides substantial evidence that the applicant's repeated application of professional judgement moderates magnitude while continuing to recognise the high sensitivity of nationally important landscapes.

3.10 Relationship with Later Sections

Considered in isolation, the Landscape Character assessment demonstrates a clear emerging pattern.

However, one assessment stream alone cannot establish whether that pattern is a characteristic of the assessment as a whole.

The following sections therefore examine whether the same relationship between:

- High sensitivity
- moderated magnitude
- and increasing viewing distance

recurs independently within:

- the National Scenic Area assessment
- the Coastal Character assessment.

If the same assessment pattern is identified across those independently prepared assessments, the evidence that it represents a recurring characteristic of the applicant's repeated application of professional judgement is materially strengthened.

3.11 Section 3 Conclusion

The Landscape Character assessment demonstrates a consistent pattern in which highly sensitive receptors retain High sensitivity but magnitude is progressively moderated through professional judgement expressed principally in terms of viewing distance, apparent scale, horizon location, geographical extent and the retention of defining physical landscape characteristics.

The applicant's own synthesis of the Landscape Character assessment reflects this progression, repeatedly describing High magnitude within approximately 20 km, Medium magnitude between approximately 20 km and 30 km, and, for some landscape types, Low magnitude beyond approximately 30 km.

Considered alone, the Landscape Character assessment provides substantial evidence of an emerging practical ceiling on the magnitude capable of being attributed to highly sensitive receptors beyond approximately 20 km from the Development Area.

The following sections test whether that same assessment pattern recurs across National Scenic Area and Coastal Character assessments.

Section 4 – National Scenic Area Assessment

4.1 Purpose

This section examines Appendix 16.2, *Assessment of Effects on Special Landscape Qualities*, to determine whether the assessment of Scotland's National Scenic Areas (NSAs) exhibits the same methodological pattern identified within the Landscape Character assessment.

The purpose is not to reassess the Special Landscape Qualities independently. Rather, it is to determine whether the applicant's repeated application of professional judgement produces a recurring relationship between:

- High sensitivity
- viewing distance
- magnitude
- and significance

across nationally designated landscapes beyond approximately 20 km from the Development Area.

4.2 Assessment Approach

Appendix 16.2 assesses effects on the Special Landscape Qualities (SLQs) of each affected National Scenic Area.

The assessment recognises that National Scenic Areas represent landscapes of national importance and evaluates the extent to which their defining qualities would be affected by the proposed development.

Magnitude is discussed through consideration of factors including:

- visibility
- viewing distance
- apparent scale
- the contribution of turbines to panoramic views
- whether defining landforms remain physically unchanged
- experiential qualities
- professional judgement

Interpretation

The National Scenic Area assessment therefore provides an independent assessment stream through which the emerging pattern identified in Section 3 can be tested.

If the same relationship between sensitivity, magnitude and viewing distance recurs here, it materially strengthens the proposition that the pattern is a characteristic of the applicant's assessment as a whole.

4.3 Sensitivity

The assessment consistently recognises the exceptional value of National Scenic Areas.

Their nationally designated status, together with their recognised scenic, perceptual and cultural qualities, results in consistently high levels of sensitivity throughout the assessment.

Importantly, that High sensitivity is retained irrespective of viewing distance from the Development Area.

Finding 4.1

No evidence has been identified that National Scenic Area sensitivity is reduced because of increasing viewing distance.

This is entirely consistent with the methodology described in Appendix 16.1.

4.4 Magnitude

Where assessment outcomes differ between National Scenic Areas, those differences arise principally through variation in magnitude rather than variation in sensitivity.

Magnitude is repeatedly moderated through combinations of:

- increased viewing distance
- reduced apparent scale
- retention of defining landforms
- the distinction between experiential and physical change
- horizon location
- and professional judgement

These considerations recur consistently across the assessment.

Finding 4.2

As with the Landscape Character assessment, magnitude becomes the principal mechanism through which the applicant differentiates between highly sensitive National Scenic Areas.

4.5 Assessment Outcomes

The assessment recognises effects upon numerous nationally important scenic qualities beyond approximately 20 km from the Development Area.

These include effects upon:

- panoramic coastal views
- relationships between land and sea
- landmark islands and mountains
- remoteness
- tranquillity
- wildness
- and other defining Special Landscape Qualities

Despite these recognised effects, the highest magnitude attributed to highly sensitive National Scenic Areas beyond approximately 20 km is consistently **Medium**.

No National Scenic Area beyond approximately 20 km reviewed within this Evidence Note is attributed **High** magnitude.

Finding 4.3

The National Scenic Area assessment demonstrates the same broad assessment pattern identified within the Landscape Character assessment:

- High sensitivity continues
- nationally important qualities continue to be recognised
- magnitude is moderated through recurring combinations of distance-related considerations and professional judgement

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4.6 Illustrative Examples

The pattern is illustrated across several National Scenic Areas.

Loch na Keal National Scenic Area

The assessment recognises effects on important scenic and experiential qualities while concluding that defining physical landscape characteristics remain unchanged.

Magnitude is moderated through professional judgement despite the recognised importance of the landscape and the acknowledged effects upon its scenic composition.

Jura National Scenic Area

The assessment recognises effects upon panoramic coastal views and landmark qualities.

Nevertheless, magnitude is moderated through reference to retained landform, viewing distance and apparent scale.

Scarba, Lunga and the Garvellachs National Scenic Area

The assessment again relies upon combinations of:

- increased viewing distance
- reduced apparent scale
- and the retention of defining physical characteristics

when moderating magnitude.

Interpretation

These examples are not relied upon individually.

Rather, they illustrate a recurring assessment approach that is repeated across the National Scenic Area assessment.

4.7 Relationship Between Sensitivity and Magnitude

As in the Landscape Character assessment, High sensitivity is consistently retained.

Variation in assessment outcome occurs principally through moderation of magnitude rather than through reduction in sensitivity.

The applicant therefore continues to recognise the national importance of these landscapes while repeatedly moderating the magnitude attributed to the change they experience.

Finding 4.4

The National Scenic Area assessment provides further evidence that the applicant's repeated application of professional judgement moderates magnitude whilst continuing to recognise High sensitivity.

4.8 Relationship with Other Assessment Streams

The assessment pattern identified in Appendix 16.2 is closely aligned with that identified within the Landscape Character assessment.

In both assessments:

- High sensitivity is retained
- nationally important qualities continue to be recognised

- magnitude is moderated through similar combinations of viewing distance, apparent scale, retained physical characteristics and professional judgement

This consistency across two independently presented assessment streams materially strengthens the emerging proposition.

4.9 Section 4 Conclusion

The National Scenic Area assessment independently demonstrates the same recurring assessment pattern identified within the Landscape Character assessment.

Highly sensitive nationally designated landscapes continue to be recognised beyond approximately 20 km from the Development Area.

Important scenic, perceptual and experiential qualities continue to be acknowledged.

Nevertheless, no highly sensitive National Scenic Area reviewed within this Evidence Note is attributed High magnitude beyond approximately 20 km.

Instead, magnitude is repeatedly moderated through combinations of increased viewing distance, reduced apparent scale, retained defining landscape characteristics and professional judgement.

Accordingly, the National Scenic Area assessment provides substantial additional evidence that the applicant's repeated application of professional judgement produces an apparent practical ceiling on the magnitude capable of being attributed to highly sensitive landscapes beyond approximately 20 km from the Development Area.

Section 5 – Coastal Character Assessment

5.1 Purpose

This section examines Appendix 16.3, *Coastal Character Baseline and Assessment*, to determine whether the Coastal Character assessment demonstrates the same recurring relationship between sensitivity, viewing distance and magnitude identified within the Landscape Character and National Scenic Area assessments.

Particular attention is given to the Sound of Iona because it represents the closest highly sensitive Coastal Character Area beyond approximately 20 km from the Development Area and therefore provides the most informative test of the emerging analytical proposition.

The purpose of this section is not to substitute an alternative Coastal Character assessment. Rather, it is to examine whether the applicant's repeated application of professional judgement produces a consistent assessment pattern across highly sensitive coastal and island landscapes.

5.2 Assessment Approach

Appendix 16.3 assesses the effects of the proposed development upon individual Coastal Character Areas (CCAs).

Each assessment considers:

- the defining characteristics of the coastline
- scenic quality
- perceptual qualities
- cultural associations
- visibility of the proposed development
- magnitude of change
- significance of effect

Magnitude is discussed through reference to considerations including:

- viewing distance
- apparent scale
- orientation towards the Development Area
- geographical extent of visibility
- whether the defining physical character of the coastline remains unchanged
- professional judgement

Interpretation

The Coastal Character assessment provides the most detailed consideration of the experiential qualities of the west coast of Mull, Iona and adjacent island landscapes.

It therefore provides the most rigorous test of the recurring assessment pattern identified in the preceding sections.

5.3 Sensitivity

The assessment consistently recognises High sensitivity for the principal coastal landscapes considered within this Evidence Note.

That High sensitivity reflects factors including:

- nationally important scenic quality
- strong relationships between land and sea
- cultural and spiritual significance
- remoteness
- undeveloped coastlines

- and exceptional perceptual qualities

Importantly, High sensitivity is retained irrespective of whether the Coastal Character Area lies beyond approximately 20 km from the Development Area.

Finding 5.1

No evidence has been identified that Coastal Character sensitivity is reduced because of increasing viewing distance.

This finding is consistent with both the written methodology and the preceding assessment streams.

5.4 Sound of Iona – The Principal Test Case

The Sound of Iona occupies a unique position within this review.

At approximately **21 km** from the Development Area, it is the closest highly sensitive Coastal Character Area beyond the approximate 20 km point examined throughout this Evidence Note.

The applicant identifies:

- High sensitivity
- direct orientation towards the Development Area
- extensive visibility of the proposed turbines
- effects across approximately 39° of the seaward horizon
- effects upon key seaward views
- effects upon the internationally and spiritually significant ferry crossing between Fionnphort and Iona
- effects upon the experiential qualities of the Sound

- a **Moderate Significant** effect

The geographical extent of change is identified as **Large**.

The applicant nevertheless attributes **Medium**, rather than **High**, magnitude despite concluding that the geographical extent of change is Large and the overall effect is Moderate Significant.

Interpretation

The Sound of Iona is **not** a counter-example to the emerging proposition.

Rather, it is its clearest illustration.

It demonstrates that even where:

- High sensitivity
- extensive visibility
- substantial geographical extent of change
- nationally important cultural and spiritual associations
- and Moderate Significant effects

are all recognised, the applicant nevertheless attributes **Medium**, rather than **High**, magnitude once the receptor lies beyond approximately 20 km from the Development Area.

Finding 5.2

The Sound of Iona provides the strongest individual example within the assessment of the recurring moderation of magnitude identified throughout this Evidence Note.

5.5 West Coast of Iona

The assessment similarly identifies the West Coast of Iona as a highly sensitive coastal landscape experiencing widespread visibility of the proposed development.

Effects upon Atlantic views and coastal experience are recognised.

Nevertheless, magnitude is moderated through reference to the retention of the defining physical coastal character together with professional judgement.

Finding 5.3

The West Coast of Iona exhibits the same broad assessment pattern as the Sound of Iona.

High sensitivity is retained.

Magnitude is moderated.

5.6 Ross of Mull South

The Ross of Mull South Coastal Character Area is likewise assessed as highly sensitive.

The applicant recognises effects upon coastal experience and important views.

Magnitude is nevertheless moderated principally through reference to:

- increased viewing distance
- reduced apparent scale
- and the retention of defining coastal characteristics

Finding 5.4

The Ross of Mull South assessment provides a further example of the recurring moderation of magnitude across highly sensitive coastal landscapes beyond approximately 20 km.

5.7 More Distant Coastal Character Areas

The same assessment approach continues within more distant Coastal Character Areas.

For example, the assessment of Wilderness and Gribun Rocks expressly states:

"...given the viewing distance of over 30 km, the scale of change is judged to be small."

This is one of the clearest examples within the assessment where viewing distance is expressly identified as a principal reason for moderating the scale of change, rather than being inferred indirectly through related concepts such as apparent scale or horizon location.

Similar reasoning recurs within other more distant Coastal Character Areas, including South Tiree.

Finding 5.5

The moderation of magnitude becomes progressively stronger with increasing viewing distance, while High sensitivity continues to be recognised where appropriate.

5.8 Cross-Coastal Pattern

Considered collectively, the Coastal Character assessments demonstrate a consistent assessment pattern.

Coastal Character Area	Approximate Distance	Sensitivity	Highest Magnitude
Sound of Iona	~21 km	High	Medium
West Coast of Iona	~21 km	High	Medium
Ross of Mull South	~22–24 km	High	Medium
Wilderness & Gribun Rocks	~33 km	High	Low
South Tiree	~35 km	High	Low

Although the assessment does not apply a formal distance threshold, the progression shown above demonstrates a recurring assessment outcome rather than isolated professional judgements.

5.9 Interim Findings

The Coastal Character assessment supports the following propositions.

Proposition	Finding
High sensitivity continues beyond approximately 20 km.	**Supported.**
Magnitude progressively moderates with increasing viewing distance.	**Supported by the assessed Coastal Character Areas.**
Professional judgement repeatedly combines distance-related considerations with retained physical coastal character.	**Supported.**
The Sound of Iona is a counter-example.	**Not supported.**
The Sound of Iona provides the clearest illustration of the recurring assessment pattern.	**Supported.**

5.10 Section 5 Conclusion

The Coastal Character assessment provides the strongest evidence within the applicant's documentation for the recurring assessment pattern identified throughout this Evidence Note.

The Sound of Iona demonstrates that an exceptionally sensitive coastal landscape, located approximately 21 km from the Development Area and experiencing extensive visibility, a Large geographical extent of change and Moderate Significant effects, is nevertheless attributed **Medium**, rather than **High**, magnitude.

More distant Coastal Character Areas exhibit the same progression, with magnitude moderated further as viewing distance increases.

Taken together, the Coastal Character assessments provide strong evidence that the applicant's repeated application of professional judgement produces an apparent practical ceiling on the magnitude capable of being attributed to highly sensitive coastal and island landscapes beyond approximately 20 km from the Development Area.

Section 6 – Cross-Assessment Distance Audit

6.1 Purpose

Sections 3–5 examined the three principal assessment streams individually:

- Landscape Character and Seascape
- National Scenic Areas (Assessment of Effects on Special Landscape Qualities)
- Coastal Character Areas

This section brings those assessments together to test the central hypothesis objectively against the applicant's own assessment outcomes.

The purpose is not to re-assess landscape effects independently. Instead, it is to determine whether, when considered collectively, the applicant's assessments exhibit a consistent relationship between:

- viewing distance
- sensitivity
- magnitude
- significance
- the reasoning used to moderate magnitude

This cross-assessment comparison provides the principal evidential basis for the conclusions reached in Section 7.

6.2 Analytical Framework

The Cross-Assessment Distance Audit addresses five questions.

Question	Purpose
Does High sensitivity continue beyond approximately 20 km?	Test whether sensitivity is reduced with distance.
Does High magnitude occur beyond approximately 20 km?	Test whether an apparent practical ceiling emerges.
What reasons are repeatedly given for moderating magnitude?	Identify recurring assessment patterns.
Are those reasons required by the written methodology?	Distinguish methodology from application.
Are there material counter-examples?	Test the robustness of the emerging proposition.

6.3 Cross-Assessment Audit

The principal receptors examined within this Evidence Note are summarised below.

Receptor	Assessment Stream	Approx. Distance from WDA	Sensitivity	Highest Magnitude	High Magnitude Recorded?	Principal Moderating Reasoning
Sound of Iona	Coastal Character	**21 km**	High	Medium	**No**	Apparent scale; professional judgement despite extensive visibility; defining coastal character retained.
West Coast of Iona	Coastal Character	**21 km**	High	Medium	**No**	Atlantic views affected; defining coastal character retained.
Ross of Mull South	Coastal Character	c.22–24 km	High	Medium	No	Reduced apparent scale; retained coastal character.
Loch na Keal NSA	National Scenic Area	c.21–33 km	High	Medium	No	Scenic composition retained despite experiential effects.

Receptor	Assessment Stream	Approx. Distance from WDA	Sensitivity	Highest Magnitude	High Magnitude Recorded?	Principal Moderating Reasoning
Jura NSA	National Scenic Area	c.28–32 km	High	Medium/Low	No	Distance; apparent scale; retained defining landforms.
Scarba, Lunga & Garvellachs NSA	National Scenic Area	c.35–40 km	High	Medium/Low	No	Distance; apparent scale; retained physical landscape.
Wilderness & Gribun Rocks	Coastal Character	c.33 km	High	Low	No	"Given the viewing distance of over 30 km..."
South Tiree	Coastal Character	c.35 km	High	Low	No	Distant horizon; reduced apparent scale.

6.4 Principal Findings

Finding 1 – High sensitivity persists

The applicant consistently retains High sensitivity for nationally designated and highly valued coastal and island landscapes irrespective of their distance from the Development Area.

No evidence has been identified that sensitivity itself progressively reduces with increasing distance.

This finding is entirely consistent with Appendix 16.1.

Finding 2 – Magnitude varies instead

Where assessment outcomes differ, the variation occurs almost entirely through professional judgements regarding magnitude.

Magnitude therefore becomes the principal mechanism through which the assessment differentiates between highly sensitive receptors.

Finding 3 – No High magnitude identified beyond approximately 20 km

This is the principal factual finding arising from the review.

Within the assessments reviewed, the following pattern is consistently observed:

- High sensitivity continues beyond approximately 20 km
- nationally important scenic, cultural and experiential qualities continue to be recognised
- Moderate Significant effects continue to be identified beyond approximately 20 km

yet:

no highly sensitive receptor beyond approximately 20 km has been identified as receiving High magnitude.

The highest magnitude identified beyond that approximate distance is **Medium**.

This is an observation derived directly from the applicant's assessment outcomes.

It is not a methodological inference.

6.5 Sound of Iona – The Critical Test Case

The Sound of Iona merits separate consideration because it represents the closest highly sensitive receptor beyond the approximate 20 km point examined within this review.

It is therefore the clearest test of the emerging proposition.

The applicant recognises:

- High sensitivity
- exceptional cultural and spiritual importance
- direct orientation towards the Development Area
- approximately 39° horizontal spread of turbines
- widespread visibility
- effects upon the internationally significant ferry crossing
- effects upon key seaward views
- a **Large** geographical extent of change
- **Moderate Significant** effects

Despite these findings, the applicant attributes **Medium**, rather than **High**, magnitude.

The Sound of Iona is therefore **not** a counter-example.

It is the clearest illustration of the recurring assessment pattern identified in this Evidence Note.

It demonstrates that even where multiple factors combine to indicate substantial change, High magnitude is not attributed once the receptor lies beyond approximately 20 km from the Development Area.

6.6 Recurring Reasons for Moderating Magnitude

Across all three assessment streams, similar reasoning recurs.

Moderating Consideration	Landscape Character	NSA	Coastal Character
Increased viewing distance	✓	✓	✓
Reduced apparent scale	✓	✓	✓
Horizon location	✓	✓	✓
Retained physical landscape/coastal character	✓	✓	✓
Effects principally perceptual	✓	✓	✓
Limited geographical extent	✓	✓	✓
Professional judgement	✓	✓	✓

The comparison demonstrates a notable degree of consistency..

No single factor determines magnitude.

Instead, the same combination of considerations recurs repeatedly across three independently presented assessment streams.

6.7 Relationship to the Written Methodology

Section 2 demonstrated that neither GLVIA3 nor the applicant's written methodology establishes:

- a 20 km threshold
- a maximum permissible magnitude beyond any specified distance
- any rule preventing High magnitude from being attributed to highly sensitive landscapes beyond a particular distance

Accordingly, the recurring pattern observed in Sections 3–6 cannot be explained by reference to the written methodology itself.

Instead, it arises from the applicant's repeated application of professional judgement.

6.8 Alternative Explanations

The review has considered several possible alternative explanations.

Physical Integrity

The applicant consistently distinguishes between experiential effects and effects upon the physical landscape itself.

This undoubtedly contributes to moderation of magnitude.

However, because it recurs alongside repeated references to viewing distance, apparent scale and horizon location, it does not displace the broader assessment pattern.

Apparent Scale

Increasing viewing distance naturally reduces apparent scale.

GLVIA3 expressly permits consideration of that factor.

The issue identified in this review is **not** that apparent scale has been considered.

Rather, it is that the repeated combination of apparent scale with related considerations produces a remarkably consistent practical ceiling on the magnitude ultimately attributed to highly sensitive receptors beyond approximately 20 km.

Professional Judgement

The applicant is fully entitled to exercise professional judgement.

Indeed, Appendix 16.1 requires it.

The issue examined in this review is whether the repeated exercise of that judgement produces a consistent assessment pattern.

The evidence indicates that it does.

6.9 Counter-Evidence

A balanced review requires consideration of evidence that might weaken the proposition.

Moderate Significant Effects

The applicant continues to recognise Moderate Significant effects beyond approximately 20 km.

This demonstrates that significance is not automatically reduced with increasing distance.

However, those Moderate Significant effects are consistently associated with **Medium**, rather than **High**, magnitude.

Accordingly, they qualify—but do not contradict—the central proposition.

Absence of an Explicit Threshold

No explicit threshold exists.

This weakens any suggestion that the applicant has consciously adopted a distance rule.

However, that is **not** the proposition advanced in this Evidence Note.

The proposition concerns recurring **assessment outcomes**, not the written methodology.

Multiple Moderating Factors

Magnitude is moderated through combinations of considerations rather than distance alone.

This is accepted.

The review therefore does **not** conclude that distance alone determines the outcome.

Instead, it concludes that repeated professional judgement consistently combines distance-related considerations with other moderating factors to produce similar assessment outcomes.

6.10 Cross-Assessment Synthesis

Assessment Stream	Highly Sensitive Receptors Beyond ~20 km	Highest Magnitude Recorded	High Magnitude Beyond ~20 km?	Principal Moderating Reasoning
Landscape Character	Yes	Medium	**No**	Distance, apparent scale, retained physical landscape, perceptual effects
National Scenic Areas	Yes	Medium	**No**	Distance, apparent scale, retained defining landforms, experiential rather than physical change
Coastal Character	Yes	Medium	**No**	Distance, apparent scale, retained coastal character, professional judgement

This synthesis represents the principal evidential finding of the review.

Individually, none of the three assessment streams demonstrates an explicit distance threshold.

Collectively, however, they exhibit a high degree of consistency.

6.11 Section 6 Conclusion

The Cross-Assessment Distance Audit does **not** identify any explicit distance threshold within GLVIA3 or within the applicant's written methodology.

Nor does it support the proposition that distance alone determines magnitude.

However, it identifies a clear and recurring assessment pattern.

Across Landscape Character, National Scenic Area and Coastal Character assessments:

- High sensitivity is consistently retained
- important scenic, cultural and experiential qualities continue to be recognised
- significant effects continue to be acknowledged beyond approximately 20 km

yet **no highly sensitive receptor beyond approximately 20 km reviewed in this Evidence Note is attributed High magnitude.**

Instead, the repeated application of professional judgement combines viewing distance with reduced apparent scale, horizon location, retained physical landscape character and related considerations to create an **apparent practical ceiling on the magnitude capable of being attributed** to highly sensitive receptors beyond approximately 20 km from the Development Area.

Section 7 – Conclusions

7.1 Purpose

This section draws together the findings of the preceding sections and evaluates each of the hypotheses identified in Section 1 against the applicant's own evidence.

The conclusions are based solely upon the evidence reviewed in:

- Chapter 16 – *Seascape, Landscape and Visual Impacts*;
- Appendix 16.1 – *SLVIA and Visualisation Methodology*;
- Appendix 16.2 – *Assessment of Effects on Special Landscape Qualities*; and
- Appendix 16.3 – *Coastal Character Baseline and Assessment*.

The purpose is not to substitute alternative landscape judgements.

Rather, it is to determine whether the applicant's own assessment demonstrates recurring characteristics that are material to the adequacy and interpretation of the Environmental Impact Assessment.

7.2 Proposition 1

Proposition

The applicant's assessment repeatedly relies upon viewing distance, together with closely related considerations such as apparent scale, horizon location and geographical extent, when determining magnitude of change.

Conclusion

Supported.

Across the Landscape Character, National Scenic Area and Coastal Character assessments, the applicant repeatedly explains magnitude through combinations of:

- increased viewing distance
- reduced apparent scale
- horizon location

- geographical extent of visibility
- retention of defining physical landscape characteristics
- professional judgement

Distance is not the sole determinant of magnitude.

However, it is a recurring and influential consideration throughout the assessment.

7.3 Proposition 2

Proposition

Across highly sensitive Landscape Character, National Scenic Area and Coastal Character receptors situated beyond approximately 20 km from the Development Area, the assessment outcomes exhibit an apparent practical ceiling on the magnitude capable of being attributed to those receptors.

Conclusion

Supported.

The evidence reviewed demonstrates **a recurring assessment pattern in which an apparent practical ceiling emerges on the magnitude capable of being attributed to highly sensitive receptors beyond approximately 20 km from the Development Area.**

The report does **not** identify this as a formal threshold.

Rather, it identifies it as a recurring assessment outcome arising from the applicant's repeated application of professional judgement.

Within the assessments reviewed:

- High sensitivity continues beyond approximately 20 km
- nationally important scenic, cultural and experiential qualities continue to be recognised
- Moderate Significant effects continue to be identified beyond approximately 20 km

yet **no highly sensitive receptor beyond approximately 20 km reviewed in this Evidence Note is attributed High magnitude.**

7.4 Proposition 3

Proposition

The apparent practical ceiling is not prescribed by GLVIA3 or by the applicant's written methodology but emerges from the applicant's repeated application of professional judgement.

Conclusion

Supported.

Section 2 demonstrates that neither GLVIA3 nor Appendix 16.1 establishes:

- any distance threshold
- any maximum permissible magnitude beyond a specified distance
- any rule preventing High magnitude from being attributed to highly sensitive receptors beyond a particular viewing distance

The recurring assessment pattern therefore cannot be attributed to the written methodology itself.

Instead, it arises from the applicant's repeated application of professional judgement across the assessment.

7.5 Proposition 4

Proposition

The same assessment pattern recurs consistently across the Landscape Character, National Scenic Area and Coastal Character assessments.

Conclusion

Supported.

Each of the three independently presented assessment streams demonstrates the same broad characteristics:

- High sensitivity continues to be recognised
- nationally important scenic, cultural and experiential qualities continue to be acknowledged
- magnitude is repeatedly moderated through combinations of viewing distance, apparent scale, retained physical characteristics and professional judgement

The consistency between three independently presented assessment streams is one of the strongest findings arising from this review.

That consistency materially strengthens the proposition that the observed pattern reflects a characteristic of the applicant's repeated assessment practice rather than isolated exercises of professional judgement.

7.6 Proposition 5

Proposition

Material counter-examples weaken or disprove the preceding propositions.

Conclusion

Partially Supported.

The review identified no material counter-example that disproves the principal findings.

Several matters qualify the interpretation.

First, the applicant continues to recognise Moderate Significant effects beyond approximately 20 km.

Secondly, the assessment contains no explicit distance threshold.

Thirdly, magnitude is moderated through combinations of considerations rather than viewing distance alone.

These matters are important qualifications.

They do not, however, undermine the central finding of this review.

Rather, they reinforce the conclusion that the recurring pattern arises through the repeated application of professional judgement rather than through an explicit methodological rule.

The Sound of Iona is particularly important in this regard.

Initially considered as a possible counter-example, detailed review demonstrates the opposite.

At approximately 21 km from the Development Area, it is the closest highly sensitive Coastal Character Area beyond the approximate 20 km point examined throughout this review.

The assessment recognises:

- High sensitivity

- extensive visibility
- effects upon approximately 39° of the seaward horizon
- effects upon key seaward views
- effects upon the internationally and spiritually significant ferry crossing
- a Large geographical extent of change
- Moderate Significant effects

Despite those findings, the applicant attributes **Medium**, rather than **High**, magnitude.

Accordingly, the Sound of Iona is not a counter-example.

It is one of the strongest illustrations of the recurring assessment pattern identified throughout this Evidence Note.

7.7 Overall Conclusions

The review supports five principal conclusions.

1. The applicant's written methodology is broadly consistent with GLVIA3.

It establishes no distance threshold and no restriction upon the categories of magnitude capable of being attributed to highly sensitive landscapes.

2. The applicant's assessment consistently retains High sensitivity for nationally important Landscape Character, National Scenic Area and Coastal Character receptors beyond approximately 20 km from the Development Area.

3. Across the three assessment streams, magnitude is repeatedly moderated through combinations of:

- increased viewing distance
- reduced apparent scale

- retained physical landscape or coastal character
- horizon location
- geographical extent
- professional judgement

4. The consistency of this assessment pattern across three independently presented assessment streams is one of the strongest findings arising from this review.

It indicates that the observed pattern is a characteristic of the applicant's repeated assessment practice rather than isolated professional judgements.

5. Taken collectively, the assessment outcomes exhibit a recurring pattern that creates an apparent practical ceiling on the magnitude capable of being attributed to highly sensitive receptors beyond approximately 20 km from the Development Area.

That practical ceiling is not explicit.

It is not prescribed by GLVIA3.

It is not contained within the applicant's written methodology.

Rather, it emerges consistently from the applicant's repeated application of professional judgement across the Landscape Character, National Scenic Area and Coastal Character assessments.

7.8 Suggested Planning Proposition

The evidence reviewed supports the following planning proposition.

The applicant's written methodology does not prescribe any distance-based limitation on landscape effects. However, the repeated application of professional judgement across the Landscape Character, National Scenic Area and Coastal Character

assessments produces a consistent assessment pattern in which highly sensitive receptors beyond approximately 20 km from the Development Area are not attributed High magnitude. Instead, magnitude is repeatedly moderated through combinations of increased viewing distance, reduced apparent scale, retained physical landscape characteristics, horizon location and related considerations. Collectively, those assessment outcomes create an apparent practical ceiling on the magnitude capable of being attributed to highly sensitive receptors beyond approximately 20 km from the Development Area.

Iona Community Council
Annex 2

IONA COMMUNITY COUNCIL

MachairWind Offshore Wind Farm Environmental Impact Assessment

Annex 2: Methodological Audit of the Cultural Heritage Settings Assessment (Appendix 14.3)

An audit of whether the assessment methodology accepted by the applicant has been applied in the assessment of the integrity of setting.

Executive Summary

This audit addresses a fundamental methodological question.

Has the operational Cultural Heritage Settings Assessment been carried out in accordance with the assessment methodology accepted by the applicant?

The applicant states that the assessment follows Historic Environment Scotland's guidance *Managing Change in the Historic Environment: Setting* and records that both the methodology and the assessment were developed and refined through consultation with Historic Environment Scotland. The applicant also adopts Historic Environment Scotland's definition of the integrity of setting as whether the qualities of a setting that contribute to cultural significance are adequately retained.

That methodology establishes that assessment of setting is not limited to describing visual change.

It requires assessment of whether changes to the surroundings affect the qualities that make the setting culturally significant and, consequently, whether the integrity of setting has been adequately retained. The methodology further states that visual change should not itself be equated with heritage impact.

The applicant's own baseline assessment accepts that Iona's setting derives its cultural significance from qualities including pilgrimage, arrival by sea, movement through the monastic landscape, relationships between monuments, spirituality, and the surrounding landscape and seascape.

The baseline assessment also consistently describes those qualities as being experienced through movement across the island and arrival by sea, rather than from a series of isolated viewpoints.

The applicant's operational assessment then provides the applicant's assessment of the visual changes and concludes that the integrity of setting has been adequately retained.

However, although the operational assessment discusses the predicted visual changes arising from the proposal, it does not identify or demonstrate the evaluative assessment required by the applicant's accepted methodology of whether those changes affect the aspects of setting that contribute to cultural significance and, consequently, whether the integrity of setting has been adequately retained.

Throughout the Iona assessment, the applicant correctly describes the qualities that make the setting culturally significant in the baseline assessment before changing analytical focus during the operational assessment to matters including visibility, distance, monument prominence, retained views, skyline occupation and screening.

Those observations describe the applicant's assessment of the predicted visual changes.

They are then relied upon before concluding that the integrity of setting has been adequately retained. However, the assessment does not undertake the assessment required by the applicant's own methodology to determine whether the integrity of setting has been adequately retained.

Accordingly, Ministers are not provided with the assessment necessary to determine whether the integrity of setting, and the statutory and policy tests governing Iona's internationally important cultural heritage, have been properly evaluated.

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1. Purpose of this audit

This audit is concerned with the adequacy of the Environmental Impact Assessment.

It does not seek to substitute an alternative heritage assessment.

Nor does it seek to argue that different professional judgement should necessarily have been reached.

Instead, it asks a prior and fundamental question.

Has the Environmental Impact Assessment carried out the assessment that the applicant itself accepted as its methodology?

If that assessment has not been carried out, the conclusions reached by the operational assessment cannot demonstrate that the statutory and policy tests relating to the integrity of setting have been properly evaluated.

That question is particularly important in relation to Iona.

The applicant's own baseline assessment does not describe Iona simply as a collection of designated monuments.

Instead, it repeatedly describes an interconnected cultural landscape whose significance derives from qualities including pilgrimage, arrival by sea, movement through the monastic landscape, relationships between monuments, spirituality, historical association, and the surrounding landscape and seascape.

Many of those qualities are expressly described by the applicant as being experienced through movement across the monastic landscape and by arrival from the sea.

Those qualities are identified by the applicant as contributing to the cultural significance of the designated heritage assets themselves.

The purpose of this audit is therefore to compare:

- the assessment methodology accepted by the applicant
- the operational assessment undertaken for Iona's principal heritage assets
- whether the operational assessment demonstrates the evaluative reasoning required by that methodology before reaching its conclusions on the integrity of setting

This audit accepts that Appendix 14.3 forms part of the Environmental Impact Assessment described in Chapter 14. Its purpose is not to suggest that Appendix 14.3 omits discussion of visual effects. Rather, it examines whether the Environmental Impact Assessment

demonstrates the evaluative assessment which the accepted methodology requires before concluding that the integrity of setting has been adequately retained.

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2. The assessment methodology accepted by the applicant

The applicant expressly states that the assessment follows Historic Environment Scotland's *Managing Change in the Historic Environment: Setting* guidance and records that both the methodology and the assessment were developed through consultation with Historic Environment Scotland. The assessment presented in Appendix 14.3 therefore adopts Historic Environment Scotland's framework for assessing effects on the setting of historic assets.

The methodology defines setting as: *"...the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced."*

The applicant also adopts Historic Environment Scotland's definition of the integrity of setting: *"changes to factors of setting that contribute to cultural significance such that understanding, appreciation and experience of an asset are not adequately retained will have a significant adverse impact on the integrity of its setting."*

The methodology further states: *"visual change should not be equated directly with adverse impact. Rather the impact should be assessed with reference to the degree that the proposal affects those aspects of setting that contribute to the asset's cultural significance."*

The methodology therefore establishes a clear analytical sequence.

Each of these stages performs a distinct analytical function. The final conclusion on whether the integrity of setting has been adequately retained is therefore presented by the methodology as the outcome of the preceding evaluative assessment rather than as a conclusion capable of being reached solely from a description of the predicted visual changes.

The assessment must:

1. identify the historic asset
2. establish how its setting contributes to cultural significance

3. identify the changes introduced by the proposal
4. assess whether those changes affect the contribution that setting makes to cultural significance
5. conclude whether the integrity of setting has been adequately retained

Consistent with Historic Environment Scotland's staged approach, the applicant explains that Stage 2 requires analysis of **how the surroundings contribute to the ways in which the historic asset is understood, appreciated and experienced**, while Stage 3 requires evaluation of **the potential impact of the proposed changes on that setting**.

The methodology also requires consideration of matters including:

- understanding
- appreciation
- experience
- sense of place
- remoteness
- cultural identity
- associated spiritual responses
- cumulative change

The distinction between identifying visual change and assessing whether the integrity of setting has been adequately retained is fundamental to the methodology accepted by the applicant. Nothing in this audit suggests that visual effects are irrelevant to the assessment of setting. Rather, the audit proceeds on the basis expressly adopted by the applicant's own methodology, namely that visual change informs—but does not itself constitute—the assessment of whether the integrity of setting has been adequately retained.

Throughout this audit, that latter assessment is referred to as **"the required assessment."** For the avoidance of doubt, this audit uses the expression "the required assessment" to refer to the evaluative assessment required by the applicant's accepted methodology of whether the proposal affects those aspects of setting that contribute to cultural significance and, consequently, whether the integrity of setting has been adequately retained. The audit does not suggest that the Environmental Impact Assessment contains no discussion of visual effects. Rather, it examines whether it demonstrates the evaluative assessment required by the accepted methodology before reaching its conclusions on the integrity of setting.

3. The audit test

This audit applies one simple test throughout.

Has the assessment required by the methodology accepted by the applicant actually been carried out?

That question is answered by comparing four stages.

Stage	Audit question
1	How does the applicant define the setting and the qualities that make it culturally significant in the baseline assessment?
2	What visual changes does the operational assessment identify?
3	Where does the operational assessment assess whether the integrity of setting has been adequately retained, as required by the accepted methodology?
4	Does the conclusion that the integrity of setting has been adequately retained derive from that assessment?

The issue identified by this audit is not whether the operational assessment describes visual change. It plainly does.

Nor is the issue whether the applicant explains why it considers those visual changes should not alter its overall conclusion. It repeatedly does so.

The issue is different.

The applicant's own baseline assessment accepts that Iona's setting derives its cultural significance from qualities including pilgrimage, arrival by sea, movement through the monastic landscape, relationships between monuments, spirituality, and the surrounding landscape and seascape.

The operational assessment then provides the applicant's assessment of the visual changes and concludes that the integrity of setting has been adequately retained.

However, although the operational assessment describes the predicted visual changes arising from the proposal, it does not identify or demonstrate the evaluative assessment required by the applicant's accepted methodology of whether those changes affect the aspects of setting that contribute to cultural significance and, consequently, whether the integrity of setting has been adequately retained.

The worked examples which follow compare the assessment required by the applicant's accepted methodology with the assessment actually carried out.

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4. Worked example 1 – St Mary's Abbey

Assessment required by the methodology

The methodology accepted by the applicant requires assessment of whether the proposal affects the contribution that the Abbey's setting makes to its cultural significance and, consequently, whether the integrity of that setting has been adequately retained.

The applicant's methodology makes clear that this requires assessment of whether the proposal affects those aspects of setting that contribute to cultural significance, rather than assessment of visual change alone.

The setting accepted in the baseline assessment

The applicant's baseline assessment describes St Mary's Abbey as forming part of an interconnected monastic landscape rather than as an isolated monument.

The baseline explains that the Abbey's setting derives its significance from qualities including:

- arrival across the Sound of Iona as the culmination of pilgrimage
- movement from the landing place through the settlement into the Abbey precinct;
- relationships between St Mary's Abbey, St Oran's Chapel, Reilig Odhráin, the Street of the Dead and St Columba's Shrine
- views from Torr an Aba through which the wider monastic landscape is understood

- the surrounding landscape and seascape, including the historic relationship towards Ireland
- the continuing religious, spiritual, historical and national significance of the place

Taken together, the baseline assessment therefore describes a setting whose cultural significance is experienced through arrival by sea and movement across the wider monastic landscape, rather than as a series of isolated views or monuments.

Historic Environment Scotland's consultation, as recorded by the applicant, is consistent with this understanding of setting. HES requested additional viewpoints from the ferry crossing, the entrance to St Columba's Shrine, east of the Abbey, Cladh an Diseart and other locations across the wider monastic landscape in order to inform the setting assessment.

Operational assessment

The operational assessment then provides the applicant's assessment of the visual changes.

It discusses matters including:

- the distance of the proposed turbines
- the limited extent of skyline occupied
- continued visual prominence of the Abbey
- retained views
- screening by vegetation and buildings
- the offshore and background location of the array
- the limited contribution of affected views

The operational assessment then proceeds from those observations to conclude that the integrity of setting has been adequately retained. However, the operational assessment does not demonstrate the evaluative assessment required by the accepted methodology before concluding that the integrity of setting has been adequately retained.

Audit finding

The applicant's baseline assessment accepts that the setting of St Mary's Abbey derives its significance from a combination of pilgrimage, movement, relationships between monuments, spirituality, landscape and seascape.

The operational assessment then provides the applicant's assessment of the visual changes before concluding that the integrity of setting has been adequately retained.

However, although the operational assessment describes the predicted visual changes arising from the proposal, it does not identify or demonstrate the evaluative assessment required by the applicant's accepted methodology of whether those changes affect the aspects of setting that contribute to cultural significance and, consequently, whether the integrity of setting has been adequately retained.

Accordingly, the Environmental Impact Assessment reaches a conclusion that the integrity of setting has been adequately retained without demonstrating the evaluative assessment required by the applicant's accepted methodology to support that conclusion.

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5. Worked example 2 – St John's Cross

Assessment required by the methodology

The methodology accepted by the applicant requires assessment of whether the proposal affects the contribution that the setting of St John's Cross makes to its cultural significance and, consequently, whether the integrity of that setting has been adequately retained.

The setting accepted in the baseline assessment

The applicant's baseline assessment describes St John's Cross as part of the wider medieval ecclesiastical landscape rather than as an isolated monument.

Its significance derives from qualities including:

- its relationship with St Mary's Abbey

- surrounding ecclesiastical buildings
- St Columba's Shrine
- movement through the sacred landscape
- pilgrimage
- the surrounding landscape and seascape

The baseline therefore describes a setting whose significance derives from the wider monastic landscape rather than from the monument in isolation. That significance is described as arising from movement through the sacred landscape rather than from the monument viewed in isolation.

Operational assessment

The operational assessment then provides the applicant's assessment of the visual changes.

It discusses:

- turbine visibility
- viewing distance
- the continued prominence of the monument
- retained views
- the offshore/background location of the array
- the proportion of the panorama occupied

The operational assessment then proceeds from those observations to conclude that the integrity of setting has been adequately retained.

However, the operational assessment does not demonstrate the evaluative assessment required by the accepted methodology before concluding that the integrity of setting has been adequately retained.

Audit finding

The applicant's baseline assessment accepts that the setting of St John's Cross derives its significance from the wider monastic landscape.

The operational assessment then provides the applicant's assessment of the visual changes before concluding that the integrity of setting has been adequately retained.

However, although the operational assessment describes the predicted visual changes arising from the proposal, it does not identify or demonstrate the evaluative assessment required by the applicant's accepted methodology of whether those changes affect the aspects of setting that contribute to cultural significance and, consequently, whether the integrity of setting has been adequately retained.

Accordingly, the Environmental Impact Assessment reaches that conclusion without demonstrating the evaluative assessment required by the applicant's accepted methodology to support it.

The heritage resource identified by the applicant

The applicant's baseline assessment identifies the heritage resource as substantially more than the monument itself.

It describes a setting whose cultural significance derives from qualities including pilgrimage, movement through the monastic landscape, relationships between monuments, spirituality, and the surrounding landscape and seascape.

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6. Worked example 3 – Iona Nunnery

Assessment required by the methodology

The methodology accepted by the applicant requires assessment of whether the proposal affects the contribution that the Nunnery's setting makes to its cultural significance and, consequently, whether the integrity of that setting has been adequately retained.

That assessment requires consideration of the qualities of the setting identified within the baseline assessment. It cannot be satisfied solely by assessment of the predicted visual changes.

The heritage resource identified by the applicant

The applicant's baseline assessment identifies the heritage resource as substantially more than the surviving medieval structure.

It describes the Nunnery as forming part of the wider ecclesiastical landscape of Iona, whose significance derives from qualities including:

- its relationship with St Mary's Abbey
- St Oran's Chapel
- the Street of the Dead
- pilgrimage
- movement across the island
- the surrounding landscape
- the surrounding seascape

The baseline thus describes the Nunnery as part of a wider route through the monastic landscape rather than as an isolated destination.

The applicant therefore identifies a setting whose significance extends well beyond the physical remains of the monument.

Operational assessment

The operational assessment then provides the applicant's assessment of the visual changes.

It discusses:

- visibility

- screening
- retained prominence of the monument
- viewing distance
- retained outward views
- the limited occupation of the skyline

The operational assessment then proceeds from those observations to conclude that the integrity of setting has been adequately retained.

However, the operational assessment does not demonstrate the evaluative assessment required by the accepted methodology before concluding that the integrity of setting has been adequately retained.

Audit finding

The applicant correctly identifies the heritage resource within the baseline assessment.

The operational assessment then provides the applicant's assessment of the visual changes before concluding that the integrity of setting has been adequately retained.

However, although the operational assessment describes the predicted visual changes arising from the proposal, it does not identify or demonstrate the evaluative assessment required by the applicant's accepted methodology of whether those changes affect the aspects of setting that contribute to cultural significance and, consequently, whether the integrity of setting has been adequately retained.

Accordingly, the Environmental Impact Assessment reaches a conclusion that the integrity of setting has been adequately retained without demonstrating the evaluative assessment required by the applicant's accepted methodology to support that conclusion.

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7. Worked example 4 – The Street of the Dead

Assessment required by the methodology

The methodology accepted by the applicant requires assessment of whether the proposal affects the contribution that the setting of the Street of the Dead makes to its cultural significance and, consequently, whether the integrity of that setting has been adequately retained.

The heritage resource identified by the applicant

The applicant's baseline assessment identifies the heritage resource as substantially more than a physical route.

It describes the Street of the Dead as part of the ritual and experiential sequence linking:

- arrival on Iona
- pilgrimage
- procession
- burial
- St Mary's Abbey
- St Oran's Chapel
- Reilig Odhráin
- St Columba's Shrine

Its significance therefore derives from movement through the wider monastic landscape rather than from the route in isolation.

Operational assessment

The operational assessment then provides the applicant's assessment of the visual changes.

It discusses:

- turbine visibility
- retained views

- prominence of surrounding heritage assets
- skyline occupation
- viewing distance
- the offshore location of the proposed development

The operational assessment then proceeds from those observations to conclude that the integrity of setting has been adequately retained.

However, the operational assessment does not demonstrate the evaluative assessment required by the accepted methodology before concluding that the integrity of setting has been adequately retained.

Audit finding

The operational assessment then provides the applicant's assessment of the visual changes before concluding that the integrity of setting has been adequately retained. However, it does not demonstrate the evaluative assessment required by the accepted methodology before reaching that conclusion. Accordingly, the Environmental Impact Assessment reaches that conclusion without demonstrating the evaluative assessment required by the applicant's accepted methodology to support it.

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10. Worked example 5 – Torr an Aba

Assessment required by the methodology

The methodology accepted by the applicant requires assessment of whether the proposal affects the contribution that the setting of Torr an Aba makes to its cultural significance and, consequently, whether the integrity of that setting has been adequately retained.

That assessment requires consideration of the qualities of the setting identified in the baseline assessment, rather than assessment of visual change alone.

The heritage resource identified by the applicant

The applicant's baseline assessment identifies the heritage resource as substantially more than a panoramic viewpoint.

It describes Torr an Aba as one of the principal places from which the wider monastic landscape is understood, enabling appreciation of qualities including:

- the relationship between St Mary's Abbey, St Oran's Chapel, Reilig Odhráin, the Street of the Dead and St Columba's Shrine
- the surrounding landscape and seascape
- the Sound of Iona
- the historic relationship towards Ireland

Historic Environment Scotland's consultation, as recorded by the applicant, similarly recognised the importance of Torr an Aba by seeking assessment from this location and refining the Iona viewpoints to ensure that the wider monastic landscape was properly represented.

Operational assessment

The operational assessment then provides the applicant's assessment of the visual changes.

It discusses:

- turbine distance
- extent of visible development
- continued prominence of heritage features
- retained views
- landform and vegetation screening
- the limited extent of the visible array

The operational assessment then proceeds from those observations to conclude that the integrity of setting has been adequately retained.

However, the operational assessment does not demonstrate the evaluative assessment required by the accepted methodology before concluding that the integrity of setting has been adequately retained.

Audit finding

The operational assessment then provides the applicant's assessment of the visual changes before concluding that the integrity of setting has been adequately retained. However, it does not demonstrate the evaluative assessment required by the accepted methodology before reaching that conclusion. Accordingly, the Environmental Impact Assessment reaches that conclusion without demonstrating the evaluative assessment required by the applicant's accepted methodology to support it.

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11. Worked example 6 – arrival across the Sound of Iona

Assessment required by the methodology

The methodology accepted by the applicant requires assessment of whether the proposal affects those aspects of setting that contribute to cultural significance and, consequently, whether the integrity of setting has been adequately retained.

For Iona, the applicant's own baseline identifies arrival across the Sound as one of the defining ways in which the wider monastic landscape is understood, appreciated and experienced. That experience therefore forms part of the setting whose integrity the methodology requires to be assessed.

The heritage resource identified by the applicant

The applicant's baseline assessment identifies arrival across the Sound as substantially more than a view towards the Abbey.

It describes the approach by sea as part of the experience through which pilgrimage, movement from shore to Abbey, and the wider monastic landscape are understood.

The baseline therefore describes the approach as a continuous experience rather than a single fixed view.

Historic Environment Scotland's consultation is consistent with this understanding. The Appendix records HES requesting an additional panoramic visualisation from the ferry crossing together with further viewpoints around the Abbey and its wider setting.

Operational assessment

The operational assessment then provides the applicant's assessment of the visual changes.

It discusses:

- visibility of turbines during the crossing
- offshore distance
- the extent of skyline occupied
- continued visual prominence of the Abbey
- retained views towards the Abbey

The operational assessment then proceeds from those observations to conclude that the integrity of setting has been adequately retained. However, the operational assessment does not demonstrate the evaluative assessment required by the accepted methodology before concluding that the integrity of setting has been adequately retained.

Audit finding

The operational assessment then provides the applicant's assessment of the visual changes before concluding that the integrity of setting has been adequately retained. However, it does not demonstrate the evaluative assessment required by the accepted methodology before reaching that conclusion. Accordingly, the Environmental Impact Assessment reaches that conclusion without demonstrating the evaluative assessment required by the applicant's accepted methodology to support it.

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12. Worked Example 7 – The interconnected monastic landscape

Assessment required by the methodology

The methodology accepted by the applicant requires assessment of whether proposed changes affect the contribution that setting makes to cultural significance and, consequently, whether the integrity of setting has been adequately retained.

Where the applicant's own baseline identifies an interconnected cultural landscape rather than isolated monuments, the methodology requires assessment of that identified setting.

The heritage resource identified by the applicant

The applicant's baseline assessment does not describe Iona as a series of separate designated assets.

Instead, it describes an interconnected cultural landscape whose significance derives from qualities including:

- pilgrimage
- arrival by sea
- movement through the monastic landscape
- relationships between monuments
- spirituality
- historical association
- the surrounding landscape and seascape

Historic Environment Scotland's consultation, as recorded by the applicant, consistently reflects that wider understanding of setting through the additional viewpoints requested across the monastic landscape and the approach to the Abbey.

Operational assessment

The operational assessment proceeds on an asset-by-asset basis.

Within each assessment it then provides the applicant's assessment of the visual changes, discussing matters including:

- monument prominence
- visibility
- viewing distance
- retained views
- screening
- background location
- skyline occupation

Each assessment then concludes that the integrity of setting has been adequately retained.

However, the operational assessment does not demonstrate the evaluative assessment required by the accepted methodology before concluding that the integrity of setting has been adequately retained.

Audit finding

The operational assessment then provides the applicant's assessment of the visual changes before concluding that the integrity of setting has been adequately retained. However, it does not demonstrate the evaluative assessment required by the accepted methodology before reaching that conclusion. Accordingly, the Environmental Impact Assessment reaches that conclusion without demonstrating the evaluative assessment required by the applicant's accepted methodology to support it.

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8. The recurring analytical pattern

The worked examples demonstrate a consistent analytical pattern.

The applicant correctly identifies the heritage resource in the baseline assessment.

That heritage resource is not defined simply by the designated monuments themselves. Rather, the applicant's own baseline assessment describes Iona's setting as deriving its cultural significance from qualities including pilgrimage, arrival by sea, movement through the monastic landscape, relationships between monuments, spirituality, historical association, and the surrounding landscape and seascape.

Many of those qualities are described by the applicant as being experienced through movement across the island rather than from individual fixed viewpoints.

Historic Environment Scotland's consultation, as recorded by the applicant, reinforces that approach through refinement of the assessment methodology and additional viewpoints intended to assess the wider monastic landscape, including the ferry approach, Torr an Aba, the entrance to St Columba's Shrine, Cladh an Diseart and viewpoints around the Abbey.

The operational assessment then changes analytical focus.

Rather than undertaking the assessment required by the accepted methodology of whether the integrity of that setting has been adequately retained, it repeatedly provides the applicant's assessment of the visual changes, discussing matters including:

- visibility
- viewing distance
- monument prominence
- retained views
- screening
- skyline occupation
- background location

Those observations are then relied upon before concluding that the integrity of setting has been adequately retained.

The methodology accepted by the applicant requires a different assessment.

It requires assessment of whether the integrity of setting has been adequately retained.

The operational assessment repeatedly concludes that the integrity of setting has been adequately retained.

However, it does not actually undertake the assessment required by the applicant's own methodology before reaching that conclusion.

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9. Why This Matters

This distinction is fundamental.

The issue is not whether turbines are visible.

The issue is not whether the Abbey remains visually dominant.

The issue is not whether only part of the horizon is occupied.

Nor is the issue whether the applicant considers those visual changes acceptable.

The issue is whether the Environmental Impact Assessment demonstrates that the integrity of setting has been adequately retained in accordance with the methodology accepted by the applicant.

The applicant's own methodology establishes that this conclusion requires assessment of whether the proposal affects those aspects of setting that contribute to cultural significance.

Descriptions of visibility, prominence, viewing distance, screening and retained views do not, by themselves, demonstrate that the integrity of setting has been adequately retained.

Accordingly, the operational assessment reaches conclusions on the integrity of setting without providing the assessment required by the applicant's own methodology to demonstrate those conclusions.

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13. Overall audit findings

The worked examples demonstrate a consistent analytical pattern.

The applicant correctly identifies the heritage resource within the baseline assessment.

That assessment consistently describes Iona as an interconnected cultural landscape whose cultural significance derives from qualities including pilgrimage, arrival by sea, movement through the monastic landscape, relationships between monuments, spirituality, historical association, and the surrounding landscape and seascape.

Historic Environment Scotland's consultation, as recorded by the applicant, reinforces that understanding through development of the methodology and refinement of viewpoints intended to assess those wider qualities of setting.

The operational assessment then changes analytical focus.

Rather than undertaking the assessment required by the applicant's own methodology of whether the integrity of that setting has been adequately retained, it repeatedly provides the applicant's assessment of the visual changes, discussing matters including:

- visibility
- viewing distance
- monument prominence
- retained views
- screening
- skyline occupation
- background location

Those observations become the basis upon which the assessment concludes that the integrity of setting has been adequately retained.

The methodology accepted by the applicant requires something fundamentally different.

It requires assessment of whether the integrity of setting has been adequately retained.

The operational assessment repeatedly reaches that conclusion.

However, it does not actually undertake the assessment required by the applicant's own methodology before reaching it.

The Environmental Impact Assessment therefore reaches conclusions on the integrity of setting without providing the assessment required to demonstrate those conclusions.

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14. Conclusions

This audit has compared the assessment methodology accepted by the applicant with the operational assessment undertaken for Iona's principal heritage assets.

The applicant's methodology requires assessment of whether proposed changes affect those aspects of setting that contribute to cultural significance and, consequently, whether the integrity of setting has been adequately retained.

The applicant's baseline assessment accepts that Iona's setting derives its cultural significance from qualities including pilgrimage, arrival by sea, movement through the monastic landscape, relationships between monuments, spirituality, historical association, and the surrounding landscape and seascape.

The operational assessment repeatedly provides the applicant's assessment of the visual changes.

It then concludes that the integrity of setting has been adequately retained.

However, it does not actually undertake the assessment required by the applicant's own methodology of whether the integrity of setting has been adequately retained.

This is not primarily a disagreement over professional judgement or the weight to be given to visual change. It is a question of whether the assessment required by the applicant's own accepted methodology has been carried out.

Accordingly, this audit concludes that the assessment required under the methodology accepted by the applicant is not carried out in the operational assessment.

Consequently, the Environmental Impact Assessment does not provide Ministers with the assessment necessary to determine whether the integrity of setting has been adequately retained or whether the applicable statutory and policy tests governing Iona's internationally important cultural heritage have been properly evaluated.

For a proposal affecting one of Scotland's most internationally significant cultural landscapes, that is a fundamental deficiency in the Environmental Impact Assessment.

Islay Community Council

ISLAY COMMUNITY COUNCIL

Objection

to the applications for the proposed

MachairWind Offshore Wind Farm

Windfarm Development Area, north-west of Islay

Consent under section 36 of the Electricity Act 1989

Marine licences under Part 4 of the Marine (Scotland) Act 2010

Marine Directorate references 00012385 and 00012386

July 2026

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Note on sources and on the limits of this objection

1. The objector, and the basis of this objection

1.1 Islay Community Council objects to the applications made by MachairWind Limited on 25 June 2026 for consent under section 36 of the Electricity Act 1989, and for the marine licences required under Part 4 of the Marine (Scotland) Act 2010, in respect of the proposed MachairWind Offshore Wind Farm in the waters north-west of Islay (Marine Directorate references 00012385 and 00012386) [1][2][3].

1.2 The Community Council is the statutory community body for Islay, constituted under Part IV of the Local Government (Scotland) Act 1973. Section 51(2) of that Act gives it the general purpose of ascertaining and expressing to the public authorities the views of the community it represents, and of taking such action in that community's interests as appears to it expedient and practicable [4]. The determination of these applications rests with the Scottish Ministers; the planning authority for the area is Argyll and Bute Council [2]. This objection is made in discharge of that statutory purpose.

1.3 The Community Council has set out its grounds of objection under the headings which follow. They are not a catalogue of criticisms, and they are not put in the order in which the applicant's own chapters happen to appear. They are put in the order of their weight against this application as it affects Islay: first the harm which the applicant's own consultants accept would be done to the designated coastline of the island and to the setting of its coastal monuments; then the choice of this location in the face of the advice given for it; then the community, the marine environment, the fishing interest and the safety of the sea upon which the island depends; then the protected sites which the law shields absolutely; then the benefit which the applicant advances in justification of all of it; and finally the fact that the Ministers are being asked to decide upon part of a project only. Each ground is advanced as an independent reason for refusal.

1.4 Three points about method should be made at the outset, because they govern everything that follows.

1.5 First, this objection is built on the applicant's own material. Almost every adverse finding relied upon below is the applicant's own finding, taken from its Environmental Impact Assessment Report ("EIAR"), its technical appendices, its Habitats Regulations documentation or the consultation responses it has itself recorded. Where the Community Council performs arithmetic on the applicant's figures, it says so and shows the calculation, so that the Ministers may verify it against the source. The Community Council does not offer competing expert assessment, and its case does not depend upon any.

1.6 Secondly, the Community Council distinguishes carefully between three different kinds of submission, and asks the Ministers to note which is being made at each point. Some of the matters raised below are **mandatory legal requirements**, in the sense that if they are not satisfied consent cannot lawfully be granted at all: that is true of the Habitats Regulations tests addressed in Section 10, and of the sufficiency of environmental information addressed in Section 15. Others are **statutory duties** which constrain how the decision is reached without dictating its outcome, such as the duty under section 15 of the Marine (Scotland) Act 2010 to determine the marine licence applications in accordance with the National Marine Plan unless relevant considerations indicate otherwise [3]. Others again are matters of **policy conflict** which go to the weight to be given to the proposal and to the planning balance, and are not questions of legality at all. The visual and landscape harm addressed in Section 3 falls into this last category. The Community Council does not dress up a matter of weight as a matter of law, and invites the Ministers to hold it to that discipline.

1.7 Thirdly, this objection is directed at this proposal, at this site, upon the evidence which its own promoter has produced. It is not an argument about offshore wind generation in the abstract and the Community Council does not advance one. Islay is an island which the Scottish Government named in May 2022 as one of six Carbon Neutral Islands, each to reach carbon neutrality by 2040, five years ahead of Scotland's statutory net zero date [17]. The community's objection to what is proposed in its waters is not an objection to decarbonisation and should not be characterised as one. The question is whether this development, in this location and at this scale, satisfies the requirements of the framework which governs it. In the Community Council's submission it does not, in a number of separate and independently sufficient respects.

1.8 For the reasons set out below, the Community Council submits that it does not, and asks the Scottish Ministers to refuse both applications. The requests made in the alternative appear at Section 17.

2. The proposal, and the framework within which it falls to be determined

The proposal

2.1 The Project is an offshore wind farm with an export capacity of approximately 2 GW. The Windfarm Development Area ("WDA") extends to 448 km^2 and would accommodate between 91 and 144 wind turbine generators, together with two offshore substation platforms and inter-array cabling. Height and number are inversely related within the design envelope: 91 turbines at a maximum blade tip height of 335 m, or 144 at a maximum of 280 m, with a maximum rotor diameter of 290 m [5]. At its nearest point the WDA lies approximately 15 km north-west of Islay [5][6]. The stated operational life is 35 years, against a seabed lease of 60 years [5].

2.2 The grid connection, confirmed in August 2025, is to the transmission system near Girvan in South Ayrshire. The offshore export cable corridor and the onshore transmission works are not part of these applications and are reserved to separate applications, the offshore cable application being anticipated in 2027 [5]. That division is the subject of Section 12.

2.3 The construction programme is substantial. On the applicant's realistic worst case it would run for five years from the second half of 2030, involving 117 vessels and 5,699 vessel return trips, with vessels assumed to be working 24 hours a day within the WDA; the operational phase would involve some 423 vessel trips and 576 helicopter trips each year [7].

The statutory and policy framework

2.4 Consent for the generating station is sought under section 36 of the 1989 Act. In determining it the Ministers are bound by paragraph 3 of Schedule 9 to 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 and buildings of architectural, historic or archaeological interest, and to do what they reasonably can to mitigate any effect on those matters [2]. That is a duty as to the manner of decision-making; it does not by itself compel refusal, but a decision taken without regard to it would be unlawful.

2.5 The marine licences are sought under Part 4 of the Marine (Scotland) Act 2010. Section 16 requires the Ministers to determine those applications in accordance with Scotland's National Marine Plan unless relevant considerations indicate otherwise, and to state their reasons if they depart from it [3][15]. The Plan's General Policies are planning policy in terms, the Plan itself providing that all of the text in the relevant chapter is to be treated as such [15]. The policies engaged here are GEN 5

(climate change), GEN 6 (historic environment), GEN 7 (seascape, landscape and visual impact), GEN 9 (natural heritage), GEN 13 (noise), GEN 18 (engagement), GEN 19 (sound evidence and precaution) and GEN 21 (cumulative impacts). GEN 1 establishes a presumption in favour of sustainable development, but that presumption is available only to proposals which accord with the Plan's policies, and so is not engaged where those policies are breached [15].

2.6 The applicant sets out its own account of the applicable policy and legislation in Chapter 2 of the EIAR [32]. The development plan comprises NPF4, adopted on 13 February 2023, and the Argyll and Bute Local Development Plan 2, adopted on 28 February 2024 [14][16]. The policies which matter for present purposes are these. NPF4 Policy 1 directs that significant weight be given to the global climate and nature crises, taken together. Policy 2 requires development proposals to be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible. Policy 4(a) provides that proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment will not be supported, and Policy 4(d) governs proposals affecting a landscape area designated in the local development plan, to which Section 3 returns. Policy 11 supports renewable energy generation and directs significant weight to its contribution to emissions targets, subject to conditions which include Policy 11(c), on maximising net economic impact including local and community socio-economic benefits, and Policy 11(e)(ii), which treats significant landscape and visual impacts as generally acceptable only where they are localised and/or appropriate design mitigation has been applied. Policy 11(f) records the expectation that areas identified for wind farms are suitable for that use in perpetuity, and Policy 11(a)(i) supports repowering, extension and expansion [14]. Policy 30 of the Local Development Plan supports renewable energy development where it is consistent with the principles of sustainable development and where it can be adequately demonstrated that there would be no unacceptable environmental effects, whether individual or cumulative, on local communities, the natural and historic environment, landscape character and visual amenity; the applicant identifies that policy as relevant to its own assessment [16][7].

Where the burden lies

2.7 Each of the operative provisions above is framed as a condition to be satisfied, not as an objection to be rebutted. Support under Policy 4(d) is available only where there are no significant adverse effects, or where such effects are clearly outweighed. Support under Policy 11(c) is available only where local and community benefit is maximised. GEN 19 requires decisions to rest on sound socio-economic and scientific evidence and directs that, where evidence is inconclusive, reasonable efforts be made to fill the gaps and precaution be applied [15]. Under the Habitats Regulations the competent authority must have ascertained the absence of adverse effect on site integrity before consent may be given [21][22].

2.8 It follows that where the applicant has not carried out an assessment capable of demonstrating compliance, the position is not that compliance may be presumed. It is that compliance has not been demonstrated, and the policy or duty in question is not satisfied. That distinction is central to Sections 3, 6 and 15.

3. Seascape, landscape and visual impact upon Islay

3.1 The Community Council turns to the effects of the Project on the coastal landscape of Islay. This is a question of planning judgement and policy compliance, not of legality, and it is advanced as such. But it is a question on which the applicant's own assessment provides the answer, and the answer engages a policy test which the applicant has not addressed.

What the applicant's assessment finds

3.2 The applicant's coastal character assessment, prepared by LUC and submitted as Appendix 16.3 to the EIAR, identifies Coastal Character Areas ("CCA") within 40 km of the WDA and assesses the effect of the Project upon each [8]. Six of those areas lie on Islay. The findings for Islay are summarised in Table 1, and each is the applicant's own conclusion.

Table 1 – The applicant's assessment of effects on Islay's coastal character areas

Coastal Character Area	Distance	Sensitivity	Magnitude	Effect (operation)
CCA 18 Sgairail	18–24 km	High	Medium	**Moderate and significant**
CCA 20 Ardnave Point to Rhinns Point	15–30 km	High	Medium	**Moderate and significant**
CCA 19 Loch Gruinart	15–25 km	High	Low	Minor, not significant
CCA 21 Loch Indaal	23–28 km	Medium	Low	Minor, not significant
CCA 22 Laggan Bay	25–35 km	High	Low	Minor, not significant
CCA 16 Sound of Islay	not assessed	–	–	Negligible, not significant

Source: EIAR Appendix 16.3, Coastal Character Baseline and Assessment (LUC, November 2025), Tables 2.25 to 2.34 [8]. Effects during construction are assessed as comparable to operational effects in each case.

3.3 The two coastlines nearest the development are those which the applicant's own consultants find to be significantly and adversely affected, and it is upon those findings that this objection proceeds. The assessment of the remaining Islay coastal character areas, graded lower, is not free of adverse content either. From Loch Gruinart the applicant calculates that the Project would occupy up to some 65 degrees of the horizon, and it records that the turbines would appear on the skyline behind the northern Rhinns peninsula and "may therefore be perceived as an onshore wind farm rather than an offshore development" [8]. A development which reads from an inhabited coast as an onshore wind farm has not been successfully separated from that coast.

3.4 Those two areas are the north and north-west coasts of the island. CCA 20 extends along the west coast of the Rhinns peninsula, some 25 km from Ardnave Point to Rhinns Point, taking in the sandy bays at Sanaigmore, Saligo, Machir and Lossit, the cliffs and headlands between them including Dun Bheolain, and the villages of Portnahaven and Port Wemyss. The applicant records that this coastline lies at the outer edge of the British Isles and of Europe, exposed to the force of the Atlantic, and that it is rich in ancient monuments including forts, standing stones and a chapel [8]. CCA 18 covers approximately 15 km of the northern coast between Killinallan Point and Ruvaal, which the applicant describes as remote, uninhabited and largely undeveloped, with sea stacks, natural arches, caves and narrow inlets [8].

3.5 The applicant's assessed magnitude for each is medium, its assessed sensitivity high, and the resulting effect moderate and significant. Two further features of its findings should be noted. In each case the applicant judges the geographical extent of the change to be large, extending along the whole of the coastline in question [8]. And the horizontal extent of the change is considerable: the applicant calculates that from CCA 20 the Project would occupy a maximum horizontal angle of view of approximately 71 degrees, which is approximately one fifth of the full horizon, and from CCA 18 approximately 59 degrees [8]. For completeness, the applicant's Planning Statement

summarises the position across the study area by recording that the major adverse effects predicted were principally those on Colonsay and Oronsay and on north-west and west Islay [6].

3.6 The applicant does not present these effects as capable of being reduced. In the operational assessment for CCA 20 it states that the introduction of the Project into views out towards the open sea would adversely affect the sense of being at the edge of the British Isles, and that views along the coast towards distinctive features including the Dun Bheolain headland would also be adversely affected [8].

The magnitude gradings, and the distance at which they change

3.7 The gradings in Table 1 require closer examination, because magnitude of change is what drives significance of effect, and the significance attributed to landscape effects is then carried across into the applicant's heritage assessment, its socio-economic assessment and ultimately into the planning balance which the Ministers must strike.

3.8 Neither the Guidelines for Landscape and Visual Impact Assessment, nor NatureScot's guidance, nor the applicant's own written methodology at Appendix 16.1 establishes any distance beyond which a highly sensitive coastal receptor is incapable of experiencing a high magnitude of change, or beyond which a significant effect cannot arise [46][24]. The Community Council does not suggest otherwise. Its submission concerns not what the applicant's methodology says, but what the assessment repeatedly does with it.

3.9 Set the applicant's own conclusions for the Islay coastlines beside its conclusions for the comparable coastlines it assessed in the same appendix, by the same consultants, on the same methodology. The result is Table 2.

Table 2 – The applicant's own magnitude gradings, ordered by distance from the development

Coastal character area	Distance	Sensitivity	Magnitude	Effect
CCA 11 West Colonsay	~12 km	High	**High**	Major and significant
CCA 13 Oronsay	~12 km	High	**High**	Major and significant
CCA 12 The Strand	~13 km	High	**High**	Major and significant
CCA 9 Kiloran Bay to Eilean Dubh	~17 km	High	**High**	Major and significant
CCA 20 Ardnave Point to Rhinns Point, **Islay**	15–30 km	High	Medium	Moderate and significant
CCA 18 Sgairail, **Islay**	18–24 km	High	Medium	Moderate and significant
CCA 19 Loch Gruinart, **Islay**	15–25 km	High	Low	Minor, not significant

Source: EIAR Appendix 16.3 (LUC, November 2025) [8]. Every grading is the applicant's own.

3.10 The pattern is consistent and it operates in one direction. High magnitude, and with it a major and significant effect, is attributed to every comparable coastline lying within approximately 17 km of

the development. Beyond that, and notwithstanding that sensitivity remains high throughout, high magnitude is not attributed again.

3.11 For Islay the consequence is precise. The nearest turbines to the coastline at CCA 20 would stand approximately 15 km offshore, which is nearer than the 17 km at which the applicant attributes high magnitude and a major effect to Kiloran Bay. The sensitivity of the Islay coastline is assessed as high, as Kiloran Bay's is. The geographical extent of the change at CCA 20 is judged to be large, extending along the entire length of the coastline, as it is at Kiloran Bay. The Project would occupy approximately 71 degrees of the horizon from CCA 20, which is a wider horizontal spread than the applicant records for any other receptor in the appendix [8]. Yet the magnitude attributed to CCA 20 is medium, and the effect moderate rather than major.

3.12 The applicant is therefore required to identify what feature of the north-western coast of Islay, other than viewing distance, accounts for that difference. If the answer is distance, then a threshold is operating which the written methodology does not contain and does not explain. If the answer is not distance, the applicant has not said what it is. The same question arises with greater force at CCA 19, where a highly sensitive coastline with turbines from 15 km, and up to some 65 degrees of horizon occupied, is assessed at low magnitude and no significant effect at all.

3.13 The Community Council does not offer a competing professional judgement, and it does not need to. Its submission is that an assessment conclusion must follow from the evidence relied upon to reach it. In *R (Finch) v Surrey County Council* the Supreme Court confirmed that an environmental decision may be set aside where there is a demonstrable flaw in the reasoning which led to it, including where there was no evidence to support an important step in that reasoning, the question being whether the conclusion follows from the evidence or whether there is an unexplained gap or leap [47]. On the applicant's own tabulated outcomes, the step from a highly sensitive coastline at 15 km with a large geographical extent of change and 71 degrees of occupied horizon, to a medium magnitude of change, is a step which the EIAR nowhere explains.

3.14 The consequence for these applications is not academic. Had high magnitude been attributed to the Islay coastlines on the same basis as it was attributed at 12 to 17 km elsewhere, the effect would have been major and significant, and the assessment which the Ministers are asked to weigh, and which is carried forward into the heritage and socio-economic chapters, would be materially different. The Ministers are invited to satisfy themselves that the gradings for Islay are supportable on the applicant's own methodology, and to treat the landscape conclusions as carrying no greater weight than that examination justifies.

The policy test which those findings engage

3.15 The whole of CCA 18, and all but a short section of CCA 20 near Rhinns Point, lie within the North and West Islay (Coast) Local Landscape Area, a landscape area designated in the Argyll and Bute Local Development Plan. That is not the Community Council's characterisation; it is recorded by the applicant's own consultants in the baseline for each area, and it is the basis on which they attribute high value, and therefore high sensitivity, to both coastlines [8][16].

3.16 NPF4 Policy 4(d) provides that development proposals affecting a site designated as a local nature conservation site or landscape area in the local development plan will only be supported where either development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified, or any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance [14].

3.17 The first limb is not available. The applicant's own assessment finds significant adverse effects on two coastlines within the designated area, extending along the whole length of each, arising from the very qualities for which the area is valued: its wildness, its lack of modern human influence and its expansive seaward views [8]. The applicant does not appear to have addressed Policy 4(d) by reference to these findings, and the Ministers are invited to do so.

3.18 The second limb requires benefits of at least local importance which clearly outweigh the significant adverse effects. Two matters bear upon it. The first is the reduced weight properly attaching to the claimed climate benefit for the reasons given in Section 11. The second, and more directly relevant, is that no benefit of local importance has been quantified at all: the applicant's economic case is expressed at Scotland and United Kingdom level, no benefit is quantified for Islay or for Argyll and Bute, and no assessment of Islay as an affected community has been undertaken (Section 6) [11]. A test which requires benefits of local importance to be weighed cannot be satisfied where the local position has not been assessed. On the material before the Ministers, the second limb of Policy 4(d) is not made out either.

3.19 Three further policy provisions are engaged by the same findings. NPF4 Policy 11(e)(ii) treats significant landscape and visual impacts as generally acceptable only where they are localised and/or appropriate design mitigation has been applied [14]. Neither condition is met: on the applicant's own assessment the significant effects extend across Islay, Colonsay, Oronsay, Jura, Mull and Iona, which cannot be described as localised, and the design mitigation point is addressed in Section 5. GEN 7 of the National Marine Plan requires particular care where development may affect largely undeveloped or unspoiled coast, and the coastlines in question are those which the applicant itself describes in those terms [8][15]. And Policy 30 of the Local Development Plan supports renewable energy development only where it can be adequately demonstrated that there would be no unacceptable environmental effects on local communities, landscape character and visual amenity; that demonstration has not been made for these coastlines [16].

3.20 Two matters going to the durability of the harm should also be recorded. The stated operational life is 35 years, but NPF4 Policy 11(f) records the expectation that areas identified for wind farms are suitable for that use in perpetuity, and Policy 11(a)(i) supports repowering, extension and expansion; the applicant's seabed lease runs for 60 years [5][14]. The change should therefore be assessed as an enduring one. And the applicant's outline lighting and marking proposals confirm that structures of this height require aviation and navigation lighting, on a horizon which is presently unlit [5].

3.21 The consequence is this. The Community Council does not submit that these findings make consent unlawful. It submits that they place the proposal in conflict with NPF4 Policy 4(d), with the concession relied upon in Policy 11(e)(ii), with GEN 7 of the National Marine Plan and with Policy 30 of the Local Development Plan; that the conflict is established on the applicant's own evidence and not on any assertion by the objector; and that it is a conflict of substance rather than of form, because it concerns significant adverse effects, along the entire length of two designated coastlines, which the applicant proposes to do nothing to reduce.

4. The setting of Islay's coastal monuments

4.1 The coastlines which the applicant assesses as significantly affected are also where the coastal monuments of western and northern Islay stand. The setting of a heritage asset is capable of being harmed by development at a distance, without any physical interference with the asset itself, and both the development plan and the National Marine Plan make setting a material consideration. On

this question the Scottish Ministers have the benefit of advice from their own statutory adviser on the historic environment, and that advice is expressed in unusually direct terms.

What the application contains

4.2 Chapter 14 of the EIAR assesses effects on marine and terrestrial heritage receptors, supported by an archaeological assessment of geophysical data, a palaeolandscape assessment and a settings assessment at Appendix 14.3. A study area of the development area with a 50 km buffer was agreed with Historic Environment Scotland for the purpose of assessing effects on the setting of designated assets. Within that 50 km there are 178 scheduled monuments, distributed across Tiree, Coll, Iona, Mull, the Garvellachs, Colonsay and Islay [37].

4.3 The relevant Islay assets are not incidental features. The applicant's own coastal character baseline describes the west coast of the Rhinns as rich in ancient monuments, and records forts at Dun Bheolain and Beinn a' Chasteil, standing stones at Ballinaby and a chapel at Kilchiaran, together with the remains of a chapel and an unmanned lighthouse on the offshore island of Orsay; on the northern coast it records the lighthouse at Ruvaal [8].

What the statutory adviser has advised

4.4 In its scoping opinion of 9 January 2025 Historic Environment Scotland identified likely significant effects on its historic environment interests. It advised that the proposed development was likely to affect the setting of a number of scheduled monuments, and in particular those of early Christian character whose cultural significance depends upon a sense of isolation, a position at the edge of the land and a relationship with the open sea. Among the assets it named were two on or immediately off Islay: Beinn a' Chaisteil promontory fort and associated remains (SM13213) on the north-west coast, and the monastic site, chapel, burial ground and associated remains on Nave Island (SM3233). It subsequently welcomed the applicant's identification of Dun Bheolain fort on Islay as a further asset likely to be significantly affected [37].

4.5 The advice given in respect of Beinn a' Chaisteil is the most significant single passage in this part of the application, and it is recorded by the applicant itself. On 28 April 2025, having reviewed a draft wireline visualisation prepared from a viewpoint within the scheduled area, Historic Environment Scotland advised that turbines would occupy the whole of the monument's seaward horizon. It advised that the setting of the asset, and in particular of the possible monastic settlement on its lower promontory, is one of almost complete isolation and separation from the land, and that views out to sea containing nothing but open ocean contribute greatly to its cultural significance. Its conclusion was that the development would be likely to alter that baseline setting fundamentally, removing the sense of almost complete isolation in its entirety and depriving the site of its quality of standing at the edge, because turbines would then be visible in the ground beyond. It advised that this effect had "the potential to raise issues of national importance such that we might object" [37].

4.6 That was not an isolated observation. In the same response Historic Environment Scotland advised more generally that impacts on some of the early Christian monuments might be sufficient to raise issues of national importance such that it might object, and in February 2026 it recorded that the assets it had previously identified were not to be treated as an exhaustive list [37].

Where matters stand, and where the weakness lies

4.7 The applicant's response to each of these representations, as recorded in its own consultation log, is that the matter is assessed in Appendix 14.3 and summarised in Chapter 14 [37]. The Community

Council's review of Appendix 14.3 is not complete, and it therefore does not assert what that assessment concludes. Two matters can nevertheless be stated from the material it has examined.

4.8 The first is that Historic Environment Scotland advised in January 2025 that, if impacts on setting were confirmed as significant, it might be possible to reduce them by careful design or redesign of the turbine layout, and that assessment should accordingly be undertaken early in the design process [37]. The design envelope now before the Ministers remains one of between 91 and 144 turbines at maximum blade tip heights of 335 m and 280 m respectively, and the only change made through consultation was the reduction of five metres in maximum tip height and of three in maximum turbine number discussed at Section 5 [5][37]. The record does not disclose any redesign undertaken in response to the advice on setting.

4.9 The second is that this question cannot be separated from the strategic assessment of the site. The applicant records that the Strategic Environmental Assessment accompanying the draft updated Sectoral Marine Plan for Offshore Wind Energy identified effects on historic environment features and their settings as among the key potentially significant environmental effects arising from the plan, and identified them for the W1 option, which is this site, and for one other option only. It further records that the Strategic Environmental Assessment for the 2020 Plan identified key risk factors for W1 which included potential visual impacts and landscape and seascape character impacts [37]. The effects now advised upon by Historic Environment Scotland are therefore effects which the Scottish Government's own strategic assessment identified as a distinguishing risk of this location.

The tests engaged

4.10 Three provisions apply, and they differ in character. Paragraph 3 of Schedule 9 to the Electricity Act 1989 requires the Ministers to have regard to the desirability of protecting sites of archaeological or historic interest and to do what they reasonably can to mitigate any effect upon them; that is a duty as to the manner of decision-making [2]. NPF4 Policy 7 governs development affecting historic environment assets and places, and includes at Policy 7(h) a test directed to the integrity of the setting of scheduled monuments, an application which the applicant itself accepts [14][37]. NPF4 Policy 7 governs development affecting historic environment assets and places, and Policy 7(h) applies specifically to scheduled monuments, permitting development affecting the integrity of the setting of such a monument only where exceptional circumstances are demonstrated; the applicant itself accepts that the integrity of setting test applies to scheduled monuments under that limb [14][37]. Most directly, GEN 6 of the National Marine Plan requires the development and use of the marine environment to protect and where appropriate enhance heritage assets in a manner proportionate to their significance, provides that designated assets should be protected in situ within an appropriate setting, and provides that substantial loss or harm to designated assets should be exceptional and should only be permitted where necessary to deliver social, economic or environmental benefits which outweigh the harm or loss. The applicant identifies GEN 6 itself, and accepts that the substantial harm test in the Plan applies to all designated heritage assets [15][37].

4.11 Because section 15 of the Marine (Scotland) Act 2010 requires the marine licence applications to be determined in accordance with the National Marine Plan unless relevant considerations indicate otherwise, GEN 6 operates as a statutory accordance duty and not merely as a policy preference [3]. The Community Council further draws attention to the approach which the courts have taken to statutory heritage duties. In *Barnwell Manor Wind Energy Limited v East Northamptonshire District Council* the Court of Appeal held that such a duty requires the desirability of preserving the

setting of a heritage asset to be given considerable importance and weight rather than merely careful consideration, that a finding of harm gives rise to a strong presumption against consent, and that the decision-maker is not free to give that harm whatever weight he chooses [48]. That decision was reached under English listed building legislation and is cited as persuasive on the principle rather than as binding authority; but the principle it states bears directly upon the discharge of the duty in paragraph 3 of Schedule 9 in a case where the statutory adviser has advised that the setting of a scheduled monument may be fundamentally altered.

The consequence

4.12 The Community Council does not invite the Ministers to conclude that the threshold of substantial harm has been crossed, or that the integrity of setting of a scheduled monument is affected within the meaning of Policy 7(h). Those are matters for the Ministers, informed by Historic Environment Scotland's expert advice, on the basis of a robust assessment of the evidence. The Community Council's submission is that the present assessment does not provide that evidential basis.

4.13 What it submits is this. On the recorded advice of the statutory adviser, the effect of this development upon the setting of at least one scheduled monument on Islay is capable of being fundamental, and capable of raising issues of national importance. That advice was given at a stage when redesign was said to remain possible, and no redesign responsive to it appears on the record. If the Ministers find substantial harm to a designated asset, GEN 6 permits consent only exceptionally and only where the harm is outweighed by the benefits which the development is necessary to deliver, which returns the decision to the reduced weight properly attaching to the claimed benefit for the reasons given at Section 11, and to the absence of any assessed benefit of local importance addressed at Section 6. The Ministers are asked to obtain the final position of Historic Environment Scotland before determining these applications, to reach express conclusions under GEN 6 and Policy 7, and to state their reasons. The Community Council reserves the right to supplement this section upon completing its review of Appendix 14.3 [37].

5. The location, the advice given for it, and the alternatives rejected

5.1 The harm described in Section 3 is a function of two variables only: how far the turbines stand from the island, and how large they are. Both were the subject of express advice from the Scottish Ministers' own statutory adviser before this site was fixed, and both were the subject of alternatives which the applicant examined and rejected. This section addresses what happened to that advice and to those alternatives, because the answer determines whether the harm now before the Ministers was necessary.

The advice given at plan stage

5.2 On 25 March 2020, in supplementary advice on the Draft Sectoral Marine Plan for Offshore Wind Energy, Scottish Natural Heritage, now NatureScot, provided an assessment of potential seascape, landscape and visual impacts together with design guidance for the plan options. For the waters in question that guidance was to limit development to beyond 35 km from Colonsay and Islay, and to limit turbine height to a maximum of 200 metres [9].

5.3 The proposal departs from both limbs, and by wide margins. The nearest turbines would stand approximately 15 km from Islay, which is under half the advised separation, and the tallest would reach 335 m, which exceeds the advised ceiling by more than two thirds [5][9].

5.4 The Community Council advances no legal consequence from this. Plan-stage design guidance does not bind an applicant, and non-compliance with it is not a ground of refusal in itself. Its relevance is evidential and goes to weight in two respects. First, the advice records the considered view of the body which advises the Ministers on landscape and natural heritage as to the parameters within which development in these waters could be accommodated without unacceptable effect; the significant adverse effects which the applicant's own consultants now report on two designated Islay coastlines are consistent with that view, and are the measurable consequence of departing from it (Section 3) [8][9]. Secondly, where a proposal exceeds the parameters identified by the statutory adviser to this extent, the evidential burden on the applicant to demonstrate that the resulting effects are nonetheless acceptable is correspondingly heavier. That burden has not been discharged.

Reliance upon the Plan and the lease does not answer the objection

5.5 It may be said in answer to all of this that the site was identified through the Sectoral Marine Plan for Offshore Wind Energy and that the seabed has been leased for the purpose. Neither proposition assists the applicant. The Sectoral Marine Plan is not the statutory marine plan for the purposes of section 15 of the Marine (Scotland) Act 2010; the plan which section 15 engages is Scotland's National Marine Plan, and it is against that Plan that these marine licence applications fall to be determined [3][15][12]. The plan-level assessment which accompanied the Sectoral Marine Plan expressly deferred project-level scrutiny of effects to the consenting stage, which is this stage. And the grant of a seabed lease by Crown Estate Scotland confers no entitlement to consent; the Scottish Government's offshore wind ambition is itself expressly subject to rigorous project-level consenting and impact assessment [12][34].

5.6 The strategic assessment of this option area, moreover, points the other way. As Section 4 records, the Strategic Environmental Assessment for the 2020 Plan identified potential visual and landscape or seascape character impacts as key risk factors for W1, and the Strategic Environmental Assessment accompanying the draft updated Plan identified effects on historic environment features and their settings as a key potentially significant effect for W1 and one other option only [37]. The plan process did not clear this site of the effects now in issue. It flagged them, and left them to be resolved here.

The alternatives which were considered and rejected

5.7 The more important point is that the two variables which produce the harm were both examined as alternatives, and both were rejected for a stated reason. The applicant has produced a chapter dealing with site selection and alternatives, and the Ministers are invited to test the account given there against the appraisal in the derogation material discussed below [19].

5.8 The applicant's Without Prejudice Derogation Case sets out six Project Objectives against which alternatives were appraised. The sixth is to optimise the W1 Plan Option Area and maximise the generation capacity of the available Scottish seabed. Measured against those objectives, a reduced development area and a reduced number of turbines were both considered and both discounted [11]. The applicant also records a single adjustment made through consultation, reducing the maximum blade tip height from 340 m to 335 m and the maximum turbine number from 147 to 144, which it states was done to reduce the magnitude of change on seascape receptors [5].

5.9 Two things follow. The first is that the adjustment actually made cannot rationally be described as mitigation of the effects identified in Section 3. A reduction of five metres in a structure of 335 m, and of three turbines in a field of up to 147, does not alter what is seen from Machir Bay or Saligo.

But the reason the applicant gives for making it is itself significant: it is an acknowledgement, in the applicant's own words, that the seascape effect is real and adverse and that reducing the scale of the development would reduce it.

5.10 The second is that greater separation and smaller or fewer turbines, which are the changes that would have reduced this harm, were live options which the applicant set aside in favour of output. The Community Council does not suggest that a developer may not pursue the efficient use of a leased site. It submits that where harm to a designated landscape is the consequence of a design choice made in preference to available and less harmful alternatives, that harm falls to be weighed as a chosen harm, and the second limb of Policy 4(d) becomes correspondingly harder to satisfy: benefits said to outweigh the harm must outweigh a harm which need not have been incurred at the level proposed.

5.11 The Community Council also invites the Ministers to note the position on mitigation as it stands in the application documents. For the significant adverse effects on the two designated Islay coastlines, the measure the applicant points to for these waters records that the boundary of the development area was drawn using a buffer of at least 12 km from the nearest points of Islay and Colonsay [5]. That is a description of the layout which produces the assessed effects, not a measure which reduces them. Beyond the five-metre adjustment already discussed, the EIAR identifies no mitigation of the seascape and visual effects on Islay. The Ministers are accordingly considering a proposal in which conceded significant adverse effects on a designated landscape area attract no mitigation at all.

6. Islay as an affected island community

6.1 This question is different in character from those which precede it. It is not a submission that the applicant has assessed a matter wrongly. It is a submission that a matter which the framework requires to be assessed has not been assessed at all, and that the Ministers therefore lack the material on which two separate requirements depend.

What the applicant's own consultants identified

6.2 The applicant's socio-economic consultants, BiGGAR Economics, recorded in work commissioned for this Project that there are potential impacts on habitability for island communities in particular [10][11]. Habitability, in that context, means the capacity of an island to remain a place where people continue to live and work. The applicant's own advisers thus identified island habitability as a matter requiring examination.

What Chapter 18 assesses

6.3 Chapter 18 of the EIAR and its technical appendix do not then examine that question for Islay. The reason is structural rather than accidental. The assessment proceeds on the stated expectation that the main local epicentres of impact are expected to be the ports, and it follows that expectation to a small number of candidate port locations [10]. Islay appears within the assessment, but it appears by reason of its potential role as a direct project location, that is, as a place where project activity might be based. It is not assessed as an affected island community whose exposure to the development has been measured [10]. The employment and Gross Value Added benefits of the Project are quantified at Scotland and United Kingdom level, and at that level only. The applicant's own derogation material puts them at a peak of approximately 3,400 construction jobs in Scotland and 11,463 across the United Kingdom, with Gross Value Added of £803 million in Scotland and £2,435 million across the United Kingdom; and, for the whole Project, 4,750 jobs in Scotland and

14,490 across the United Kingdom, with Gross Value Added of £1,105 million and £3,064 million respectively [11]. Not one of those figures is given for Islay, for the Inner Hebrides, or for Argyll and Bute.

Why the distinction matters, and why it matters particularly for Islay

6.4 The distinction is not formal. What Islay might gain if project activity were located there is contingent upon commercial decisions which form no part of these applications and which nothing before the Ministers secures. What Islay would experience is not contingent at all: significant adverse effects along the entire length of two coastlines within a designated Local Landscape Area, on the applicant's own findings, arising from the qualities of wildness, remoteness and open seaward view for which those coasts are valued (Section 3) [8]. The first has been appraised. The second has not.

6.5 Islay's circumstances make the omission material rather than technical, and the Community Council puts the point no higher than the evidence allows. The two coastlines which the applicant finds to be significantly affected are not empty ground. CCA 20 contains the settlements of Portnahaven and Port Wemyss, scattered farmsteads and houses, a distillery at Kilchoman near Machir Bay, and a coastline which the applicant itself records as a surfing venue at Machir Bay and as rich in ancient monuments [8]. The island's economy rests on distilling, agriculture and tourism, and its visitor economy is founded on the coastal landscape, the birds and the beaches. Whether significant adverse change to those coasts would affect the island's visitor economy, its businesses and its working population is precisely the question the applicant's consultants raised and which Chapter 18 does not answer. The Community Council does not assert a quantified economic loss, because no such assessment exists, and it will not invent one. Its submission is that the absence of the assessment is itself the defect.

6.6 The applicant's own methodology reinforces the point. Chapter 18 cites Marine Directorate guidance to the effect that local study areas should reflect the appropriate impacts and be understandable to the communities they describe [10]. A treatment of Islay confined to its candidacy as a project location satisfies neither limb of that guidance.

The requirements which are not met

6.7 Two consequences follow, and they operate independently.

6.8 The first concerns GEN 19 of the National Marine Plan, which requires decision-making to be based on sound scientific and socio-economic evidence, and provides that where evidence is inconclusive and impacts are uncertain, reasonable efforts should be made to fill the evidence gaps and decision-makers should apply precaution within an overall risk-based approach [15]. Here the gap was identified by the applicant's own consultants and was not filled in respect of Islay. Because section 15 of the 2010 Act requires the marine licence applications to be determined in accordance with the Plan unless relevant considerations indicate otherwise, this is a matter of statutory duty [3]. The Plan's direction in the face of such a gap is not that judgement may substitute for evidence; it is that precaution applies.

6.9 The second concerns NPF4 Policy 11(c), which supports renewable energy proposals only where they maximise net economic impact, including local and community socio-economic benefits such as employment and supply chain opportunities [14]. A proposal which has not assessed the affected community cannot demonstrate that local and community benefit has been maximised. The Community Council does not rest this point on the presence or absence of a voluntary community benefit fund; payments of that kind are not mitigation of environmental harm and are

not material to the planning merits. The point is the prior one, that the local balance of benefit and harm is unquantified on both sides.

The Islands (Scotland) Act 2018

6.10 The same evidential gap bears upon the duties owed to island communities, and the Community Council addresses those duties by reference to what is different about Islay rather than by describing the legislation.

6.11 Part 3 of the Islands (Scotland) Act 2018 requires an island communities impact assessment where a policy, strategy or service is likely to have an effect on an island community which is significantly different from its effect on other communities. Part 3 came into force on 23 December 2020 [13]. The Sectoral Marine Plan which identified the W1 option now before the Ministers as MachairWind was published on 28 October 2020, eight weeks earlier, and was therefore never subject to that requirement [12][13]. The Community Council does not contend that this renders the Plan unlawful. It submits that it is a material consideration bearing on the weight which the plan-level identification of this site can carry, particularly given the departure from the statutory adviser's design guidance during that same plan process (Section 5).

6.12 As to the present determination, the difference which engages the duty can be stated concretely. Islay faces this development at approximately 15 km. Two of its coastlines, within a designated Local Landscape Area, would sustain significant adverse effects along their entire length on the applicant's own assessment. It would receive no electricity, no grid connection and no assessed local economic benefit from the Project. And it carries a Scottish Government commitment to carbon neutrality by 2040 which the Project would do nothing to advance [8][11][17]. Those effects are of a different character from the effects of this decision on communities generally, and not merely of a different degree.

6.13 Whether that difference has been assessed is a question the Ministers are better placed to answer than the objector, and the Community Council does not assert a failure it cannot evidence. It asks the Ministers to confirm that an island communities impact assessment has been prepared in respect of this determination; that it has been informed by the meaningful engagement with affected island communities from inception to conclusion which the guidance under section 11 of the Act requires; and that its conclusions are stated in the decision [13]. It further invites Argyll and Bute Council to exercise its power under section 14 of the Act to request a retrospective island communities impact assessment of the Sectoral Marine Plan for Offshore Wind Energy [13]. Finally, it notes that GEN 18 of the National Marine Plan requires engagement which is appropriate, proportionate, meaningful and early, and that the first occasion on which the island could address the acceptability of this location on the basis of a complete environmental assessment is the present consultation, the site having by then been identified, leased and carried through several years of project development [15].

7. The marine environment in which Islay sits

7.1 The Community Council is not a specialist marine consultee. It does not offer competing scientific assessment and does not advance conclusions it cannot support. This section identifies what the applicant's own chapters establish about the physical scale of the intervention and the sensitivity of the receiving environment, and asks the Ministers to test the resulting conclusions against the advice of NatureScot and the Marine Directorate's own scientists.

The physical scale of the intervention

7.2 The works are not confined to the turbines. On the applicant's realistic worst case, scour protection for the turbine foundations alone would require over 8.2 million cubic metres of material, with a further 3.4 million cubic metres for cable protection. The inter-array cabling would extend to 572 km, the platform link cabling to 272 km, and the export cabling within the development area to 200 km [7]. The applicant puts the maximum permanent seabed footprint of the development at 6,705,031 square metres and the maximum temporary construction footprint at 25,385,076 square metres; up to a third of turbine locations may require drilling; and the maximum piling hammer energy is given as 6,600 kilojoules [5]. Approximately 51 square kilometres of the development area is identified as a restricted build area unsuitable for foundations, so the structures would be concentrated within the remainder [5]. This is a substantial and largely irreversible alteration of the seabed, sustained over a 35-year operational life within a 60-year lease.

The receiving environment

7.3 The applicant's own benthic assessment confirms the presence of Priority Marine Features and Annex I habitats within the development area itself [28]. GEN 9 of the National Marine Plan is expressed in mandatory terms: development and use of the marine environment must not result in significant impact on the national status of Priority Marine Features [15]. The applicant has also produced a Report to Inform Marine Protected Area Assessment, and records that the wider marine environment of this area forms part of the Sea of the Hebrides Marine Protected Area [8][11].

7.4 The applicant's assessment of fish and shellfish identifies an underwater noise zone of influence extending to 88 km, and assesses disturbance, displacement and vessel collision risk in relation to basking shark, together with modelled effects on prey species including herring and lesser sandeel [29]. Its marine mammal assessment is supported by underwater noise modelling, by interim population consequences of disturbance modelling and by an assessment of unexploded ordnance clearance [30]. GEN 13 of the National Marine Plan requires that significant adverse effects of man-made noise be avoided, especially on species sensitive to such effects [15].

7.5 On ornithology, the applicant's own conduct discloses how material it considers the bird interest of these waters to be. It undertook dedicated Manx shearwater tracking on Lunga in 2025, commissioned an evaluation of seabird attraction to lighting on offshore wind farms, modelled population viability at 25, 35 and 50 years, and assessed cumulative mortality across the Western Biologically Defined Minimum Population Scale [18]. It also increased the minimum air gap beneath the rotors from 22.45 m to 28.4 m above the highest astronomical tide during design development, expressly in order to reduce ornithological collision risk [5]. A developer does not redesign for collision risk which it regards as immaterial. It addresses the protected site consequences separately at Section 10.

The submission

7.6 The Community Council makes a limited and specific submission. NPF4 Policy 4(e) applies the precautionary principle, and uncertainty arising from the limits of survey coverage or of modelling method is not evidence that significant effects are absent [14]. Where an intervention of this physical scale is proposed in waters which the applicant itself identifies as supporting Priority Marine Features, Annex I habitats, basking shark, cetaceans, seals and internationally important seabird populations, the Ministers should require positive demonstration that the mandatory terms of GEN 9 are satisfied, rather than accepting an absence of demonstrated harm as equivalent to demonstrated absence of harm. The Community Council adopts the representations of

NatureScot, RSPB Scotland and the other specialist bodies so far as consistent with this objection, and asks that substantial weight be given to that evidence [24][31].

8. Commercial fisheries and the displacement of fishing effort

8.1 Islay's relationship with these waters is not only visual. Inshore fishing forms part of the island's economy, and the grounds in question lie within the working range of island-based vessels.

8.2 The applicant's commercial fisheries chapter identifies five impacts. They include reduction in, or exclusion from, access to the development area, and displacement of fishing activity leading to gear conflict and increased fishing pressure elsewhere [25]. The applicant consulted the Mull and Iona Fishermen's Association, the Scottish Creel Fishermen's Federation and the South West Coast Regional Inshore Fisheries Group, and has produced an outline fisheries mitigation, monitoring and communication plan [25].

8.3 Those impacts are the applicant's own findings. The Community Council's submission concerns what follows from them, which the chapter does not confront. Fishing effort excluded from 448 km^2 of sea does not cease; it relocates. The consequences of relocation, being gear conflict and increased pressure on adjacent grounds, are borne by the same small fleets, and they are consequences which the applicant's own chapter identifies rather than ones the objector has supposed.

8.4 Two provisions are engaged. GEN 4 of the National Marine Plan looks for development which enables co-existence with established marine activities [15]. The Ministers are invited to test whether genuine co-existence has been demonstrated for the inshore fleets of these islands, or whether one long-standing use of these waters is in substance displaced in favour of another. And NPF4 Policy 11(c), which requires net economic impact including local socio-economic benefit to be maximised, cannot be assessed in respect of Islay without accounting for effects on an existing island industry; as Section 6 explains, no such island-level assessment exists [14].

8.5 The Community Council does not quantify a loss to the Islay fishing interest, because the material to do so has not been produced. It submits that the absence of that material is itself a matter the Ministers must confront, and that a mitigation, monitoring and communication plan is a mechanism for managing an impact rather than evidence that the impact is acceptable.

9. Navigation, lifeline connectivity and safety at sea

9.1 For an island community, access by sea and the availability of rescue at sea are not questions of amenity. Islay depends on ferry services for passengers and freight, and on marine and aeronautical search and rescue in circumstances where definitive medical care is reached across water or by air. The applicant records that the Colonsay to Port Askaig ferry passes within approximately 1 km of Ruvaal at the northeastern tip of the island, and that Islay Airport lies adjacent to Laggan Bay [8].

9.2 The applicant's shipping and navigation chapter assesses seven impacts. They include reduced access to local ports and harbours and a reduction of emergency response capabilities. The ferry services operated by Caledonian MacBrayne are among the navigational receptors identified, which is to say that the lifeline services upon which Islay depends for passengers and freight are within the assessed zone of effect. The chapter records consultation with the Maritime and Coastguard Agency, the Royal National Lifeboat Institution and the Northern Lighthouse Board, and is

supported by a navigational risk assessment and an outline vessel management and navigational safety plan [26].

9.3 The Community Council draws attention to the scale of the vessel activity which would accompany the development, because it bears directly on both matters. On the applicant's realistic worst case the construction programme would involve 117 vessels and 5,699 vessel return trips over five years, with vessels assumed to be operating 24 hours a day within the development area, followed throughout the operational phase by some 423 vessel movements and 576 helicopter movements each year [7].

9.4 The submission is a narrow one and is directed at what the Ministers should require rather than at what the objector can prove. Where a developer's own assessment identifies a reduction in emergency response capability, the Ministers should not treat the matter as resolved by the existence of a management plan. They should require positive demonstration, to the satisfaction of the Maritime and Coastguard Agency and the Royal National Lifeboat Institution, that search and rescue capability serving Islay and these waters would not be degraded at any stage of construction, operation or decommissioning; and they should satisfy themselves as to the position of the Northern Lighthouse Board on aids to navigation, including in relation to the Dubh Artach lighthouse, for which the applicant has produced a separate technical note [26][38]. The Community Council reserves the right to supplement this section once the representations of those bodies are available.

10. The Habitats Regulations

10.1 This section, unlike those which precede it, concerns a mandatory legal requirement. If it is not satisfied, consent cannot lawfully be granted, whatever view is taken of the planning balance. The Community Council therefore states the test with precision and confines itself strictly to what the applicant's own documents establish.

The test

10.2 Two sets of Habitats Regulations apply across these waters, the 1994 Regulations inshore and the 2017 Regulations beyond 12 nautical miles [21]. Under both, where a plan or project is likely to have a significant effect on a European site, the competent authority must make an appropriate assessment of its implications for the site's conservation objectives, and may agree to the project only after having ascertained that it will not adversely affect the integrity of the site.

10.3 In *Waddenzee* the Court of Justice held that that condition is met only where no reasonable scientific doubt remains as to the absence of such effects; that the assessment must contain complete, precise and definitive findings capable of removing all reasonable scientific doubt as to the effects of the works on the site concerned; and that the requirement incorporates the precautionary principle [22]. The standard is therefore not the balance of probabilities. It is the absence of reasonable scientific doubt.

What the applicant's documents show

10.4 The applicant's Report to Inform Appropriate Assessment concludes that no adverse effect on the integrity of any European site would arise, and the applicant maintains that no derogation is required [11].

10.5 In the same application, however, the applicant has lodged a Without Prejudice Derogation Case together with a Without Prejudice Guillemot Compensation Plan, both directed at a single feature

of a single site: the guillemot of the North Colonsay and Western Cliffs Special Protection Area. Its stated reason for doing so is that the competent authority "may not reach the same conclusion" as the applicant in relation to that feature [11].

10.6 The Community Council draws from that only the inference which the document itself supports. The preparation of a derogation case and a species compensation plan is a substantial undertaking, and no applicant advised as this applicant is advised would undertake it in respect of an outcome it regarded as scientifically unavailable. The applicant has judged it necessary to plan for a conclusion of adverse effect on the integrity of that site in respect of that feature. Where a well-advised promoter, in possession of the full survey and modelling record, considers that the competent authority may properly reach the opposite conclusion on the science, the question is not one from which reasonable scientific doubt has been excluded.

10.7 The consequence is precise. So long as that doubt subsists, the condition for consent under the appropriate assessment route is not met, and consent cannot lawfully be granted by that route. That is a matter of law and not of planning judgement. The Community Council does not submit that the Ministers must conclude that there will be an adverse effect on integrity; that is a scientific question for the Ministers advised by NatureScot. It submits that the Ministers cannot lawfully proceed on the footing that the absence of adverse effect has been ascertained, when the applicant itself has provided for the contrary.

If the derogation route were engaged

10.8 If the Ministers were to conclude that there would or might be an adverse effect on site integrity, consent could be granted only if three cumulative tests were satisfied: that there is no alternative solution, that there are imperative reasons of overriding public interest, and that the necessary compensatory measures are secured [21]. The Community Council makes two observations, both drawn from the applicant's own document.

10.9 The first concerns alternatives. The Derogation Case appraises alternatives against six Project Objectives, the sixth of which is to optimise the W1 Plan Option Area and maximise the generation capacity of the available Scottish seabed, and it discounts a reduced development area and a reduced number of turbines by reference to those objectives [11]. The applicant cites *R (Spurrier) v Secretary of State for Transport* for the proposition that an alternative solution must be directed at identified objectives [11][27]. That is correct as a statement of principle, but it carries a consequence the Derogation Case does not confront: where the objectives against which alternatives are measured include the maximal exploitation of the very site in question, no smaller or less damaging alternative at that site can satisfy them, and the alternatives test ceases to perform its function. The identification of the objectives against which alternatives fall to be judged is a matter for the competent authority, and the Ministers are invited to satisfy themselves that the objectives applied are theirs and not the applicant's alone.

10.10 The second concerns compensation. The applicant records that the Regulations governing compensatory measures came into force in May 2026 and apply to this Project, and that the Scottish Government's statutory guidance supporting those requirements has not yet been published [11]. The Community Council does not submit that this precludes determination as a matter of law. It submits that the adequacy, deliverability and long-term security of any compensatory measure would require to be established on evidence before consent could be granted, and that the absence of the governing guidance is a matter the Ministers should weigh when considering whether that has been achieved.

Other natural heritage matters

10.11 The Community Council is not a specialist ecological consultee and does not advance ecological objections it cannot evidence. It records four matters which appear on the face of the applicant's documents and which engage the National Marine Plan directly.

- The applicant's benthic assessment confirms the presence of Priority Marine Features and Annex I habitats within the development area itself. GEN 9(b) of the National Marine Plan provides in mandatory terms that development and use of the marine environment must not result in significant impact on the national status of Priority Marine Features [15][28].
- The applicant's underwater noise modelling extends to a zone of influence of 88 km, in waters supporting basking shark, cetaceans and seals, with assessed effects on prey species including herring and lesser sandeel [29][30]. GEN 13 requires that significant adverse effects of man-made noise be avoided, especially on species sensitive to such effects [15].
- The applicant undertook dedicated Manx shearwater tracking on Lunga in 2025, which indicates that it regarded the ornithological interest of these waters as material to its assessment [18].
- NPF4 Policy 4(e) applies the precautionary principle. Uncertainty arising from the limits of survey coverage or modelling method is not evidence that significant effects are absent [14].

10.12 The National Trust for Scotland has stated its intention to object, and RSPB Scotland and other specialist bodies are understood to be conducting detailed technical review [31]. The Community Council adopts and supports those representations so far as they are consistent with this objection, and asks that substantial weight be given to that specialist evidence. It reserves its position on the ecological detail accordingly.

11. The claimed climate benefit

11.1 The foundation of this application is its claimed contribution to decarbonisation. That is the benefit to which the applicant invites the Ministers to give significant weight under NPF4 Policy 11, and it is the benefit against which every harm identified in this objection would fall to be balanced. It is therefore the right place to begin, and it requires close attention, because the applicant's own quantification of that benefit does not support the conclusion which the EIAR draws from it.

What the applicant assesses, and what it concludes

11.2 Chapter 19 of the EIAR quantifies the greenhouse gas emissions of the Project across its lifetime and compares them with a “Do Nothing” scenario in which the same quantity of electricity is generated instead by gas-fired power stations fitted with carbon capture and storage. On that basis the chapter concludes that the operational phase, and the Project overall, would have an effect which is beneficial and significant in EIA terms [7].

11.3 The material figures are the applicant's own and are set out in Table 3.

Table 3 – Greenhouse gas figures reported by the applicant (EIAR Chapter 19)

Quantity	Tonnes CO_2e	Source
WDA construction, including pre-construction	4,759,276	Table 19.13
WDA operation and maintenance, 35 years	1,904,549	Table 19.14
WDA decommissioning	571,250	Table 19.16
Offshore export cable corridor (indicative)	327,380	Table 19.17
Onshore transmission development area (indicative)	563	Table 19.17
Whole Project, lifecycle total	**7,563,018**	Table 19.17
Do Nothing scenario, 35 years	**4,756,234**	Table 19.12
Reported avoided emissions	2,851,685	Table 19.15

Source: EIAR Chapter 19, Greenhouse Gas Assessment, June 2026 [7]. Lifetime generation is given as 229,769,756 MWh at a capacity factor of 40.2%.

The weakness

11.4 The two figures in bold are on the same basis as each other: both are whole-life totals, and both relate to the same quantity of electricity over the same 35 years. Compared directly, the Project emits some **2.81 million tonnes of carbon dioxide equivalent more** than the scenario against which the applicant has chosen to measure it.

11.5 The reported benefit of 2,851,685 tonnes is not that comparison. It is the result of subtracting the operational phase emissions alone, 1,904,549 tonnes, from the whole 35-year Do Nothing total of 4,756,234 tonnes [7]. Construction, decommissioning and the transmission infrastructure, amounting together to 5,658,469 tonnes, or 75% of the Project's own footprint, are absent from one side of the comparison. Construction alone accounts for approximately 66% of the WDA's lifecycle emissions, and the applicant records that 88% of the construction figure is embodied carbon in materials [7].

11.6 The applicant's own intensity figures disclose the same difficulty from a different direction, and this comparison is made on a consistent basis. Chapter 19 reports the whole Project's carbon intensity as 32.9 g CO_2e per kWh. The emission factor from which the Do Nothing baseline is constructed is 20.7 tonnes CO_2e per GWh, which is 20.7 g CO_2e per kWh [7]. Per unit of electricity delivered, the Project as assessed is therefore more carbon-intensive than its own counterfactual, by a margin of approximately 59%.

11.7 Chapter 19 does not overlook the incompatibility of the two sides of its comparison. At paragraph 19.6.2.2 the applicant explains that the gas emission factor represents the operational use of gas at source, that it is not representative of lifecycle emissions because it excludes the extraction, processing and transportation of the gas, and that it is accordingly “not directly comparable” with the lifecycle emissions of the WDA infrastructure; and that for that reason avoided emissions have been estimated for the operational phase only [7].

11.8 So far as it goes that is a correct statement of the limitation, since a gas plant's lifecycle emissions would exceed its operational emissions. But the explanation identifies a problem which the chapter then leaves unresolved, and the applicant cannot rely upon its own acknowledgement of incomparability as an answer to that incomparability. Having recognised that the two sides of the

comparison are measured on different bases, the applicant does not quantify the gas lifecycle figure which would render them comparable. That figure appears nowhere in the EIAR. What is presented to the Ministers is therefore a comparison which omits three quarters of the Project's emissions from one side, together with a conclusion of significant benefit drawn from it; and the one comparison which the chapter does complete on a consistent lifecycle basis, the intensity comparison, runs against the Project.

11.9 The Community Council states its position with care. It does not submit that this Project would increase global emissions, and it does not have the evidence to submit that. It submits something narrower and, for present purposes, more important: that the magnitude of the climate benefit claimed for this Project is not established by the assessment which the applicant has produced, and that on the applicant's own arithmetic the comparison the EIAR completes does not demonstrate a net lifetime saving. Whether such a saving exists is a question the EIAR leaves unanswered.

The tests engaged, and the consequence

11.10 Three consequences follow, and they differ in kind.

11.11 The first concerns weight, and it is the most significant for the planning balance. NPF4 Policy 11 directs that significant weight be given to a proposal's contribution to renewable energy generation and emissions reduction targets [14]. Weight of that kind attaches to a contribution which has been demonstrated, and it attaches in proportion to the demonstration. Where the promoter's own assessment cannot show, on a consistent basis, what the net lifetime emissions benefit of its scheme would be, the weight which that benefit can bear in the balance is correspondingly reduced. The weight which the applicant invites the Ministers to place upon this benefit is not available to it upon its own evidence, and it is against that reduced weight that the harms identified elsewhere in this objection fall to be balanced.

11.12 The second concerns NPF4 Policy 2, which requires proposals to be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible, and which the applicant cites as relevant to its own assessment [7][14]. Against a lifecycle footprint of 7.56 million tonnes, Chapter 19 identifies one embedded mitigation measure, namely the removal of gravity base foundations from the design envelope, and proposes no greenhouse gas monitoring, the applicant recording that no specific monitoring requirements are anticipated [7]. Beyond that, the chapter expresses an intention to pursue opportunities which prove technically feasible and commercially viable as design progresses. Meanwhile the design options which would have reduced embodied carbon materially, a smaller development area and fewer turbines, were considered by the applicant and rejected because they conflicted with its objective of maximising the generation capacity of the site (Section 5) [11]. A proposal which sets aside the design choices that would reduce its embodied emissions in order to maximise output has not minimised those emissions as far as possible, and Policy 2 is not satisfied.

11.13 The third concerns GEN 5 of the National Marine Plan, which requires marine decision-makers to act in the way best calculated to mitigate and adapt to climate change and to consider ways of reducing greenhouse gas emissions [15]. Since the marine licence applications must be determined in accordance with the Plan unless relevant considerations indicate otherwise, this is a statutory duty and not merely a policy preference [3]. The Ministers cannot discharge it on an assessment which does not establish the Project's net lifetime emissions effect on a consistent basis.

The benefit is quantified for the whole Project; the harm is assessed for part of it

11.14 One further feature of Chapter 19 should be drawn to the Ministers' attention, because it recurs in Section 12. For the purpose of quantifying the climate benefit, the applicant assesses the whole Project, expressly including the offshore export cable corridor and the onshore transmission development area, on the basis that this infrastructure is required in order to supply renewable energy and contribute to decarbonising the transmission system [7]. For the purpose of assessing environmental harm, every other chapter of the EIAR is confined to the WDA. The Ministers are therefore presented with the benefits of the entire scheme and the harms of a part of it.

What the Project delivers to Islay

11.15 The final element of this question is specific to the objector. The whole of the electricity generated would be exported to the transmission system at Girvan [5][7]. No connection to Islay is proposed, and no supply to the island forms any part of these applications. Nothing in the Project as applied for would displace any part of the fuel oil on which the island's distilleries and households presently depend.

11.16 That matters for two reasons which are legally distinct. The first is a matter of weight: the benefit of this Project to the community which would bear its effects is, in energy terms, nil, and the Ministers are entitled and bound to take that into account when weighing benefit against harm. The second is a matter of policy compliance: NPF4 Policy 11(c) supports renewable energy proposals only where they maximise net economic impact, including local and community socio-economic benefits, and the National Marine Plan directs that particular consideration be given to opportunities which provide benefit to communities [14][15]. The applicant quantifies the Project's employment and Gross Value Added benefits at Scotland and United Kingdom level and at no finer resolution [11]. Neither the energy generated nor any quantified economic benefit reaches the islands nearest the development. Section 6 returns to this in the context of the socio-economic assessment as a whole.

11.17 The Community Council adds one observation, and confines itself to what can properly be said. Islay carries a Scottish Government commitment to carbon neutrality by 2040 [17]. An objection from such a community is not opposition to decarbonisation. It is an insistence that a development which takes the island's seascape should be shown, on evidence, to deliver the climate benefit claimed for it. On the material presently before the Ministers, that showing has not been made.

12. The Project is before the Ministers only in part

12.1 The final question concerns the scope of what the Ministers are being asked to decide. It is a question of law, and it was answered by the Inner House four months before these applications were made.

What has been excluded, and what was advised

12.2 These applications cover the WDA. The offshore export cable corridor and the onshore transmission works, without which no electricity generated by the Project can reach the network, are reserved to separate applications, the offshore cable application being anticipated in 2027 [5]. The grid connection near Girvan was itself confirmed only in August 2025 [5].

12.3 The Ministers' own advisers addressed this in advance, and the applicant has recorded their advice in its own Project Description. NatureScot advised on 10 June 2025 that separating the assessments raised concerns that not all potential impacts would be assessed so as to enable full

consideration of the proposal and of mitigation options, and stated that it expected the WDA and offshore transmission assessments to be contained within one EIA Report at the section 36 application stage. The Marine Directorate's Licensing and Operations Team advised at scoping that it was essential that sufficient information on the proposed offshore export cable works and onshore works be included in order to understand the cumulative impacts of the development [5][12]. Neither advice was followed.

12.4 The applicant's recorded reasons for proceeding as it did are the uncertainty of the grid connection, limitations on the remaining validity of its ornithological baseline data, and existing precedent for separate consent submissions [5]. The practical consequence is acknowledged in the EIAR itself. Chapter 14, for example, records that by reason of the delay in confirming the grid connection it considers the Windfarm Development Area study area and existing environment only, and the applicant explains elsewhere that the level of detail available for the export cable corridor and the onshore works is limited, so that any combined assessment is commensurate with that limited detail [37]. The whole-Project assessment which the applicant offers is therefore, on its own account, constrained by the very division which is in question. The Community Council observes that none of the three is an environmental justification. The first and third are matters of programme and practice. The second is an acknowledgement that the Project was divided in part because survey data was approaching the end of its useful life.

The applicable law

12.5 On 17 February 2026, in *Raeshaw Farms Limited v Scottish Ministers*, the Inner House quashed a permission granted on the footing that the grid connection formed no part of the proposal and would be assessed later. The Court held that the decision-maker had erred by failing to carry out a fact-specific assessment of whether the wind farm and its grid connection constituted a single project for the purposes of environmental impact assessment, relying instead on established common practice; and it found force in the argument that it was irrational to take into account the renewable energy benefits of a wind farm without also addressing the potential adverse impacts of its grid connection. The relevant question is not whether the developer intended to avoid assessment, but whether the division would result in an incomplete or inadequate assessment of environmental effects [23].

12.6 The applicant's appeal to precedent is therefore an appeal to the reasoning the Court rejected. More significantly, the asymmetry which the Court identified as potentially irrational is present here in an acute form, and it is documented in the applicant's own EIAR: as Section 11 records, the transmission infrastructure is included when the climate benefit is quantified in Chapter 19, on the express basis that it is required in order to deliver the renewable energy, and excluded when environmental harm is assessed [7].

12.7 The consequence is a matter of law. The Ministers are required to make a fact-specific and reasoned assessment of whether the WDA and the transmission works constitute a single project for the purposes of environmental impact assessment, and to state their conclusion and reasons. If they are one project, the effects of the whole must be assessed before consent is granted. The Community Council submits that the applicant's own treatment of the transmission works in Chapter 19 makes that conclusion difficult to resist.

Cumulative effects

12.8 The Community Council raises cumulative effects once and does not repeat the point elsewhere. GEN 21 of the National Marine Plan requires cumulative impacts to be addressed in decision-

making, including whether the cumulative impact of activities outweighs their benefits [15]. That assessment cannot properly be performed on a partial project. Nor can it be performed on this Project in isolation from the wider programme of offshore wind development in these waters. The Ministers are invited to address the cumulative question on the whole of the Project, and in the context of the other development proposed and consented in this sea area, before determining these applications.

13. Further matters requiring the Ministers' determination

13.1 The Community Council raises the following matters so that they are before the Ministers and answered. In each case it states what the application contains and what it asks the Ministers to test. It does not assert conclusions on chapters it has not examined, and it identifies in the note on sources which those are.

Aviation lighting and the night-time environment

13.2 Structures of the height proposed require aviation obstruction lighting, and offshore structures require navigation marking and lighting; the applicant has produced an outline lighting and marking plan, a military and civil aviation chapter and an airspace and radar modelling appendix [5][38][39]. The horizon concerned is presently unlit, and the applicant's own coastal character assessment acknowledges that aviation lighting may be perceptible during the hours of darkness [8]. The Ministers are asked to address the night-time effect on the western and northern coasts of Islay, which is a distinct effect from the daytime visual effect considered at Section 3, and to confirm the positions of the Civil Aviation Authority, the Ministry of Defence and the operator of Islay Airport.

Other marine users, major accidents and pollution risk

13.3 The applicant's chapter on major accidents and disasters assesses marine casualty, vessel allision, and loss of containment and pollution, applying the guidance of the Institute of Environmental Management and Assessment on major accidents and disasters in environmental impact assessment together with Marine Accident Investigation Branch and Maritime and Coastguard Agency guidance [41]. The application also includes a chapter on infrastructure and other marine users, a marine pollution contingency plan, an assessment of unexploded ordnance clearance and an invasive non-native species mitigation plan [40][41]. Islay lies to the south-east of the development area and its coasts and inshore waters would receive the consequences of any significant loss of containment. The Community Council has not completed its review of these documents. It asks the Ministers to satisfy themselves that the risk to Islay's coastline, its beaches and its inshore shellfish grounds from accidental events during a five-year construction programme involving 117 vessels and 5,699 vessel movements has been assessed at island level, and that the contingency arrangements are proportionate to that risk and secured by condition.

Climate resilience of the development itself

13.4 The applicant has produced a climate change risk assessment supported by climate projection data and a vulnerability assessment [42]. Since the Project would stand in an exposed Atlantic location for a stated 35 years within a 60-year lease, the Ministers are asked to confirm that the resilience of the infrastructure, and the implications of any failure for the waters and coasts of the adjacent islands, have been assessed.

Blue carbon

13.5 The applicant has produced a blue carbon assessment as an appendix to its greenhouse gas chapter [43]. Given that the Project would disturb 448 km^2 of seabed and place over 11.6 million cubic metres of protective material upon it, the treatment of seabed carbon stores is material to the emissions question addressed at Section 11, and the Ministers are asked to state their conclusions on it.

Inter-related and combined effects on the same receptors

13.6 The EIAR assesses effects topic by topic, and the applicant has produced a chapter on inter-related effects and ecosystem assessment [44]. This matters to Islay more than the structure of the document suggests, because the same island, the same coastline and the same communities appear in several chapters at once: significant adverse seascape change along two designated coastlines, five years of intensive vessel activity, displaced fishing effort, and reduced port access and emergency response capability. The Ministers are asked to satisfy themselves that the combined effect of those matters upon the affected island communities has been assessed, and not merely the individual effects considered separately. The Community Council notes that this is closely connected to the absence of any place-based assessment of Islay identified at Section 6.

Securing whatever mitigation is relied upon

13.7 The applicant has produced a mitigation and commitments register together with a suite of outline management plans [45]. If consent were granted, the Community Council asks that every measure relied upon in reaching that decision be secured by condition in terms which are enforceable, and that outline plans be required to be submitted in final form for approval before the commencement of works.

14. Matters on which the applicant is anticipated to rely

14.1 The Community Council sets out below the principal answers which it expects the applicant to make to this objection, together with its reply to each. It does so so that the matters genuinely in dispute are before the Scottish Ministers now, and not for the first time at a later stage of the examination.

That the magnitude gradings are a matter of professional judgement

14.2 Professional judgement is required by the guidelines, and viewing distance is properly among the considerations within it. That is not the objection. The objection is that the applicant has reached a conclusion which its own methodology does not require and nowhere explains. The coastline at CCA 20 is assessed as being of high sensitivity, as experiencing a large geographical extent of change along its entire length, as having approximately 71 degrees of its horizon occupied, and as sustaining a moderate and significant effect, with the nearest turbines approximately 15 km offshore. High magnitude is attributed by the same consultants, in the same appendix, to a comparable coastline at approximately 17 km. The applicant must therefore identify what feature of north-west Islay, other than viewing distance, accounts for the difference. If the answer is distance, a threshold is operating which the methodology does not contain. If it is not distance, the applicant has not said what it is (Section 3).

14.3 Consistency in the application of professional judgement is ordinarily a virtue. It ceases to be one where the consistent outcome is not required by the written methodology, is not explained, and operates in one direction only.

That significant weight must be given to renewable energy, and that this outweighs the harm

14.4 Three answers follow. The first concerns the test. The applicable provisions do not ask whether benefits outweigh harm. NPF4 Policy 4(d) requires significant adverse effects on a designated landscape area to be clearly outweighed by benefits of at least local importance; GEN 6 of the National Marine Plan requires substantial harm to a designated heritage asset to be exceptional and to be necessary in order to deliver outweighing benefits; and NPF4 Policy 7(h) requires exceptional circumstances to be demonstrated where the integrity of the setting of a scheduled monument is affected [14][15]. Those are higher thresholds than a simple balance, and the burden of satisfying them lies upon the applicant.

14.5 The second concerns what the benefit is. It is not the national importance of offshore wind in the abstract. It is the benefit of this development at this site. The ScotWind round awarded a substantial number of separate option areas, and the same generating capacity is capable of being delivered elsewhere [34]. What must clearly outweigh the harm to Islay is therefore the marginal advantage of this location over an alternative, and the applicant has nowhere quantified it.

14.6 The third concerns the structure of the Framework. NPF4 Policy 1 directs significant weight to the climate and nature crises together and not as a hierarchy, so the climate case cannot without more be deployed to defeat the protective policies which the same Framework enacts [14]. And on the authority discussed at Section 4, a decision-maker who finds harm to the setting of a heritage asset is not free to give that harm whatever weight he chooses [48].

That the objector has produced no expert evidence of harm

14.7 Every operative test identified in this objection is a condition which the applicant must positively satisfy, and none of them is satisfied by the absence of contrary evidence (Section 2). Under the Habitats Regulations in particular, consent requires that reasonable scientific doubt be removed; it is not for the Community Council to create doubt which the applicant has itself provided for by preparing a derogation case and a species compensation plan (Section 10) [11].

14.8 In any event this objection does not rest upon evidence of the Community Council's own. It rests upon the applicant's documents, the applicant's methodology, the applicant's tabulated findings, the recorded advice of Historic Environment Scotland and the guidance of NatureScot.

That the statutory consultees have not objected

14.9 If that is said, it does not discharge the Ministers' own duties. The duty in paragraph 3 of Schedule 9 to the Electricity Act 1989 is the Ministers' duty and not a consultee's [2]. The tests in NPF4 and in the National Marine Plan are applied by the Ministers. The silence of a consultee cannot demonstrate the exceptional circumstances which Policy 7(h) requires to be demonstrated, and it cannot remove reasonable scientific doubt for the purposes of the Habitats Regulations [14][21].

14.10 Nor, on the record, is this a case of consultee contentment. Historic Environment Scotland has advised that the effect upon the setting of a scheduled monument on Islay is capable of raising issues of national importance such that it might object (Section 4) [37]. The National Trust for Scotland has stated its intention to object [31]. And both NatureScot and the Marine Directorate's own licensing team asked for the wind farm and its transmission works to be assessed together, and were not followed (Section 12) [5].

That Raeshaw Farms is a terrestrial case and marine practice differs

14.11 The reasoning which the Inner House rejected in that case was precisely the reasoning that established common practice justified assessing a wind farm separately from its grid connection [23]. An appeal to common practice in marine licensing is therefore an appeal to the argument which failed. The principle is not confined to the terrestrial regime: in the Habitats context the appropriate assessment must identify all the aspects of the project capable of affecting the conservation objectives of the site [22]. And the applicant's own explanation, that the level of detail available for the export cable corridor and the onshore works is limited so that any combined assessment is commensurate with that limited detail, is not an answer to the objection (Section 12) [37]. It is the objection.

That the site was identified through the Sectoral Marine Plan and the seabed has been leased

14.12 That answer is addressed at Section 5. In short, the Sectoral Marine Plan is not the statutory marine plan which section 15 of the Marine (Scotland) Act 2010 engages; its plan-level assessment deferred project-level scrutiny to this stage; the grant of a seabed lease confers no entitlement to consent; and the strategic assessment of this option area identified the very categories of effect now in issue as key risks attaching to it [3][12][34][37].

That community benefit will be provided

14.13 The provision of a voluntary community benefit fund would not affect the planning merits of these applications. Payments of that kind are not mitigation of environmental harm and are not material to whether consent should be granted. Nor do they satisfy NPF4 Policy 11(c), which is concerned with whether the proposal itself maximises net economic impact including local and community socio-economic benefit [14]. A proposal which quantifies its benefit in national totals, which locates its supply-chain benefit at ports, whose only identified island role is Islay's possible use as a project location, and which concentrates seascape, heritage, fisheries, connectivity and habitability harm upon island communities whose socio-economic position it has not assessed, does not meet that requirement (Section 6).

That at this distance the turbines would be barely perceptible

14.14 That is not what the applicant's own assessment says. It records a large geographical extent of change along the entire length of two Islay coastlines, approximately 71 degrees of occupied horizon at CCA 20, moderate and significant effects, and, from Loch Gruinart, a development which may read as an onshore wind farm rather than an offshore one (Section 3) [8]. Nor is perceptibility a function of scale alone. Moving blades draw the eye in a way that static structures do not, and the introduction of aviation and navigation lighting would alter a presently unlit Atlantic horizon after dark (Section 13).

That the assessment adopted a realistic worst case

14.15 The applicant states that each chapter assesses a realistic worst case, so ensuring a robust and precautionary approach [20]. The design envelope, however, permits a trade between turbine height and turbine number: 91 turbines at up to 335 m, or 144 at up to 280 m [5]. Those two layouts do not share a single worst case. The scenario which is worst for seascape and visual effect is not necessarily the scenario which is worst for ornithological collision risk, for benthic habitat loss, or for navigation. The Ministers are invited to require the applicant to demonstrate that the scenario assessed is the worst case for each receptor individually rather than a single scenario asserted to

be worst overall; and if it is not, to treat the assessment as not achieving what is claimed for it, and any consent as requiring conditions fixing the parameters actually assessed.

15. The adequacy of the information before the Ministers

15.1 Environmental impact assessment exists to place the competent authority in possession of the information it needs to determine the application before it. The statutory question is not whether the EIAR is long, nor whether its methodology is orthodox, but whether the Ministers now have sufficient information to identify, describe and assess the likely significant effects of this development and to determine these applications on an informed basis [33]. The Community Council submits that they do not, and identifies four specific deficiencies rather than advancing a general complaint.

- **The climate benefit is not quantified on a consistent basis.** The reported avoided emissions omit 75% of the Project's own lifecycle emissions from one side of the comparison, and the applicant, having correctly identified that the two sides are measured differently, does not supply the figure which would make them comparable. On the only lifecycle comparison the chapter completes, the Project is more carbon-intensive per unit of electricity than its own counterfactual (Section 11) [7].
- **Policy 4(d) has not been addressed on the applicant's own findings.** Two Islay coastlines within a designated Local Landscape Area are assessed as sustaining significant adverse effects along their entire length, and no assessment of local benefit exists against which those effects could be weighed under the second limb of that policy (Sections 3 and 6) [8][11][14].
- **The affected island community has not been assessed.** Island habitability was identified as a matter requiring examination by the applicant's own consultants; the assessment then examined ports, and considered Islay only by reference to its potential role as a project location (Section 6) [10].
- **There is an acknowledged gap in statutory heritage advice.** Historic Environment Scotland ceased advising on undesignated underwater cultural heritage from 1 January 2025, and the Marine Directorate's licensing team recorded that it was considering alternative provision for non-designated assets. The Ministers are asked to confirm what advice they have received on that part of the resource before determining the applications (Section 4) [37].
- **The combined effect on the affected island communities is not drawn together.** The same island, coastline and communities appear across the seascape, socio-economic, fisheries, navigation and construction chapters, and the Ministers are asked to satisfy themselves that the inter-related effects assessment addresses their combined effect rather than each in isolation (Section 13) [44].
- **The Project is assessed in part while its benefits are quantified in whole.** The transmission infrastructure is included in the greenhouse gas assessment and excluded from every chapter assessing harm, contrary to the advice of both NatureScot and the Marine Directorate's licensing team, and contrary to the approach which *Raeshaw* requires (Sections 11 and 12) [5][7][23].

15.2 The applicant's methodology chapter states the basis on which each topic chapter has been assessed [20]. The deficiencies identified above are, in principle, capable of being addressed through the provision of further environmental information, and the Community Council's alternative request at Section 17.6 is framed accordingly. Unless and until they are addressed,

however, the applications do not provide a sufficient evidential basis for determination. Ministers are being asked to attach significant weight to a climate benefit which has not been consistently quantified, to assess heritage impacts where the integrity of setting has not been demonstrated, to accept conclusions about island communities that have not been founded on place-based assessment, and to determine a project whose cumulative environmental effects have not been assessed as a whole. Those are not omissions of detail. They go to the adequacy of the environmental information on which the statutory decision must be made.

16. The planning balance, and the reasons which will be required

16.1 The Community Council does not restate its case here. It identifies what it submits are the decisive considerations, and the matters on which reasons will be required.

The balance

16.2 On the benefit side, the applicant relies upon the contribution the Project would make to renewable generation, and NPF4 Policy 11 directs that significant weight be given to such a contribution where it is made out [14]. Three matters deny that benefit the weight the applicant claims for it. Its magnitude is not established on a consistent basis by the applicant's own greenhouse gas assessment (Section 11). It is not site-specific: the national contribution could be delivered from other option areas created by the ScotWind leasing round, and the applicant has not quantified what would be lost by a smaller, more distant or differently configured development, having rejected those alternatives against its own objective of maximising output from this site (Section 5) [11][34]. And no benefit of local importance has been quantified at all (Section 6) [11].

16.3 On the harm side stand significant adverse effects, on the applicant's own assessment, along the entire length of two coastlines within a designated Local Landscape Area, unmitigated and enduring; an island community whose exposure has not been assessed; identified effects on fisheries access, on access to local ports and harbours and on emergency response capability which the applicant's own chapters record; a substantial and largely irreversible alteration of 448 km^2 of seabed in waters supporting Priority Marine Features and Annex I habitats; the introduction of aviation and navigation lighting onto a presently unlit horizon; and an effect on the setting of the coastal monuments of western Islay which the statutory adviser on the historic environment has described as capable of fundamentally altering the setting of a scheduled monument and of raising issues of national importance [7][8][10][25][26][28][37].

16.4 Standing back, the Community Council submits that the decisive point is not any single harm but the relationship between the two sides. The benefit which is said to justify the harm is the one element of the application which the applicant's own evidence does not establish on a consistent basis; and the community which would bear the harm is the one element of the receiving environment which the applicant's own assessment does not examine. A balance struck on that material would not be a balance struck on evidence.

Reasons

16.5 The Ministers' reasons must be intelligible and adequate, must enable the reader to understand why the matter was decided as it was and what conclusions were reached on the principal important controversial issues, and must leave no substantial doubt as to whether the decision-maker erred in law: *South Buckinghamshire District Council v Porter (No 2)*, and see *Dover District Council v CPRE Kent* on the giving of reasons as an element of good administration [35]. In the specific context of environmental impact assessment, *R (Finch) v Surrey County Council* confirms

that a decision may be set aside where there is a demonstrable flaw in the reasoning which led to it, including where an important step in that reasoning is unsupported by evidence, the question being whether the conclusion follows from the evidence or whether there is an unexplained gap or leap [47]. Several of the matters listed below are of that character.

16.6 The Community Council submits that the principal important controversial issues, on which express conclusions and reasons will be required, are these:

- whether the Project delivers a net reduction in greenhouse gas emissions across its lifetime measured against the counterfactual the applicant has itself defined and, if that cannot be determined from the EIAR, what weight the claimed climate benefit can properly carry;
- whether either limb of NPF4 Policy 4(d) is satisfied in respect of the North and West Islay (Coast) Local Landscape Area, given the applicant's own findings of significant adverse effects on CCA 18 and CCA 20;
- whether NPF4 Policy 11(c) can be satisfied where local and community socio-economic benefit is neither quantified nor assessed;
- whether sound socio-economic evidence exists in respect of Islay as an affected island community, as GEN 19 of the National Marine Plan requires;
- whether reasonable scientific doubt has been excluded in respect of the guillemot feature of the North Colonsay and Western Cliffs Special Protection Area, and if not, whether each limb of the derogation test is made out;
- whether the Windfarm Development Area and the transmission works constitute a single project for the purposes of environmental impact assessment, applying *Raeshaw Farms*; and
- whether the duties owed under the Islands (Scotland) Act 2018 have been discharged in respect of this determination;
- what feature of the north-western coast of Islay, other than viewing distance, accounts for the attribution of medium rather than high magnitude to CCA 20 and CCA 18, when high magnitude and a major effect are attributed to comparable coastlines at 12 to 17 km;
- whether the effect on the setting of Beinn a' Chaisteil promontory fort and the other coastal monuments of western and northern Islay amounts to substantial harm for the purposes of GEN 6 of the National Marine Plan, whether the integrity of setting of any scheduled monument is affected within NPF4 Policy 7(h), and how the duty under paragraph 3 of Schedule 9 to the 1989 Act has been discharged;
- whether the mandatory terms of GEN 9 of the National Marine Plan are satisfied in respect of the Priority Marine Features and Annex I habitats within the development area;
- whether genuine co-existence with the established inshore fishing interest has been demonstrated for the purposes of GEN 4, and what becomes of the fishing effort displaced from the development area;
- whether search and rescue capability and access to local ports and harbours serving Islay would be maintained, to the satisfaction of the Maritime and Coastguard Agency and the Royal National Lifeboat Institution; and
- whether the combined effect of the Project's separate impacts upon the affected island communities has been assessed.

16.7 If the Ministers depart from Scotland's National Marine Plan in determining the marine licence applications, section 15(2) of the 2010 Act requires them to state their reasons for doing so [3].

17. Conclusion, and the determination sought

17.1 Refusal is sought not because this development is unwelcome, but because the framework which governs it is not satisfied, and the Community Council concludes by identifying where, on the applicant's own evidence, that framework fails.

17.2 The marine licence applications must be determined in accordance with Scotland's National Marine Plan unless relevant considerations indicate otherwise [3]. They are not in accordance with it. GEN 5 requires the Ministers to act in the way best calculated to mitigate climate change, and the Project's net lifetime emissions effect is not established on a consistent basis by the applicant's own assessment. GEN 7 requires particular care where largely undeveloped and unspoiled coast may be affected, and two such coastlines are assessed by the applicant as sustaining significant adverse effects along their entire length. GEN 6 requires designated heritage assets to be protected in situ within an appropriate setting and permits substantial harm only exceptionally, and the statutory adviser's recorded advice is that the setting of a scheduled monument on Islay may be fundamentally altered. GEN 19 requires sound socio-economic evidence and, where it is lacking, precaution; the evidence for Islay as an affected community does not exist. GEN 21 requires cumulative impacts to be addressed, which cannot be done on a project presented in part. The presumption in favour of sustainable development in GEN 1 is available only to proposals which accord with the Plan, and so is not engaged [15].

17.3 The section 36 application falls to be determined against a development plan which withholds support from it. NPF4 Policy 4(d) is not satisfied on either limb in respect of the North and West Islay (Coast) Local Landscape Area. The concession in Policy 11(e)(ii) is unavailable, the effects being neither localised nor mitigated. Policy 11(c) is not satisfied, local and community benefit being unquantified. Policy 2 is not satisfied, the design choices which would have reduced lifecycle emissions having been rejected in favour of output. Policy 4(a) withholds support from development which by virtue of type, location or scale would have an unacceptable impact on the natural environment, and Policy 30 of the Local Development Plan requires a demonstration of no unacceptable environmental effects which has not been made [14][16].

17.4 Two further matters stand apart from the planning balance because they are conditions of lawfulness rather than considerations of weight. The applicant's own derogation filings establish that the question of adverse effect on the integrity of the North Colonsay and Western Cliffs Special Protection Area is not free from reasonable scientific doubt, and while that is so the appropriate assessment route to consent is closed [11][21][22]. And the Ministers are required to determine, on a fact-specific and reasoned basis, whether the Windfarm Development Area and the transmission works are one project for the purposes of environmental impact assessment; if they are, the effects of the whole must be assessed before consent is granted [23].

17.5 For those reasons Islay Community Council requests that the Scottish Ministers **REFUSE** consent under section 36 of the Electricity Act 1989 and **REFUSE** the associated marine licence applications [2][3].

Requests in the alternative

17.6 The requests which follow are made only in the alternative, and only in the event that the Ministers are not minded to refuse. Nothing in them is to be read as an indication that the Community Council

considers this proposal capable of being made acceptable, or as any measure of agreement with the applicant. The deficiencies identified in this objection are advanced as reasons for refusal; the requests below identify the minimum which would have to be remedied before the Ministers could lawfully and properly determine these applications at all. The Community Council requests that further environmental information be required under the Electricity Works and Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 before any determination [33], comprising:

- a greenhouse gas comparison on a consistent lifecycle basis, quantifying the lifecycle emissions of the Do Nothing counterfactual and stating whether the Project delivers a net lifetime reduction against it;
- an account of the measures by which lifecycle emissions have been minimised as far as possible for the purposes of NPF4 Policy 2, including the reasons for rejecting a reduced development area and a reduced number of turbines;
- an assessment addressing both limbs of NPF4 Policy 4(d) in respect of the North and West Islay (Coast) Local Landscape Area, by reference to the findings for CCA 18 and CCA 20;
- the final position of Historic Environment Scotland on the setting of Beinn a' Chaisteil promontory fort and the other assets it has identified, together with an assessment of whether design or layout change could reduce the effect on setting, as that body advised in January 2025;
- a place-based socio-economic and habitability assessment of Islay as an affected island community, founded on engagement with that community and distinct from any appraisal of the island as a potential project location;
- quantification of the local and community socio-economic benefits relied upon for the purposes of NPF4 Policy 11(c), at island and Argyll and Bute level; and
- such further ecological information as the Ministers require in order to discharge their duties under the Habitats Regulations.

17.7 The Community Council further requests that the examination of these applications take the form of inquiry sessions. It recognises that, following the amendments made to Schedule 8 to the Electricity Act 1989 by the Planning and Infrastructure Act 2025 with effect from 18 February 2026, the form of examination is a matter for the appointed reporter and no objection compels an inquiry [36]. The request is made because the central matters raised by this objection are matters on which written exchanges permit assertion but not testing: how a conclusion of significant benefit is derived from the figures in Chapter 19, and how significant adverse effects on a designated landscape area come to attract no mitigation, are questions which require the applicant's witnesses to be examined on the record.

17.8 The Community Council also requests that it be notified of, and given a proper opportunity to comment upon, any supplementary environmental information, any addendum to the Environmental Impact Assessment Report and any material change to the applications before determination; and that it be notified promptly of any decision and of the reasons for it, having regard to section 36D(4) of the 1989 Act, which allows six weeks from publication of a decision for any application questioning its validity [2].

17.9 If consent were granted notwithstanding this objection, the Community Council requests that a decommissioning programme, with adequate and enduring financial security for its execution, be

secured before any works commence, having regard to the expectation in NPF4 Policy 11(f) that areas identified for wind farms are suitable for that use in perpetuity [14].

17.10 The Community Council reserves the right to supplement this objection, in particular upon the completion of its review of Chapter 16 and its remaining appendices, and once the representations of NatureScot, Historic Environment Scotland, the National Trust for Scotland, RSPB Scotland and the relevant fisheries bodies are available [24][31].

References

[1] Applications by MachairWind Limited dated 25 June 2026 for consent under section 36 of the Electricity Act 1989 and for marine licences under Part 4 of the Marine (Scotland) Act 2010, Marine Directorate references 00012385 and 00012386, together with the accompanying application documentation published at marine.gov.scot, energyconsents.scot and in the applicant's MachairWind document library.

[2] Electricity Act 1989. Section 36 (consent for generating stations); section 36D(4) (six-week period for questioning the validity of a decision); Schedule 8 (as amended); and Schedule 9, paragraph 3 (duty to have regard to the preservation of natural beauty, the conservation of flora, fauna and features of special interest and the protection of sites and buildings of interest, and to mitigate effects on them).

[3] Marine (Scotland) Act 2010. Part 4 (marine licensing); section 15 (authorisation decisions to be made in accordance with the appropriate marine plan unless relevant considerations indicate otherwise, with reasons required for any departure).

[4] Local Government (Scotland) Act 1973, Part IV; section 51(2) (general purpose of a community council).

[5] EIAR Chapter 3, Project Description, June 2026. Cited for the 448 km^2 Windfarm Development Area; the design envelope of 91 turbines at up to 335 m or 144 at up to 280 m with a maximum rotor diameter of 290 m; the reduction of maximum tip height from 340 m to 335 m and of turbine numbers from 147 to 144, stated as being to reduce the magnitude of change on seascape receptors; the definition of the northern and eastern boundary of the development area by a buffer of at least 12 km from the nearest points of Islay and Colonsay; the approximate distance of 15 km to Islay; the 35-year operational life and 60-year lease; the confirmation of the grid connection near Girvan in August 2025; the deferral of the Offshore Export Cable Corridor and Onshore Transmission Development Area to separate applications; and the consultation responses of NatureScot (10 June 2025) and of the Marine Directorate Licensing and Operations Team, together with the applicant's stated reasons for making separate submissions.

[6] Planning Statement, June 2026, page 50, summarising the seascape, landscape and visual findings across the study area.

[7] EIAR Chapter 19, Greenhouse Gas Assessment (Haskoning), June 2026. Cited for: construction emissions of 4,759,276 tCO_2e, of which 88% is embodied carbon in materials (Table 19.13); operational emissions of 1,904,549 tCO_2e (Table 19.14); decommissioning emissions of 571,250 tCO_2e (Table 19.16); the whole Project total of 7,563,018 tCO_2e, comprising a WDA figure of 7,235,075, an Offshore Export Cable Corridor figure of 327,380 and an Onshore Transmission Development Area figure of 563 (Table 19.17); the Do Nothing total of 4,756,234 tCO_2e over 35 years, derived from an emission factor of 20.7 tCO_2e/GWh for gas generation with carbon capture at an assumed 95% capture rate (paragraph 19.6.2.2 and Table 19.12); reported avoided emissions of 2,851,685 tCO_2e calculated as the Do Nothing total less operational emissions only (Table 19.15); lifetime generation of 229,769,756 MWh at a 40.2% capacity factor; whole Project carbon intensity of 32.9 g CO_2e/kWh (paragraph 19.7.2.4.1); the conclusions of beneficial and significant in EIA terms (paragraphs 19.7.2.2.4 and 19.7.2.4.2); the applicant's explanation that the gas factor is not directly comparable with lifecycle emissions (paragraph 19.6.2.2); the whole-Project basis of the chapter and its stated rationale (paragraph 19.1); the single embedded mitigation measure removing gravity base foundations (Table 19.6); the absence of proposed greenhouse gas monitoring (paragraph 19.11); construction and operational vessel and helicopter movements (Table 19.5); and the policy schedule citing NPF4 Policies 1, 2 and 11, National Marine Plan GEN 5 and Argyll and Bute Local Development Plan 2 Policy 30 (Table 19.1).

[8] EIAR Appendix 16.3, Coastal Character Baseline and Assessment (LUC, November 2025). Cited for the coastal character findings for Islay reproduced at Table 1 of this objection, namely CCA 16 (Sound of Islay), CCA 18 (Sgairail), CCA 19 (Loch Gruinart), CCA 20 (Ardnave Point to Rhinns Point), CCA 21 (Loch Indaal) and CCA 22 (Laggan Bay); for the identification of CCA 18, CCA 19 and CCA 20 as lying within the North and West Islay (Coast) Local Landscape Area and of the Oa section of CCA 22 within the South-West Islay Local Landscape Area; for the assessed sensitivity, magnitude, geographical extent and significance of effect in each case; for the maximum horizontal angles of view of approximately 71 degrees (CCA 20), 65 degrees (CCA 19) and 59 degrees (CCA 18); for the baseline descriptions of those coastlines, including the characterisation of CCA 20 as lying at the outer edge of the British Isles and Europe, its bays at Sanaigmore, Saligo, Machir and Lossit, the Dun Bheolain

headland, the villages of Portnahaven and Port Wemyss, the distillery at Kilchoman and the ancient monuments along that coast; and for the assessment observations that the Project would adversely affect the sense of being at the edge of the British Isles (CCA 20) and might be perceived as an onshore rather than an offshore development (CCA 19).

[9] Scottish Natural Heritage, Supplementary Advice to SNH Consultation Response, 25 March 2020, comprising an assessment of potential seascape, landscape and visual impacts and design guidance in respect of the Draft Sectoral Marine Plan for Offshore Wind Energy, including the recommendations that development be limited to beyond 35 km from Colonsay and Islay and that turbine height be limited to a maximum of 200 metres.

[10] EIAR Chapter 18, Socio-economics (BiGGAR Economics), and Appendix 18.1, Socio-economics Technical Report, June 2026. Cited for the stated expectation that the ports are the main local epicentres of impact; for the treatment of Islay by reference to its potential role as a direct project location; and for the citation of Marine Directorate guidance on the definition of local study areas.

[11] Habitats Regulations documentation submitted with the application, June 2026: Report to Inform Appropriate Assessment (Parts 1 to 3); Report to Inform Marine Protected Area Assessment; Windfarm Development Area Habitats Regulations Appraisal Screening Report; Without Prejudice Derogation Case; and Appendix 1 thereto, the Without Prejudice Guillemot Compensation Plan. Cited for the direction of the derogation material to the guillemot feature of the North Colonsay and Western Cliffs Special Protection Area and the applicant's statement that the competent authority may not reach the same conclusion as the applicant; for the six Project Objectives, including the optimisation of the W1 Plan Option Area and the maximisation of the generation capacity of the available Scottish seabed; for the discounting of alternatives including a reduced development area and reduced turbine numbers against those objectives; for the citation of R (Spurrier); for the record that the compensation Regulations came into force in May 2026 with supporting statutory guidance not yet published; for the quantification of employment and Gross Value Added at Scotland and United Kingdom level; and for the finding of the applicant's consultants as to potential impacts on the habitability of island communities.

[12] Scottish Government, Sectoral Marine Plan for Offshore Wind Energy, published 28 October 2020, together with the consultation on the Draft Plan conducted between 18 December 2019 and 25 March 2020; and the consultation responses recorded by the applicant at EIAR Chapter 3, Table 3.1.

[13] Islands (Scotland) Act 2018. Part 3 (duties in relation to island communities), commenced 23 December 2020; section 11 (guidance on island communities impact assessments); section 14 (power of a listed local authority to request a retrospective island communities impact assessment).

[14] National Planning Framework 4, adopted 13 February 2023. Policies relied upon: Policy 1 (significant weight to the climate and nature crises); Policy 2 (siting and design to minimise lifecycle greenhouse gas emissions as far as possible); Policy 4(a) (no support where type, location or scale gives rise to unacceptable impact on the natural environment), Policy 4(d) (proposals affecting a local nature conservation site or landscape area designated in the local development plan) and Policy 4(e) (precautionary principle); Policy 11 and in particular Policy 11(a)(i), 11(c), 11(e)(ii) and 11(f).

[15] Scotland's National Marine Plan, published 27 March 2015 under section 5 of the Marine (Scotland) Act 2010, Chapter 4 (General Policies), the Plan providing that all text in that chapter is to be considered as planning policy. Policies relied upon: GEN 1 (presumption in favour of sustainable development consistent with the Plan's policies); GEN 4 (co-existence with established activities); GEN 5 (climate change); GEN 6 (historic environment, including the protection of designated assets in situ within an appropriate setting and the requirement that substantial loss or harm to designated assets be exceptional); GEN 7 (seascape, landscape and visual impact, including undeveloped and unspoiled coast); GEN 9 (natural heritage, including Priority Marine Features); GEN 13 (noise); GEN 18 (engagement); GEN 19 (sound evidence and precaution); GEN 21 (cumulative impacts).

[16] Argyll and Bute Local Development Plan 2, adopted 28 February 2024, comprising the Written Statement and Proposals Map. Cited for Policy 30 (sustainable growth of renewables), which the applicant identifies as relevant at EIAR Chapter 19, Table 19.1, and for the designation of the North and West Islay (Coast) and South-West Islay Local Landscape Areas.

[17] Scottish Government, Carbon Neutral Islands project. Islay was named in May 2022 as one of six islands, with Hoy, Great Cumbrae, Raasay, Barra and Yell, to become carbon neutral by 2040, in advance of Scotland's statutory net zero date of 2045 under the Climate Change (Scotland) Act 2009 as amended.

[18] EIAR Chapter 11, Offshore Ornithology, and its appendices and annexes, June 2026, including Annex 11.2O recording Manx shearwater tracking undertaken on Lunga in 2025.

[21] The Conservation (Natural Habitats, &c.) Regulations 1994, as amended, applying within 12 nautical miles; and The Conservation of Offshore Marine Habitats and Species Regulations 2017, applying beyond that limit. Cited for the requirement of appropriate assessment, for the condition that the competent authority must have ascertained the absence of adverse effect on site integrity before agreeing to a project, and for the cumulative derogation tests of no alternative solution, imperative reasons of overriding public interest and secured compensatory measures.

[22] Case C-127/02 Landelijke Vereniging tot Behoud van de Waddenzee v Staatssecretaris van Landbouw, Natuurbeheer en Visserij [2004] ECR I-7405, Court of Justice (Grand Chamber), 7 September 2004: authorisation may be given only where no reasonable scientific doubt remains as to the absence of adverse effects on the integrity of the site, on the basis of complete, precise and definitive findings, the requirement incorporating the precautionary principle.

[23] Raeshaw Farms Limited v Scottish Ministers [2026] CSIH 10, Inner House, Court of Session, 17 February 2026.

[24] EIAR Chapter 16, Seascape, Landscape and Visual Impacts, and Appendices 16.1, 16.2 and 16.4, June 2026, together with the representations of NatureScot on these applications when available.

[25] EIAR Chapter 12, Commercial Fisheries, and Appendix 12.1, June 2026, including the assessed impacts of exclusion from and reduced access to the development area and of displacement of fishing effort.

[26] EIAR Chapter 13, Shipping and Navigation, and Appendix 13.1, Navigational Risk Assessment, June 2026, including the assessed impacts of reduced access to local ports and harbours and of reduced emergency response capability.

[27] R (Spurrier) v Secretary of State for Transport [2019] EWHC 1070 (Admin), cited by the applicant in its Without Prejudice Derogation Case for the proposition that an alternative solution must be directed at identified objectives.

[28] EIAR Chapter 8, Benthic Ecology, June 2026, recording the presence of Priority Marine Features and Annex I habitats within the Windfarm Development Area.

[29] EIAR Chapter 9, Fish (including Basking Shark) and Shellfish, and Appendix 9.1, June 2026, including the underwater noise zone of influence and the assessment of effects on basking shark and on prey species including herring and lesser sandeel.

[30] EIAR Chapter 10, Marine Mammals and Leatherback Turtle, and Appendix 10.1, Underwater Noise Modelling Report, June 2026.

[31] National Trust for Scotland, stated intention to object to the MachairWind proposal, June 2026.

[19] EIAR Chapter 4, Site Selection and Alternatives, June 2026.

[20] EIAR Chapter 5, EIA Methodology, June 2026, including the applicant's stated approach of assessing a realistic worst case for each topic.

[32] EIAR Chapter 2, Policy and Legislative Context, June 2026, containing the applicant's own account of the legislation and policy which it considers applicable to the Project.

[37] EIAR Chapter 14, Offshore Archaeology and Cultural Heritage (Haskoning), with Appendix 14.1 (Archaeological Assessment of Geophysical and Hydrographic Data), Appendix 14.2 (Palaeolandscape Assessment) and Appendix 14.3 (Settings Assessment), June 2026. Relied upon in particular for the consultation record at Table 14.2, which reproduces the representations of Historic Environment Scotland, including its scoping opinion of 9 January 2025 identifying likely significant effects on historic environment interests and naming Beinn a' Chaisteil promontory fort (SM13213) and Nave Island (SM3233) among the assets at risk; its written response of 28 April 2025 on the draft wireline visualisation from within the scheduled area at Beinn a' Chaisteil; its advice of January

2025 that significant setting impacts might be reduced by careful design or redesign of the turbine layout and that assessment should be undertaken early in the design process; the meeting record of 13 June 2025 concerning Dun Bheolain fort; its written response of 20 February 2026 recording that the assets previously identified were not an exhaustive list, and the applicant's acknowledgement that the integrity of setting test applies to scheduled monuments under NPF4 Policy 7(h) and that the substantial harm test in Scotland's National Marine Plan applies to all designated heritage assets. Also relied upon for the policy schedule at Table 14.1, which records the terms of GEN 6, the identification by the Strategic Environmental Assessment of the draft updated Sectoral Marine Plan of effects on historic environment features and their settings as a key potentially significant effect for Plan Option W1, and the identification by the Strategic Environmental Assessment for the 2020 Plan of potential visual and landscape or seascape character impacts as key risk factors for W1; for the statement at paragraph 2 that the chapter considers the Windfarm Development Area study area and existing environment only by reason of the delay in confirming the grid connection; for the number and distribution of the 178 scheduled monuments within 50 km; and for the record that Historic Environment Scotland ceased to advise on undesignated underwater cultural heritage with effect from 1 January 2025 and that the Marine Directorate was considering alternative provision for non-designated assets.

[46] Landscape Institute and Institute of Environmental Management and Assessment, Guidelines for Landscape and Visual Impact Assessment (3rd edition, 2013), together with NatureScot guidance on landscape and visual impact assessment and on the visual representation of wind farms. Neither establishes any viewing distance beyond which a highly sensitive receptor is incapable of experiencing a high magnitude of change, or beyond which a significant effect cannot arise.

[47] R (Finch) v Surrey County Council [2024] UKSC 20, [2024] PTSR 988, on environmental impact assessment and the standard of review: a decision may be set aside where there is a demonstrable flaw in the reasoning which led to it, including where there was no evidence to support an important step in that reasoning; the question being whether the conclusion follows from the evidence, or whether there is an unexplained evidential gap or leap which fails to justify the conclusion.

[48] Barnwell Manor Wind Energy Limited v East Northamptonshire District Council, English Heritage, the National Trust and the Secretary of State for Communities and Local Government [2014] EWCA Civ 137: a statutory heritage duty requires the desirability of preserving the setting of a heritage asset to be given considerable importance and weight rather than merely careful consideration; a finding of harm gives rise to a strong presumption against consent; and the decision-maker is not free to give that harm such weight as he chooses. See also Jones v Mordue [2015] EWCA Civ 1243, that no particular form of words is required in order to discharge the duty. Decided under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and cited here as persuasive on the principle.

[38] EIAR Appendix 12, Outline Lighting and Marking Plan, and Appendix 15.2, Dubh Artach Lighthouse Technical Note, June 2026.

[39] EIAR Chapter 15, Military and Civil Aviation, and Appendix 15.1, Airspace Analysis and Radar Modelling, June 2026.

[40] EIAR Chapter 17, Infrastructure and Other Marine Users, June 2026.

[41] EIAR Chapter 21, Major Accidents and Disasters; Appendix 7, Marine Pollution Contingency Plan; Appendix 8, Invasive Non-Native Species Mitigation Plan; and Appendix 10.6, Unexploded Ordnance Assessment for Marine Mammals and Leatherback Turtle, June 2026.

[42] EIAR Chapter 20, Climate Change Risk Assessment, with Appendix 20.1 (Climate Projection Data) and Appendix 20.2 (Climate Change Vulnerability Assessment), June 2026.

[43] EIAR Appendix 19.2, Blue Carbon Assessment, June 2026.

[44] EIAR Chapter 22, Inter-related Effects and Ecosystem Assessment, June 2026.

[45] EIAR Appendix 5, WDA Mitigation and Commitments Register; Appendix 6, Outline Environmental Management Plan; Appendix 10, Fisheries Mitigation, Monitoring and Communication Plan; and Appendix 13, Outline Vessel Management Plan and Navigational Safety Plan, June 2026.

[33] The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, SSI 2017/101; and The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017, SSI 2017/115, including the power to require further information.

[34] Crown Estate Scotland, ScotWind leasing round outcome, January 2022.

[35] South Buckinghamshire District Council v Porter (No 2) [2004] UKHL 33, [2004] 1 WLR 1953, per Lord Brown at paragraph 36; Dover District Council v CPRE Kent [2017] UKSC 79.

[36] Planning and Infrastructure Act 2025 (c. 34), Royal Assent 18 December 2025, relevant provisions in force 18 February 2026, amending Schedule 8 to the Electricity Act 1989 so as to provide for a reporter-led examination in which the appointed person determines the appropriate procedure.

Note on sources and on the limits of this objection

Every figure and finding attributed to the applicant in this objection is taken from the application documentation published in the MachairWind document library and is cited to the chapter, appendix, table or paragraph in which it appears.

Three calculations in this objection are the Community Council's own and are performed on the applicant's figures, so that the Ministers may verify them at source. The comparison in Section 11 between the whole Project lifecycle total at Table 19.17 and the Do Nothing total at Table 19.12 is a direct subtraction of those two figures. The proportion of the Project's emissions omitted from the reported avoided emissions figure is derived by deducting the operational figure at Table 19.14 from the whole Project total at Table 19.17. The comparison of carbon intensity is between the figure at paragraph 19.7.2.4.1 and the emission factor at paragraph 19.6.2.2, converted to common units. The description in Section 3 of approximately 71 degrees as approximately one fifth of the horizon is arithmetic on the applicant's own figure.

The design guidance of Scottish Natural Heritage discussed at Section 5 forms part of the published consultation documentation for the Draft Sectoral Marine Plan, and the Community Council will provide a copy to the Scottish Ministers on request.

The Community Council records the limits of this objection candidly, so that the weight to be given to each part of it may be judged accordingly. It is not a specialist ecological, seascape, navigational or economic consultee, and it has not commissioned competing assessment.

The application documents which the Community Council has examined directly, and upon which the substantive submissions at Sections 3, 4 and 11 rest, are Chapter 19 (Greenhouse Gas Assessment), Appendix 16.3 (Coastal Character Baseline and Assessment) and Chapter 14 (Offshore Archaeology and Cultural Heritage), including the consultation record at Table 14.2 of that chapter. The submissions at Sections 6, 7, 8 and 9 rest upon the impacts, figures and consultation responses identified by the applicant in Chapters 3, 8, 9, 10, 11, 12, 13 and 18 and in its Habitats Regulations documentation, and are confined to matters recorded in those documents.

The Community Council's review of Appendix 14.3 (Settings Assessment), Chapter 15 (Military and Civil Aviation), Chapter 16 and its remaining appendices, Chapter 17 (Infrastructure and Other Marine Users), Chapter 20 (Climate Change Risk Assessment), Chapter 21 (Major Accidents and Disasters), Chapter 22 (Inter-related Effects and Ecosystem Assessment) and Appendix 19.2 (Blue Carbon Assessment) is not complete. Where those documents are raised, at Sections 4 and 13, the Community Council states what the application and the consultation record contain and asks the Ministers to test it. In particular, the submissions at Section 4 rest upon the recorded representations of Historic Environment Scotland and not upon any conclusion of the applicant's settings assessment, which the Community Council has not

examined. It does not assert what those chapters conclude, and it reserves the right to supplement this objection upon completing its review of them.

Where this objection relies upon a grading or conclusion reached by the applicant, that grading is identified and cited so that the Ministers may check it at source. The Community Council has confined itself to grounds which the application documents support, and no submission in this objection depends upon evidence which the Community Council cannot produce or which the Ministers cannot verify in the application documents.

Islay Community Council (2)

Islay Community Council objection to MachairWind – Annex: Claimed Climate Benefit explainer

Explainer summary

The Iona Community Council objection to MachairWind identifies methodological deficiencies in the assessment of landscape and seascape, cultural heritage, socio-economics and biodiversity.

The Islay Community Council objection identifies the same type of deficiency in the assessment of the project's claimed climate benefits.

ScottishPower Renewables accepts that MachairWind would cause extensive environmental impacts, including many that its own Environmental Impact Assessment classifies as significant.

Its case for consent is therefore founded on the claimed climate benefit of the project. The claimed climate benefit is the principal reason advanced for why those impacts should nevertheless be accepted.

The Islay Community Council objection (Section 11) argues that the applicant has **not demonstrated the claimed climate benefit** on the evidential basis required.

The Islay objection deliberately does not speculate *why* the applicant did not provide the directly comparable analysis that would have demonstrated the claimed climate benefit if the evidence supported it; it identifies only the evidential consequence.

Taken together, the Iona and Islay Community Council objections reveal a consistent pattern. Across landscape and seascape, cultural heritage, socio-economics, biodiversity and now climate benefits, the question is the same: **does the applicant's own Environmental Impact Assessment provide sufficiently robust evidence for the conclusions it asks Ministers to reach?**

That brings us back to the central issue. Ministers are not being asked whether offshore wind is desirable in principle. They are not being asked whether climate change outweighs every other consideration. They are being asked whether the evidence demonstrates that this proposal, in this place, satisfies the statutory tests Parliament has established.

Detail

Why does the Islay objection say the claimed climate benefit has not been demonstrated?

This is quite a technical issue, but the underlying point is actually straightforward. The objection is **not** arguing that offshore wind cannot deliver substantial climate benefits. Nor is it arguing that MachairWind necessarily would not reduce greenhouse gas emissions.

It makes a narrower point: **The applicant asks Ministers to give significant planning weight to the project's claimed climate benefit, but its own assessment does not demonstrate the magnitude of that benefit on a sufficiently robust and directly comparable basis.**

Isn't comparing operational emissions enough?

This is the obvious question. If the question were simply:
"Once both generating technologies exist, which produces less carbon while generating electricity?"
then comparing the operational emissions of wind and gas would be entirely reasonable.

Indeed, that is exactly what the applicant says it has done. However, **that is not the planning question Ministers have to answer.**

What is the planning question?

Ministers are not deciding whether wind power is cleaner than gas.

They are deciding whether to **consent this project**.

The climate consequences of consenting the project include:

- manufacturing the turbines
- producing the steel and concrete
- transporting materials
- constructing the development
- operating and maintaining it for 35 years
- decommissioning it
- constructing the associated transmission infrastructure

Those emissions occur **because the project is built**. They are therefore part of the climate consequence of the planning decision.

The applicant itself calculates those lifecycle emissions. They total **7.56 million tonnes of CO_2e**.

So what should the lifecycle emissions be compared with?

The obvious comparison would be the **full lifecycle emissions of the alternative scenario**.

However, the applicant explains that its gas comparator is **not** a lifecycle figure.

It excludes the emissions from extracting, processing and transporting the gas, and therefore is **"not directly comparable"** with the lifecycle emissions of the wind farm.

The objection accepts that explanation. Its criticism is what happens next.

Having recognised that the figures are not directly comparable, the applicant **does not calculate the lifecycle emissions of the gas scenario** so that a proper comparison can be made.

What does it do instead?

Instead of comparing: **whole-project lifecycle emissions** against **whole-lifecycle emissions of the alternative**

the applicant bases its headline "avoided emissions" figure on **operational emissions only**.

In doing so, approximately **75% of the wind farm's own emissions**—construction, decommissioning and transmission infrastructure—are no longer part of the comparison used to calculate the headline climate benefit.

The objection does **not** say that this operational comparison is mathematically wrong.

It says that it answers a **different question**.

It tells Ministers how the two technologies compare **once they are already built**.

It does **not** establish the net lifetime climate consequence of **choosing to build this project**.

Why does this matter?

Because the applicant is asking Ministers to give **significant planning weight** to the climate benefit of **the project as a whole**.

The planning balance is not between:

- the operational emissions of a wind farm,

and

- the operational emissions of a gas station.

The planning balance is between:

- the **whole environmental consequences** of consenting, constructing, operating and eventually decommissioning this project,

and

- the **whole climate benefit** said to justify those consequences.

If Ministers are being asked to weigh the impacts of the **whole project**, they need evidence of the climate benefit of the **whole project**. An operational comparison answers a different question. It does not tell Ministers what the net lifetime climate consequence is of choosing to build this development rather than the alternative.

The objection therefore argues that the claimed climate benefit has **not been demonstrated on a directly comparable basis**, and that Ministers consequently do not have a sufficiently robust evidential basis for attaching the significant planning weight the applicant seeks.

There is one further point.

The applicant does make one comparison on a fully consistent basis.

It compares the carbon intensity of the project with that of its chosen counterfactual.

Using the applicant's own figures:

- MachairWind: **32.9 g CO_2e/kWh**
- Counterfactual: **20.7 g CO_2e/kWh**

On that comparison, the project appears approximately **59% more carbon-intensive per unit of electricity generated** than the comparator.

The objection is careful **not** to argue that this proves the project would increase global greenhouse gas emissions.

Instead, it makes a narrower and more important planning point.

The one comparison in the chapter that is internally consistent does **not** support the conclusion of significant climate benefit, while the comparison that does support that conclusion is one which the applicant itself acknowledges is **"not directly comparable".**

The conclusion

The objection therefore does **not** say that MachairWind has no climate benefit. Nor does it challenge the importance of renewable energy.

It says something more limited but potentially very significant: **The applicant has not demonstrated, on a directly comparable basis, the net lifetime climate benefit of the project for which it seeks consent. Because that benefit has not been robustly evidenced, Ministers do not have a sound evidential basis for giving it the significant planning weight the applicant seeks under NPF4.**

Iona Cathedral Trust

Marine Directorate - Licensing Operations Team
Scottish Government
Marine Laboratory
Aberdeen
AB11 9DB

Also by email: md.marinerenewables@gov.scot

5th August 2026

Dear Team Members

Machair Wind Farm

We write as the Trustees of Iona Cathedral Trust and, as such, owners of Iona Abbey, St Oran's Chapel and the Nunnery, and the adjoining burial grounds. The purpose of this letter is to outline our concerns about the current proposals for the development of the Machair Wind Farm by Scottish Power Renewables (UK) Limited.

The buildings and land which we own were placed into the hands of trustees by the eighth Duke of Argyll, who established the Trust in 1899. The Trust Deed refers to 'Scotland's ancient Cathedrals' and describes Iona as 'the most interesting of them all'. The 'vicissitudes of personal position and character' are said to offer imperfect security for the protection or appropriate use of 'buildings of such great historic interest to the whole Christian world'; hence their transfer to trustees of a public trust. The Trustees are charged, among other duties, with 'the maintenance, management, use, preservation, protection and improvement of the buildings and land of Iona Cathedral'. The practical arrangements for care of the buildings are that, since 1999, they have been leased by the Trustees to Historic Environment Scotland which, in turn, subleases the Abbey to the Iona Community, the charity founded in Glasgow in 1938 by the Reverend George MacLeod. Further background information is available on the Trust's website, http://www.iona-cathedral.org.uk/

We have had the opportunity to study the documentation about the proposals which is available on the Marine Scotland Website. Our consideration has also been informed by perusing the written objection from the Iona Community, and the submission of Iona Community Council.

The focus of our concerns is primarily the anticipated effect of the development on the Abbey and its surrounding buildings, since this is what creates both our responsibility to consider the proposals and our locus to make representations about them. Our starting point is the impact on the setting of the Abbey and related buildings. Our sense of 'setting' is not confined to the immediate island surroundings of the Abbey, but takes in how the buildings are viewed and

experienced on approach, and the experience those who arrive there have of external vistas. In short, we are concerned about the looking to and the looking from.

In trying to assess how these elements will be affected by the presence on the horizon of a large number of turbines of great height, we have taken information mainly from Chapter 14 of the applicant's Environmental Impact Assessment Report and the photomontages and wireline drawings in Appendix 14.3 to that Report (the Settings Assessment). It appears incontrovertible that the turbines will feature prominently in panoramic views experienced by visitors as they cross the Sound of Iona to visit the Abbey, and in such views from the seaward side of the complex. So far as the former views are concerned, the differences between the two sets of photomontages from the ferry dated, respectively, 6 February and 15 July 2025 evidence the difficulty in judging the impact of the sight of the turbines on approach to the island.[1] Not only are photomontages a fixed representation of a dynamic experience, they also reflect a particular view at a particular moment, a view dependent on many factors varying day by day. This point is made by the Iona Community Council in their objection at para 4.10.1, where they quote Nature Scotland guidance that wireframes and photomontages are illustrative tools with inherent limitations. They cannot replicate binocular vision, movement through the landscape, changing atmospheric conditions, or the scale perceived by the human eye.

We recognise that decision making on these applications will require to take place in the context of published Scottish Government policies. We concur with the applicant's description of the Iona Abbey complex as 'one of the oldest and most important religious centres in Western Europe'.[2] The Abbey is a scheduled monument and a listed building. The Nunnery is a scheduled monument. The applicant concludes in its settings assessment that there would be a moderate adverse significance of effect on the Abbey, this effect being significant in Environmental Impact Assessment terms. The policies applicable to such sensitive assets are set out in the Iona Community Council objection and we echo the comments made by the Community Council at paragraphs 3.8.1 to 3.8.3.

In articulating these points, we are acting as trustees of peerless scheduled monuments and on behalf of all those who visit Iona as pilgrims or tourists. We also associate ourselves with those who live and work in the Abbey, and the other residents of the island, whose expressed concerns have much in common with our own.

Yours sincerely

[Redacted] of Iona Cathedral Trust

[1] Images from Viewpoint CH17 in Appendix 14.3 vs images from Viewpoint 21 in Photomontages from Machair Autumn Consultation 2025, available on Scottish Power Renewables website Photomontages Autumn 2025

[2] Paragraph 112 of Appendix 14.3

Joint Radio Company

From:	Joint Radio Company
To:	MD Marine Renewables
Cc:	Ben Walker; Abby Gray
Subject:	Re: MD-00012385/ MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm – Windfarm Development Area - EIA Section 36 consent and Marine Licence Applications - Consultation – Response Required by 15 August 2026
Date:	02 July 2026 10:27:59

If any details of this proposal change, particularly the position or scale of any turbine(s), this clearance will be void and re-evaluation of the proposal will be necessary.

Dear Sir/Madam,

Planning Ref:

MD-00012385/ MD-00012386

Name/Location:

MachairWind Offshore Wind Farm

Site Centre/Turbine(s) at NGR:

T1 - 94297 693995
T2 - 102151 698619
T3 - 102146 698631
T4 - 101740 699315
T5 - 102463 700192
T6 - 103926 702185
T7 - 104253 702627
T8 - 104474 702966
T9 - 104928 703639
T10 - 105053 703837
T11 - 105083 703890
T12 - 105162 704005
T13 - 105232 704131
T14 - 106204 704202
T15 - 106677 703840
T16 - 108198 702342
T17 - 109199 700738
T18 - 110159 699421
T19 - 113168 699097
T20 - 118036 702465
T21 - 122395 699613
T22 - 120407 688282
T23 - 118286 686795
T24 - 116530 685494
T25 - 116221 685354
T26 - 115801 685149
T27 - 115637 685064
T28 - 113845 684206
T29 - 111993 682948
T30 - 110207 681301
T31 - 109409 680272

T32 - 109258 680070
T33 - 109078 679820
T34 - 109941 679623
T35 - 108695 679253
T36 - 108566 679051
T37 - 101662 677407

Development Radius:x

0.1km

Hub Height: 190m **Rotor Radius**: 145m

This proposal is **cleared - subject to 50m Micrositing -** with respect to radio link infrastructure operated by the local energy networks.

JRC analyses proposals for wind farms (and other developments) on behalf of the UK Fuel & Power Industry. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

In the case of this proposed wind energy (or other) development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. However, if any details of the wind farm (or other development) change, particularly the disposition or scale of any turbine(s) or structure(s), it will be necessary to re-evaluate the proposal.

In making this judgement, JRC has used its best endeavours with the available data, although we recognise that there may be effects which are as yet unknown or inadequately predicted. JRC cannot therefore be held liable if subsequently problems arise that we have not predicted.

It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, developers are advised to seek re-coordination prior to considering any design changes.

Regards

Wind Farm Team

Friars House
Manor House Drive
Coventry CV1 2TE
United Kingdom

Office: 02476 932 185

JRC Ltd. is a Joint Venture between the Energy Networks Association (on behalf of the UK Energy Industries) and National Grid.
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Jura Development Trust

Argyll and Bute Council
Planning Services
1A Manse Brae
Lochgilphead
PA31 8RD

Jura Development Trust
Registered charity: SC027029

14th August 2026

Dear Argyll and Bute Council,

Jura Development Trust Position Statement

MachairWind Offshore Wind Farm Proposal - 26/01100/S36

Background

Jura Development Trust (JDT) recognises that Scotland must significantly increase renewable energy generation if it is to meet its climate change and energy security ambitions. The JDT supports the principle of investing in a sustainable, low-carbon future.

At the same time, developments of this scale have the potential to bring both significant opportunities and significant impacts for Jura and neighbouring island communities. It is therefore essential that decisions are based on meaningful community participation and that, where developments proceed, they deliver lasting benefits for the communities that host them.

Having considered the MachairWind proposal, JDT is not currently in a position to either support or object to the application.

This is not because the Board lacks interest or wishes to avoid taking a position. Rather, it reflects the breadth of opinion within the Board and the wider Jura, together with the practical realities of the planning process itself.

Consultation and Community Participation

JDT acknowledges that ScottishPower Renewables has invested considerable time and effort in engaging with local communities throughout the development of the proposal. Numerous public exhibitions, drop-in events, presentations, online resources and opportunities for discussion have been provided, and representatives have been accessible and willing to answer questions.

As a benchmark for consultation, the process has been thorough, open and professionally delivered.

However, consultation and participation are not the same thing.

The planning application is supported by almost one hundred technical reports, many running to well over one hundred pages each. Collectively, this amounts to many thousands of pages covering engineering, marine ecology, ornithology, fisheries, navigation, archaeology, landscape and visual impact, socio-economic assessment and numerous other specialist disciplines.

For the vast majority of community members, engaging with the proposal inevitably means gaining an overview rather than undertaking a detailed technical review of the supporting evidence. Given the volume of documentation and the specialist knowledge required to interpret it, this is entirely understandable. It would be unusual to expect an average member of the public—or indeed a volunteer community organisation, whose directors give their time alongside employment, businesses and family commitments—to critically assess documentation of this scale and complexity within the consultation period.

This highlights a wider issue within the planning system. As developments become larger and more technically complex, the methods used to involve communities must also evolve. Simply making information available, however comprehensive, does not in itself enable informed participation.

JDT therefore believes that, while the consultation undertaken by ScottishPower Renewables has been exemplary, consultation alone sits relatively low on the recognised ladder of participation. It informs, consults and invites feedback, but it does not empower communities to influence outcomes in any meaningful way. For developments of this scale and significance, the ambition should be to move beyond consultation towards genuine partnership, shared influence and community empowerment.

Scale and Proportionality

MachairWind is a nationally significant infrastructure project that will have implications for the surrounding islands for decades.

JDT accepts the need for large-scale renewable energy infrastructure. However, this should not prevent an open discussion about proportionality and whether the balance between very large, externally owned developments and smaller, community-owned renewable energy projects is the right one.

Community-owned renewable energy retains wealth locally, strengthens resilience, creates long-term income for communities and supports local decision-making. Such projects have the potential to deliver many of the same climate benefits while ensuring that a greater share of the economic value remains within rural and island communities.

Large-scale developments should therefore not simply be judged on the amount of electricity they generate, but on whether they leave host communities stronger, wealthier and more resilient than they were before.

If Consent is Granted

Should the project receive consent, JDT believes the focus must immediately shift towards securing the highest possible level of community participation, ownership and long-term benefit.

Community benefit should not be viewed as compensation, nor as a discretionary grant programme distributing relatively modest annual sums to local organisations. The scale and lifespan of this development demand a more ambitious approach.

JDT believes community benefit should be designed to create lasting community wealth, increase local resilience and enable island communities to shape their own futures. Developers and public bodies should move beyond minimum industry expectations towards genuine partnership with communities.

The objective should be to move up the participation ladder—from consultation to partnership, delegated decision-making and, wherever possible, community empowerment.

A Transparent Framework for Community Benefit

If consent is granted, JDT will seek early engagement with ScottishPower Renewables, neighbouring communities and public agencies to establish a transparent and accountable framework for community benefit.

This framework should include:

- A clear methodology explaining how community benefit is calculated.
- Transparent arrangements for allocating funding between affected communities.
- Locally accountable governance structures.
- Meaningful community representation in decision-making.
- Community-led priorities driving investment decisions.
- Regular public reporting on funds received, investment decisions and outcomes.
- Periodic review to ensure benefits continue to reflect community priorities over the lifetime of the project.

Beyond Annual Community Benefit Funds

A development of this scale should leave more than an annual community benefit payment.

JDT believes discussions should include opportunities for:

- community ownership or shared equity where appropriate;

- strategic investment in community infrastructure;
- affordable housing and measures to support population retention;
- community-owned renewable energy and local energy resilience;
- transport and digital connectivity;
- skills, apprenticeships and long-term employment pathways;
- economic diversification and local enterprise;
- capital investment that generates sustainable income for future generations.

Investment should build upon the strengths that already exist within Jura. The island has a strong track record of delivering successful community-led projects and has identified its long-term priorities through its Community Action Plan and Local Place Plan. Future investment should strengthen these ambitions rather than create externally designed programmes.

Our Commitment

Jura Development Trust remains committed to engaging constructively with ScottishPower Renewables, statutory agencies and neighbouring communities throughout the planning process.

Whether or not the development proceeds is ultimately a matter for the consenting authorities. However, if consent is granted, JDT's priority will be to ensure that the communities most affected receive benefits that are transparent, proportionate to the scale of the development and capable of delivering genuine, long-term community wealth and empowerment.

The success of MachairWind should not be measured solely by the amount of renewable electricity it generates, nor by the size of an annual community benefit fund. Its true legacy should be judged by whether it leaves the island communities that host it more resilient, more prosperous and better empowered to shape their own future.

Yours Sincerely,

[Redacted]

[Redacted]

On Behalf of the Jura Development Trust

Jura Service Point, Craighouse, Isle of Jura, PA60 7XS. Email:secretary@juradevelopment.co.uk

Ministry of Defence

[Redacted]
Assistant Safeguarding Manager
Ministry of Defence
Safeguarding
Defence Infrastructure Organisation
St George's House
DMS Whittington
Lichfield, Staffordshire
WS14 9PY
United Kingdom

Ministry of Defence

Application Ref: MD-00012385 / MD-00012386

Our Reference: DIO10056872

E-mail: DIO-Safeguarding-Wind@mod.gov.uk

Scottish Government
Licensing Operations Team
Marine Directorate
Marine Laboratory
ABERDEEN
AB11 9DB

3 September 2026

Dear Sir / Madam

ELECTRICITY ACT 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
The Electricity (Applications for Consent) Regulations 1990
MARINE (SCOTLAND) ACT 2010
The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017

MD-00012385/ MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm – Windfarm Development Area - located off the west coast of Scotland, northwest of Islay and west of Colonsay

Thank you for consulting the Ministry of Defence (MOD) in relation to the above Section 36 application and Marine Licences through your communication dated 25 June 2025.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

I write to advise the safeguarding position of the MOD in relation to the above applications to construct and operate the MachairWind Offshore Wind Farm. This response is based on the MachairWind Offshore Wind Farm Windfarm Development Area Environment Impact Assessment Report as published on the marine.gov.scot website on 25 June 2026.

This scheme will comprise of:-

- up to 144 Wind Turbine Generators (WTGs), with a maximum height to blade tip of up to 335 metres (m) above Lowest Astronomical Tide (LAT), located approximately 12.4 kilometres (km) offshore west of Colonsay;
- up to two Offshore Substation Platforms (OSPs) with a maximum height (including crane, helideck and communications mast) of 100m above Highest Astronomical Tide (HAT); and
- inter-array cables.

The offshore export cable and onshore transmission assets components are subject to separate marine licence and Town and Country Planning (Scotland) Act 1997 applications for planning permission.

The principal concerns of the MOD with respect to this proposed wind farm relate to the impact of the development on Defence Maritime Training and Operational Interests and the potential to create a physical obstruction to air traffic movements.

Defence Maritime Training and Operational Interests

The Windfarm Development Area (WDA) occupies Navy exercise areas X5626 Mackenzie and X5543 Colonsay. These exercise areas are used by the Navy for submarine training and exercises. The overlap with these exercise areas was identified by the Applicant at the scoping stage and it is recognised that previously identified exercise area X5539 Orsay is no longer affected by this development following refinement of the WDA boundary.

Impacts on the MOD's use of these exercise areas has been considered in EIA Chapter 17 Infrastructure and Other Marine Users. In addition, Appendix 13.1 Navigational Risk Assessment supports Chapter 17. At section 7.6, the assessment considers X5543 and X5626 but classes them as a firing practice area rather than submarine practice areas.

The development of a wind farm at this location will prevent parts of X5626 and X5543 from being used by submarines undertaking training and taking part in exercises. The applicant acknowledges this in Chapter 17. In addition, the construction phase which will see vessels transit to and from the WDA will also impact upon MOD navigational interests and exercises undertaken within these exercise areas. The management and coordination of vessels to mitigate any impact will be outlined within the Vessel Management Plan and Navigational Safety Plan and all works will adhere to this plan. The final Vessel Management Plan and Navigational Safety Plan will be submitted post consent and MOD will be consulted on the final version of this plan. This is welcomed by the MOD. The requirement to submit the final plan should be a conditional requirement of the consent. The MOD will require prior notification of when construction works will commence and where. This should be incorporated into the Vessel Management Plan and Navigational Safety Plan.

Whilst the WDA falls within established submarine exercise areas, the MOD can accept WTGs at this location but potentially may have concerns with the inter array cables element of the scheme. Whilst it is acknowledged that the export cable route will be the subject of a separate application, this application seeks permission for inter array cables within the WDA. The MOD would be concerned if these cables feature inherent sensing capabilities which provide a function to locate where damage has occurred to a cable or for any other monitoring purposes. If the proposed inter array cables are intended to feature such a capability then this would be of concern to the MOD within a submarine exercise area.

The MOD raises no objection to the development of WTGs at this location, however, the MOD requires assurances that no sensors or devices which have the ability to pick up acoustics underwater will be used in the inter array cables. A condition is therefore required to be applied to any consent granted for this scheme to prohibit the use of sensors/devices or any form of inherent monitoring and listening capability installed on the inter array cables or within the WDA.

Should the WDA boundary change or expand, the MOD must be re-consulted. The MOD will need to assess potential impacts of the export cable corridor; landfall location and onshore elements which are subject to separate applications to determine if there are any impacts on the MOD's navigational interests undertaken in the submarine exercise areas.

The acceptance of a wind farm within a submarine exercise area should not be taken that the MOD will accept further wind developments within established Practice and Exercise Areas and Danger Areas. The MOD must review all developments in isolation and also in relation to other marine developments to understand what the impacts are. Additional wind developments in this area would further constrain areas

of the marine environment available to the Navy to operate submarines. The MOD may therefore object to further wind developments within this area.

Physical Obstruction

In this case the development falls within Low Flying Area 14 (LFA 14). Within this area fixed wing aircraft may operate as low as 250 feet or 76.2 metres above surface level to conduct low level flight training. The addition of turbines and other structures in this location would introduce a physical obstruction to low flying aircraft operating in the area.

As this development includes structures that exceed a height of 50m above LAT it would be subject to the lighting requirements set out in the Air Navigation Order 2016. In addition to any CAA requirements the MOD will require the submission, approval and implementation of an aviation safety lighting specification that details the installation of MOD accredited aviation safety lighting.

Table 15.5 (Embedded Mitigation) of the EIA Report, Vol 2, Chapter 15: Military and Civil Aviation indicates at M-20 that an outline Lighting and Marking Plan (Appendix 12) has been produced and at M-33 that an Outline Vessel Management Plan and Navigational Safety Plan has been produced to address the potential for the proposed development to create a physical obstacle to air traffic movement. Both of these documents contain tables designed to reference the Conditions to be discharged by the Lighting and Marking Plan and the Vessel Management and Navigational Safety Plan – suggested condition wordings for MOD Aviation Lighting and Aviation Charting and Safety Management requirements are set out in Annex B.

Military Radars – Air Traffic Control (ATC) and Air Defence (AD)

EIA Report Vol 2, Chapter 15: Military and Civil Aviation at paragraphs 13.2.2 and 3.7.3 identifies that none of the proposed WTGs will be Line of Site (LOS) of any military ATC or AD radars. The MOD operational assessments have identified no reason to disagree with this finding.

Unexploded Ordnance (UXO)

The potential for UXO to be present within the development area and the necessity for clearance is considered in Section 3.6.7.4.2 of the EIA Report, Vol 1, Chapter 3: Project Description and refers to EIA Report, Vol 3, Appendix 9 (draft Marine Mammal Mitigation Protocol) where section 3 provides detail of the approach to be taken should UXOs be found. The MOD acknowledges the proposed approach and would like to advise that a separate Marine Licence application would be required prior to construction for UXO investigation and clearance works.

Summary

In summary, subject to the inclusion in any Section 36 Consent granted for the Proposed Development of a condition prohibiting the use of sensors or monitoring and listening equipment on the inter array cables and within the WDA, the MOD raises no objection to this development. The MOD respectfully requests that the Scottish Government consults the MOD on the condition which will secure this requirement. A condition covering the MOD's requirement for the turbines to installed with aviation warning lighting and information be submitted for charting purposes is provided at Annex A.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours faithfully

[Redacted]

[Redacted]
Assistant Safeguarding Manager

Annex A

Condition - Aviation Lighting

Prior to commencing construction of any structure, or deploying any construction equipment or temporal structure(s) 50 metres or more in height (above surface level) the undertaker must submit an aviation lighting scheme for the approval of the Scottish Government in conjunction with the Civil Aviation Authority and the Ministry of Defence defining how the development will be lit throughout its life to maintain civil and military aviation safety requirements as required under the Air Navigation Order 2016 determined necessary for aviation safety by the Civil Aviation Authority.

This should set out:

a) details of any construction equipment and temporal structures with a total height of 50m or greater (above surface level) that will be deployed during the construction of the offshore wind farm and details of any aviation warning lighting that they will be fitted with; and
b) the location and height of each Wind Turbine Generator and any other structure of 50m or greater (above surface level) identifying the position of the lights on the Wind Turbine Generator/structure; the type(s) of lights that will be fitted and the performance specification(s) of the lighting type(s) to be used.

Thereafter, the undertaker must exhibit such lights as detailed in the approved aviation lighting scheme. The lighting installed will remain operational for the lifetime of the development.

Reason for condition.
To maintain aviation safety.

Condition - Aviation Charting and Safety Management

The undertaker must notify the Ministry of Defence, at least 14 days prior to the commencement of the works, in writing of the following information:

a) the date of the commencement of the erection of the Wind Turbine Generators or other structures greater than 50m (above surface level);
b) the maximum height of any construction equipment to be used in the erection of the Wind Turbine Generators or other structures greater than 50m (above surface level);
c) the date any Wind Turbine Generators are brought into use;
d) the latitude and longitude and maximum heights of each Wind Turbine Generator and other structure greater than 50m (above surface level)

The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

Reason for condition.
To maintain aviation safety.

Mull Community Council

MULL COMMUNITY COUNCIL

Summary of Community Feedback. MD-00012385/ MD-00012386 - Machair Wind Offshore Wind Farm. 17/08/2026

Conclusion

Mull Community Council asked community members to write to us with views on the proposed Machair development. The dominant view expressed was strong opposition to the proposal, although a smaller number of contributors supported it or supported it conditionally.

Background

Mull Community Council (MCC) hosted the Machair Wind Team at two of our monthly meetings and representatives from the campaign group Hebridean Horizon and Visit Mull and Iona at two subsequent meetings. MCC also had representation from Colonsay, Islay and Tiree community councils at one of those meetings. MCC have studied the application documents and noted objections from Iona Community Council, Visit Mull & Iona, Colonsay Community Council, Islay Community Council, Hebridean Whale & Dolphin Trust, National Trust for Scotland and the Iona Community, along with Tiree Community Council's submission. MCC posted calls for feedback on our social media platform and website on three occasions, along with links to the SPR application pack and the Hebridean Horizon website. This document is a summary of the feedback received.

To date, MCC have received emails from 34 people against and 9 in favour of the application. We have also been monitoring the online comments from residents in all areas of the island and visitors expressing mainly concerns about the application.

Most letters of objection stated support for the transition to renewable energy if a development was in the correct place with the correct impact assessments completed and the correct mitigation measures in place. Most objectors felt this proposal is too large, too close to land, and in the wrong location. Supporters argue that renewable energy infrastructure is necessary to address climate change and that all communities must accept some responsibility for future energy generation.b

Concerns Raised

Compliance

- Many respondents state that the application fails to comply with the standards set by the following policies and act: The National Marine Plan requires decisions to rest on sound socio-economic evidence. The National Planning Framework (NPF4) Policy 4(a) withholds support from development whose type, location or scale makes its impact on the natural environment unacceptable. NPF4 Policy 7 requires development to protect and enhance historic assets and their settings, with significant adverse effects requiring clear justification and public benefits capable of outweighing that harm. The Islands (Scotland) Act 2018 legally mandates developers to account for island communities, requiring formal Island Communities Impact Assessments (ICIAs) to ensure that local socio-economic impacts are weighted correctly.

Impact on Landscape, Seascape, and Cultural Heritage

- The most common objection is that the development would industrialise iconic views around Mull, Iona and surrounding waters. These waters include the designated Loch na Keal National Scenic Area, which includes the Treshnish isles, Staffa and Ulva. The extreme height of the turbines, coupled with the large area of the WDA, and therefore wide angle of view on the horizon is seen as unacceptable to the majority of respondents.

- Many respondents argue that the area has exceptional cultural, historical, spiritual, and scenic value and that turbines of the proposed scale would fundamentally alter its character.

- Of particular concern is the reduction in harm stated in the EIA beyond 20km. As Mull and Iona are 21km from the WDA, the choice of this distance as the point of reduction in harm, although in keeping with policy, is seen as disingenuous. The change in visual impact in that kilometre will be almost imperceptible, which raises concerns about the emotional and social impact on island residents whose livelihoods and sense of place depend on the landscape, wildlife and tranquillity.

- Some supporters suggest the impact on the view has been overstated by objectors. One stated that in their opinion wind turbines are one of the most aesthetically pleasant forms of industrial landscape. Another considers them post-industrial, rather than industrial as many of the objectors claim and pointed out that the local landscape including deforested hills and local settlements, is largely man made.

Tourism and Local Economy

- Mull has a vibrant and diverse economy. The largest sector however is tourism, and many are concerned about impacts on nationally and internationally important tourism destinations in and around Mull. For example, many of the boat trips to Staffa, Treshnish isles and for whale watching operate from Mull. Visitors visit the islands many beaches, many of which have sight of the WDA. Iona draws great numbers of tourists annually and Mull's tourism economy benefits from visitors passing through or spending time here also. Argyll & Bute Council funds many of its life-line, loss making piers from the landing fees collected at Craignure and Fionnphort. Many business owners involved in accommodation, wildlife tourism, outdoor recreation, and hospitality fear damage to visitor appeal.

- Several contributors argue that the Environmental Impact Assessment does not properly assess impacts on the communities most affected, especially the Ross of Mull and Iona, and instead dilutes the effect by considering Mull as a whole. There is particular concern that the tourism assessment treats attractions as if they simply continue to exist, without recognising that the quality of the visitor experience may be changed by turbines, aviation lighting and construction activity. Many questioned whether tourism impacts have been adequately assessed for Mull and Iona specifically. The socio- economic impact has been assessed based on national data, rather than on local knowledge and wish to see a dedicated impact assessment conducted in the form of inquiry sessions.

- Fishing and marine-based livelihoods are mentioned as potential economic risks, particularly where respondents believe construction, seabed disturbance or exclusion zones could affect fishing grounds. However, fishermen consulted locally expressed limited concern about effects on fishing grounds.

- Some supporters felt the impact is overstated and visitors will not be put off by turbines on the horizon, as they have not been elsewhere in the UK.

Wildlife and Environmental Effects

- Concerns focused on marine mammals and cetaceans, particularly the impacts of construction noise. Whale watching trips and the small cruise ship sectors are booming here. These vessels have been reporting enhanced numbers of cetaceans to the west of Mull in recent years, including the return of humpback whales. Basking sharks, porpoise and dolphins are also regularly seen in the area. While it is accepted the operational phase of the windfarm may not be an issue, the years of construction are likely to discourage many species from entering the area and may indeed cause harm to them. The Sea of the Hebrides MPA is in close proximity to the WDA, which caused concern to some respondents.

- The objection raised by the Mull based Hebridean Whale and Dolphin Trust (HWDT) caused concern to many. HDWT's main concern is that impacts on whales, dolphins and porpoises have not been assessed or mitigated robustly enough, especially given nearby protected areas for harbour porpoise and minke whale. Underwater noise from pile driving is the biggest issue. Modelling shows that a 10 dB noise reduction could greatly reduce injury/disturbance risk, so HWDT argues noise abatement should be a committed primary mitigation measure, not optional. They state that the EIA relies too heavily on assumed mitigation effectiveness, including Marine Mammal Observers, Passive Acoustic Monitoring and Acoustic Deterrent Devices, without enough evidence that these measures will work at the predicted spatial scale or for all species. HWDT say final significance conclusions are not consistently supported by the evidence, because some moderate or major adverse effects appear to be reduced through professional judgement rather than revised quantitative analysis. The assessment should better reflect how marine mammals actually use the region, including site fidelity, seasonal habitat use, cumulative disturbance, repeated exposure and vulnerable local populations. HWDT recommends stronger commitments to noise reduction, revised significance conclusions, project-specific monitoring, adaptive management and more evidence-based mitigation before impacts are judged acceptable.

- Bird populations and migration routes were frequently raised by objectors. Corncrake have been missed from the EIA entirely and are an important species to the area. Local knowledge suggests the migration path would be through the WDA and the species are known to have limited mobility in flight. The guillemot special area on the Colonsay cliffs is of particular concern as they are known to avoid wind farms and may be displaced. Concerns were raised for the wellbeing of other species, such as sea eagle, puffin, razorbill, cormorant, hen harrier and shag which all nest nearby, and gannet that fish in the area.

- Marine ecosystems and long-term seabed impacts from construction works are a common concern with residents. One respondent questioned the quoted volume of spoil and asked where it would be dumped. This has the potential to spread the impact beyond the WDA.

- Supporters of the project generally accept that environmental impacts need careful assessment and mitigation.

Lighting and Dark Skies

- Multiple respondents highlighted concerns about aviation and marine lighting on turbines. The application suggests aircraft activated lights could be fitted, but it is not clear that this would be insisted on. Marine lighting would likely need to be fixed, so visible from dusk to dawn.

- Many argued that night-time lighting would damage the area's dark skies, tranquillity, and visitor experience. The EIA states the effect would be moderate and significant in the south-east corner of Mull.

Community Benefits and Fairness

- Many questioned whether Mull would receive meaningful community benefits from the project. The fact that community benefits cannot be stated at the time of application was a red flag to many. It was suggested that Mull was unlikely to host any shore facilities and would therefore not qualify for meaningful benefits. Some thought any benefits received would be unlikely to outweigh the risks to the economy. Some commented there was an imbalance between local impact and corporate profits and if the community received cheaper electricity, it would go some way to offsetting the impacts. It was widely believed there would be limited, if any, job opportunities locally.

- Concerns were raised that profits would largely benefit overseas corporate owners rather than local island communities, echoing wider Scottish concerns about wind farm wealth leaving the country.

- Supporters welcomed the promise of apprenticeships which could bring much needed jobs for young people. Objectors suggested these jobs would be spread throughout mainland Argyll and if the development went ahead, should be filled from the islands directly affected. They also felt any other community benefits should be weighted towards the communities most exposed to the development.

- Supporters thought that meaningful community benefits could be realised. One stated the project could deliver strong local benefits by developing onshore community energy resources, low-cost local tariffs, shore-power infrastructure, and training opportunities. One respondent said SPR should work with Community Energy Scotland and draw on funding such as the National Wealth Fund to support community-owned energy infrastructure serving transport, fisheries, tourism, and wind farm operations. It was suggested that the use of Loch Làthaich as a vessel base could bring many jobs to the island. It is widely believed that Mull must diversify away from tourism to some extent. This will create year-round work and sustainable communities. Another respondent stated any community benefits should be administered by local community groups and not the local council.

Network Constraints

- Many commented that the current distribution network is incapable of coping with all the electricity currently produced by Scotland’s windfarms and that supply exceeds demand. The constraint payments paid to windfarm operators angered many respondents. They state this directly affects all our energy bills. They argue that building more windfarms before the national grid is brought up to the required standard to transmit excess energy to where it is required, while claiming it benefits consumers, is disingenuous.

- A supporter remarked that claims read online, were erroneous, as by the time the windfarm is online, the network will be improved, and demand will be much higher, they also claim that constraint payments were misunderstood.

Consultation and Public Awareness

- A recurring theme amongst objectors was the belief that many residents do not fully appreciate the scale of the proposal due to community consultations only being held in the Ross of Mull and not throughout the island. Visit Mull and Iona felt this disregarded the island wide, economically interdependent nature of the tourism offer.

- Several respondents criticised consultations as inadequate, biased, or framed in a way that implied the project was inevitable.

Mull Wildlife Group

From:	**[Redacte**
To:	MD Marine Renewables
Subject:	Objection to the Machair Wind Project
Date:	15 August 2026 14:56:20

Dear Sir or Madam,

I am writing as chair of the Mull Wildlife Group to object to the Machair Wind Project which has been proposed for the seas of the Inner Hebrides.

Our Group's constitution states that we aim to:
"contribute, as appropriate, to the conservation and betterment of nature and biodiversity on the Isle of Mull and its surrounds", defined as, "the Mull archipelago, including the entirety of the Treshnish Isles."
Two of our Objectives are:

- "To encourage the conservation and protection of wildlife and the natural environment.
- In general to provide a voice for nature on Mull and to take any other steps in pursuance of the aims of the Group as deemed appropriate."

In addition to the destruction of habitats for marine wildlife, and the difficulty that migrating birds would have in negotiating a 448km^2 site (half the size of the Isle of Mull!) filled with more than ninety 280m+ tall turbines, the sound of them will be distracting for both wildlife and people. The location off the west coast of our islands means that the world famous sunsets and dark sky views of the Milky Way, would be forever spoiled by the lights on the tops of such tall structures.

To lay the foundations for, construct, and install more than ninety of the tallest offshore wind turbines in the UK (and Europe?) in a virtually pristine environment seems to be nothing more than an act of industrial vandalism.

My understanding is that the turbines would be built in China, the company whose shareholders would profit is Spanish, and the power produced is to supplement Welsh supplies. Scotland is already a net-exporter of wind-power, and suppliers are even paid sometimes to 'turn off' the turbines. How would building more here contribute to global warming?

Our members support and understand the need for renewable power but the sheer scale of the current proposal seems to suggest that those involved have never been to these islands, the vistas of which will be transformed from a peaceful, endless horizon, to an industrial site. For an area that relies on tourism and fishing for much of its income and employment this is unacceptable.

In addition to protecting the local economy and employment, our landscapes, seascapes and wildlife should be nurtured and cherished for themselves.

Finally, the cynical use of the Gaelic word 'Machair' in the project title is a travesty of its meaning: "a rare and unique coastal habitat found on the exposed, west-facing shores of north-western Scotland and western Ireland" - a meaning about as far from the proposed industrial site as one could get!

Please reject these plans.

Yours aye,
[Redacted]

Mull Wildlife Group
www.mullwildlifegroup.co.uk

National Trust for Scotland

National Trust of Scotland Objection to MachairWind Offshore Windfarm

12th August 2026

1. Introduction

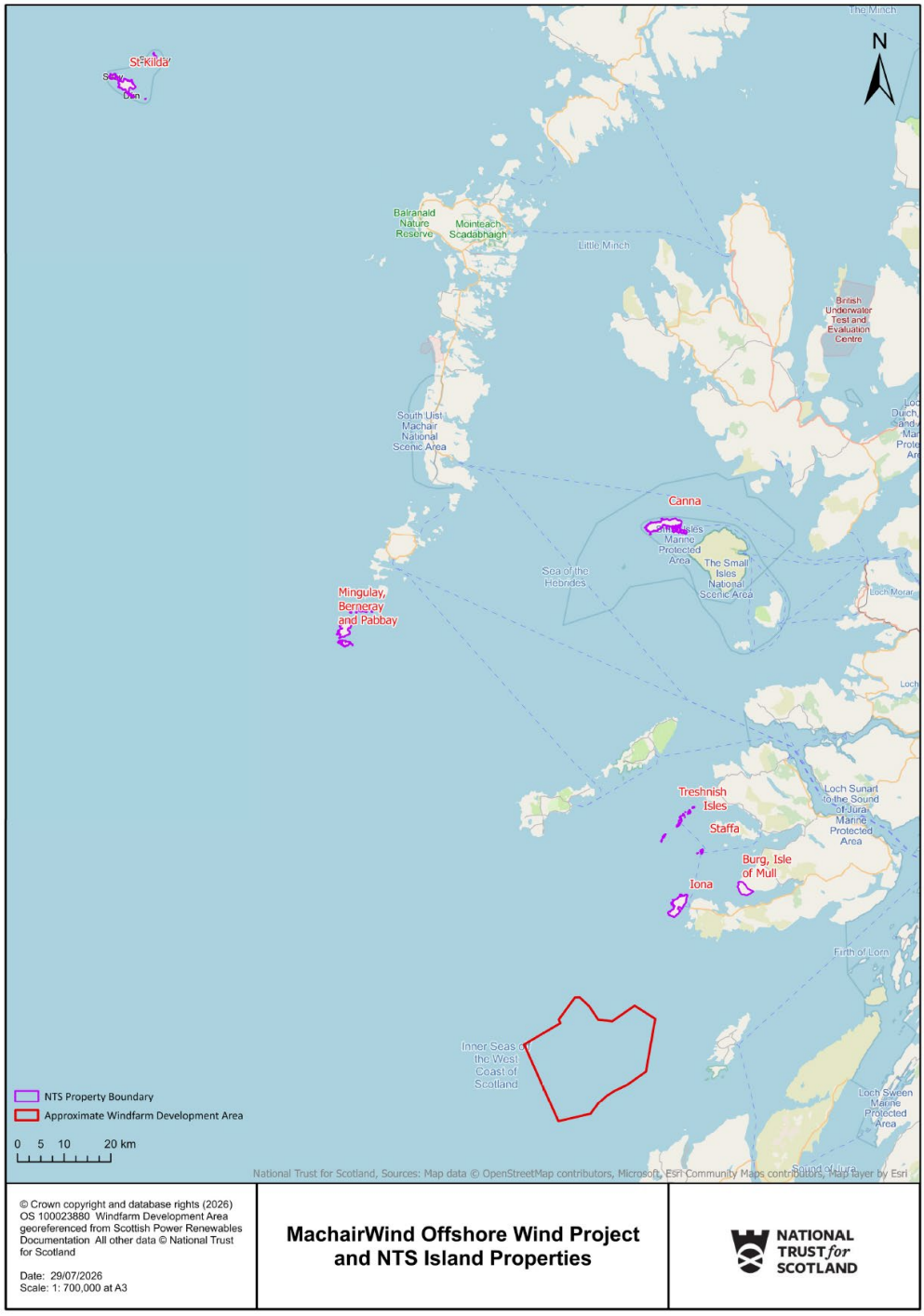
The National Trust for Scotland (the Trust) supports the transition from fossil fuels to renewable energy, which is needed to both address climate change and to help restore nature. However, renewable energy schemes must be at the right scale and in the right location to minimise negative impacts on communities, heritage and nature.

The Trust does not agree that the MachairWind Offshore Windfarm is in the right location due to the scale and magnitude of impact it will have on island communities, landscape, marine mammals and cultural heritage. We are also concerned about the impacts it may have on seabird colonies. The Trust owns Canna and Sanday, Iona, Burg on Mull, Staffa, the Treshnish Isles and St Kilda World Heritage Site. The impacts of the development will be acutely felt in relation to Iona, Staffa and the Treshnish Isles. It may also have impacts on other Trust owned islands that are home to seabird colonies.

For these reasons, the Trust **objects to the proposed development**.

2. Geography of site

The MachairWind Offshore Windfarm is a 2GW development NW of Islay; SSW of Iona, the Treshnish Isles and Staffa; and W of Colonsay. The Trust owns Iona, Burg, the Treshnish Isles and Staffa. Iona is home to around 170 permanent residents, and post Covid has had a steadily developing visitor base, with 110,000 people visiting in 2024.



National Trust for Scotland, 2026

3. The Trust's position on offshore renewables

The development of offshore wind is vital to increasing Scotland's renewable energy generation capacity to meet the Scottish Government's targets of net zero by 2045. The Trust welcomes the ambition behind the expansion of offshore wind, but this must not come at the expense of nature, heritage and Scotland's communities. We support offshore wind, *at the right scale and in the right location*. By choosing more appropriate locations, negative impacts on communities, cultural heritage, local economies, marine life, and bird life will be minimised.

4. The Trust's objection

The Trust supports offshore windfarms at the right scale in the right location. We do not believe the MachairWind Offshore Windfarm meets this criterion due to the negative impact it will have on the tourist economy, habitability, landscape, marine environment and cultural heritage of Iona, Staffa and the Treshnish Isles, all of which are all Trust owned sites.

We are also concerned about the ornithological impact of MachairWind and the accuracy of the baseline data. The Trust requests more time to examine Chapter 11 and would flag ornithological impacts as an area which should be closely examined by NatureScot in the assessment of this application.

Finally, the Trust disputes the accuracy of the conclusions about the socio-economic impact of the development as they are based on the conclusions of Chapter 16, which vastly underestimates the landscape impact.

For these reasons, the Trust **objects to the proposed development**.

a. Landscape and seascape

The Trust objects to the development due to the landscape and seascape impacts identified in Chapter 16 of the EIAR. We are objecting to the development because of the known impact, as well as because the impact has not been fully explored by the applicant- key viewpoints from all three Trust properties are missing from the application meaning we do not have a comprehensive understanding of the landscape impacts, at this point in time.

It is important to understand that landscape cannot be considered in isolation. The impacts on landscape have a direct knock-on effect on the socio-economic health of surrounding islands, and the seascape is an intrinsic part of the islands' history, cultural heritage and how it is understood and enjoyed. The islands around the array area are special precisely because of the landscape in which they are situated and the seascape they look out on.

Below we outline our concerns in relation to each individual Trust property:

i. Iona

The Trust's Property Statement for Iona reads:

"The island is... recognised for its scenery, the clarity of the air, its sense of space and tranquillity, each adding to the very special atmosphere of the place and providing inspiration to those who live there and visit. It is the mix of these values and the continuing spirit of community that sets Iona apart...

A less tangible, but no less important, aspect of the island's landscape and scenic value is the remarkable clarity of the light that seems to bathe the island, enhancing the intensity of the colours and scenery. W H Murray said of it "what Iona does have is a purity of light and colour that seems to excel that of other islands" (National Trust for Scotland, Iona Property Statement, 2014).

The Property Statement sets out the huge importance landscape and seascape have on Iona. They are of the highest value as they create Iona's special qualities as a place of spirituality, remoteness and tranquillity. The feelings these perceptual qualities evoke attracts visitors and contributes to its unique cultural heritage.

Given the significance of landscape and seascape to Iona, we do not believe the visual assessment in Chapter 16 has been adequate for the island. We believe more viewpoints must be considered before any judgement can be made on the application. Key viewpoints that must be fully assessed are:

- St Columba's Bay and Carn Cul ri Eirinn, which both embody strong connections to Ireland and Iona's unique heritage as the birthplace of Scottish Christianity.
- The view from St Mary's Chapel towards Ireland, as highlighted by historic Environment Scotland as an important view in Chapter 15.
- The Marble Quarry, a scheduled monument that would look directly at the array.

In addition to a need for further viewpoints to be assessed before a judgement is made on the application, the Trust objects to the application based on the conclusions that have been drawn about the viewpoints that were included in the EIAR.

The Trust disagrees strongly with the applicant's assessment that the landscape impact on Iona (viewpoint 22 Dun I) will be of medium magnitude of impact and that the effect significance of the windfarm when operational would be "moderate and significant".

Chapter 16 uses an element of professional judgement to arrive at the conclusions about viewpoint 22. The magnitude of impact has been judged as medium due to distance from the array, the maximum horizontal angle of the view, and the fact the development is in open sea. This gives disproportionate weight to the distance between the turbines and Iona and not enough weight to the impact the turbines will have on the character of seascape, relationship between islands and open sea, importance of the horizon, the distinctive characteristics of the area, and perceptual qualities like openness and remoteness.

NatureScot guidance highlights that the above factors should be included when assessing impact, and the distance between the turbines and viewpoints should not be the standalone consideration *(Scottish Natural Heritage, offshore renewables- guidance on assessing the impact on coastal landscape and seascape, 2012)*. Similarly, GVLIA3 states magnitude should not be determined by distance alone but also "the size and scale of change, its geographical extent, and duration and reversibility" *(p38, Landscape Institute, Guidance for landscape and Visual Impact Assessment v3, 2013)*.

In essence, how the character of a place will be changed matters as much as how visible the turbines will be.

The assessment of viewpoint 22 from Dun I clearly shows the negative impact the array will have on the character of Iona. The view from Dun I is a defining panoramic of the Sea of the Hebrides and out to the Atlantic. It is a key contributor to Iona's scenic character. When built, the windfarm will become a focal point in the view and create a break in the seascape. This will have a huge impact on people's experience of the island, particularly because visitors naturally look west to the horizon and the setting sun. In Iona the westward view towards Ireland also has important cultural significance and is a key part of the pilgrimage trail, as Iona is where Columba landed after travelling from Ireland.

In addition to not agreeing with the weighting given to how the character of the landscape will be impacted, the Trust also believes that viewpoint 22 (Dun I, Iona) should have been assessed to be of high magnitude of impact and major and significant effect significance in line with the conclusions drawn about viewpoint 14 (B8086 south of Lower Kilchattan, Colonsay) and viewpoint 13 (Oronsay Priory, Colonsay)

The different conclusions the applicant has arrived at for the viewpoints on Colonsay and the viewpoint on Iona seem to be based on the distance of the development from the landmass and the maximum horizon angle. The developer states the turbines will be a defining characteristic of the seascape as viewed from Colonsay because the distance is shorter (12km) and there is a greater maximum horizon angle (which will make the turbines appear taller). In contrast, Iona is 20km away with a lesser maximum horizon angle, and this seems to have led to the conclusion that because the turbines will appear smaller, they will not be a defining characteristic of the seascape.

The Trust does not agree the distance from the turbines from Colonsay and from Iona merit differing conclusions of magnitude and effect significance. Although the turbines will appear smaller when viewed from Iona compared to Colonsay, the character of the view from both islands is similar and the impact on character matters as much as the size of the turbines. For both Colonsay and Iona the windfarm will:

- Create a continuous line of turbines across the Atlantic horizon
- Interrupt the westward view of sunset
- Create a substantial industrial feature in undisturbed landscape

The Trust believes that by focussing on distance, the applicant has vastly underestimated the impact of the MachairWind Offshore Windfarm on the character of the seascape, relationship between Iona and the sea, and the perceptual qualities of openness, remoteness and wildness.

We disagree with the decision to focus on distance and not on character, and the conclusion of medium magnitude of impact and moderate and significant effect significance this has led to.

i. Staffa and the Treshnish Isles

Staffa and the Treshnish Isles are in the Loch na Keal National Scenic Area (NSA). The special qualities of the NSA include:

- *"Highly distinctive seaways and shores*
- *A voyage from enclosed sea loch to the open Atlantic*
- *Views of an island-studded sea*
- *A vast natural world, dwarfing human settlement*"

Expanding on the special quality of *'a vast natural world, dwarfing human settlement',* Scottish Natural Heritage (SNH) state *"Within this vast, natural landscape, ranging from the heights of Ben More to the distant Treshnish Islands, settlement is sparse… the eye is swept down from the hills, along the coastline of Loch na Keal and out to sea. This increases the drama and accentuates the feeling nature is dominant, impervious to humans and their actions." (Scottish Natural Heritage, the special qualities of the National Scenic Areas. SNH Commissioned Report No.374., 2010).*

The Trust believes these special qualities as described by SNH (now NatureScot) would be compromised by the MachairWind Offshore Windfarm as the array will be visible from the Treshnish Isles and Staffa over the Ross of Mull. We disagree with the conclusion in Chapter 16 that the magnitude of impact on Staffa would be low and the effect significance would be minor and not significant.

This conclusion appears to have been reached partly because of the greater weighting given to distance, which has led to an underappreciation of the impact on character. On pg 70 of Chapter 16, with reference to the impact on the *Landscape Character Type 45 Stepped Cliffs and terraces – Argyll* the applicant writes:

"Viewpoint 21 – Staffa (Figure 16.2.21 of Appendix 16.4 SLVIA Visualisations) is representative of these views. In these views the Project would be seen in the distant seascape. Intervening landform in the far south-west of Mull would partially break up views of the Project. Islands and views of the sea contribute to the character of this LCT. Views of a distant offshore windfarm would influence these characteristics. However, and given the viewing distance (generally beyond 30 km distant) the scale of change is judged to be small"

As with the case of Iona, the Trust fundamentally disagrees that distance should be given greater weighting than character. The character of the view from Staffa will be massively altered which will compromise the qualities of the NSA.

The applicant has not produced photomontages for viewpoints from Staffa and the Treshnish Isles (although has included a viewpoint from Staffa). There are also no viewpoints considered from the Treshnish Isles. There is a wire diagram showing the view from Fingal's Cave, which shows the turbines will appear taller than the Abbey and Dun I, which is the highest point in Iona. The Trust strongly feels that to fully assess the application photomontages need to be produced for key viewpoints on Staffa and the Treshnish Isles, and a viewpoint needs to be produced from the Treshnish Isles. These should include:

- View from the top of the island above Fingal's Cave, Staffa
- View from the top of the island of Lunga in the Treshnish Isles

b. Socio-Economic impacts

Iona's economy is highly dependent on tourism to the island, which is closely tied with its cultural heritage and landscape value. The island's atmosphere, spirituality, sense of serenity and tranquillity, its natural heritage, scenery, light, colours, land and seascapes and views are key to its tourism industry. Likewise the economies of Mull and Iona are dependent on the Treshnish Isles and Staffa as important ecological, geological and cultural attractions. Iona attracts between 20-30k visitors per year, and almost 100k people visit Staffa per year (*National Trust for Scotland, 2026)*.

Chapter 18 assumes tourism is not affected because Chapter 16 concluded the impact on Iona's visual amenity would be of medium magnitude of impact and moderate and significant effect significance. The Trust echoes the Iona Community Council's concerns about this 'downward bias of evidence', whereby because the conclusions in Chapter 16 were underestimated, Chapter 18 has drawn inaccurate conclusions about the impacts on tourism on Iona.

The Trust also disagrees with the logic in Chapter 16 that because the islands near the array area have many individual features that attract tourists (visual, wildlife, cultural, history etc), degradation of one of the features alone will not be of detriment to the visitor economy. The landscapes and seascapes of Iona, Staffa and the Treshnish Isles are an integral part of the tourism offering and intrinsically tied up in the cultural and spiritual offering of the islands. Degrading the visual amenity will degrade the other aspects of the tourism offering. This means that it cannot be assessed as an 'individual feature'.

We also disagree that the feeling of remoteness that is attractive to so many would remain, and although only west coast beaches would be affected, the westward view is the one that most draws the eye and is of most importance to the island.

As stated in the Trust's Property Statement for Iona: *"visitors are an ever-present reminder of the island's historical legacy and its popularity, and the great numbers that come provide a valuable and essential element in the island's economy, with many jobs reliant on tourism… Visitors have been a feature of the Iona landscape for centuries… inspired by the multitude of images and*

descriptions of the island's scenery and atmosphere, its beautiful white beaches and the spectacular seascapes, its remarkable light and the peace and serenity that seems to envelop the island." (National Trust for Scotland, Property Statement for Iona, 2014).

The Trust is deeply concerned that how reliant and intertwined tourism on Iona, Staffa and the Treshnish Isles is with the landscape, that the MachairWind Offshore Windfarm would impact visitor numbers creating a negative knock on effect on the local economy.

c. Habitability

There has been a community on Iona for at least 3500 years. BiGGAR economics, on behalf of the applicant, identified there could be a potentially significant effect pathway on habitability of island communities, yet no dedicated habitability assessment was undertaken for Iona. The lack of assessment meant the applicant concluded there are no significant effects on the long-term habitability of the island. The Trust agrees with the Iona Community Council that a habitability assessment for Iona is critical and until this has been done no judgement should be made on the application.

d. Cultural heritage impacts

The landscape and seascape are intertwined with the cultural heritage of Iona. The island's history and culture is understood and experienced through the series of monastic sites, the interplay between sea and land, and the westward view which draws the eye. The island is also spirituality important. Iona was where modern Christianity spread from in Scotland and has a strong sense of place and living heritage, with pilgrimages still part of island life for visitors and residents.

Historic Environment Scotland (HES) advice for this application was that Iona's cultural importance is derived from the relationships and interplay of individual monuments and places rather than their individual merit. The interplay between sea and land was particularly emphasised. HES emphasised concerns about: the development reducing the sense of isolation associated with the monastery; the views towards Ireland being negatively affected; and the experience of how visitors experience the pilgrimage landscape being undermined.

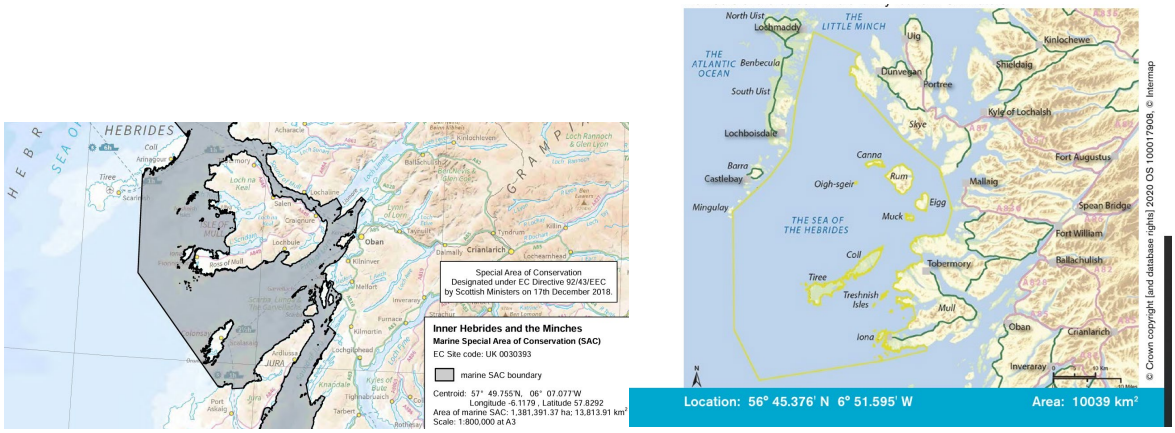
Although the applicant acknowledged there would be significant adverse effects on the setting of the built heritage, it concluded that "*core cultural significance, understanding, appreciation and experience of Iona would be retained, the Abbey would remain the dominant feature, and the integrity of the monastic landscape would not be lost".* The Trust is concerned that the turbines would in fact detract from the Abbey as the focal point. This would reduce the sense of isolation associated with the monastery, negatively impact the westward view, and undermine the pilgrimage landscape which will severely harm the cultural heritage of the island.

In their objection, Iona Community Council raised issue with the treatment of Iona through static viewpoints, rather than understanding it through how people move through the landscape. In Chapter 14 (on Offshore Archaeology and Cultural Heritage) the approach to Iona from Mull is assessed as a series of disconnected and static views. In line with this, the applicant uses a single photomontage of the sea to represent the view from the ferry and argues

therefore the effect on the view of the Abbey is limited. However in reality, passengers will scan the horizon and see both the sea, the array area, and the Abbey as one cohesive view. The Trust believes the application needs to assess the monuments, views and landscape of Iona as an interconnected experience critical to its cultural heritage, rather than assessing them in isolation.

e. Marine mammals

The proposed development is on the boundary or close to the Inner Hebrides and the Minches Special Area of Conservation (SAC), designated for harbour porpoises, and the Sea of Hebrides Nature Conservation Marine Protected Area (NCMPA), designated for Minke Whale and Basking Shark. Both of these protected areas include the waters on the west coast of Mull and the waters directly around Iona, the Treshnish Isles and Staffa. The development is also close to the Loch Sunart to the Sound of Jura Marine Protected Area which has been designated for the protection of flapper skate and borders the east of Mull and the Treshnish Isles SAC which is designated for grey seal.



Maps of Inner Hebrides and the Minches SAC and Sea of the Hebrides NCMPA, showing Trust owned sites within and adjacent to the protected areas (NatureScot, 2026)

Chapter 10 of the EIAR concludes no significant effects on the protected sites, however we believe in addition to assessing this through a conservation lens they need to be assessed through a tourism lens.

The Seas of the Hebrides NCMPA is one of the most important minke whale observation sites. Iona, Staffa, Mull and the Treshnish Isles are widely recognised wildlife watching spots with whale and dolphin based tourism businesses operating out of Iona and Mull. We are concerned about the impact the windfarm will have on these businesses and on the islands' reputations for marine wildlife watching. Chapter 10 does acknowledge that construction noise may cause minke whales and grey seals in the NCMPA and SAC to temporarily exhibit disturbance behaviours and avoid haul out sites. Although the application concludes this will not have a population level impact due to the temporary nature of displacement during construction, even

a temporary impact on marine mammals could have a longer term detrimental reputational impact on tourism in the region.

5. Ornithological concerns

In addition to our objection, we would like to bring attention to our concerns about the ornithological assessment in the EIAR. The Trust has concerns about the baseline data used for some Special Protected Areas (SPAs). Accurate baseline data is of critical importance to ensure prediction models are accurate.

The application concludes the development will not affect the integrity of the affected SPAs. The Trust is surprised at this assessment given the scale of MachairWind and number of species within the affected SPAs.

We would like to bring attention to these concerns and encourage close assessment by NatureScot and the Marine Directorate Licensing and Operations Team of the EIAR's ornithological models and conclusions. Additionally, third sector organisations would benefit from additional time to understand and assess the EIAR further, as the length and technicality of it means substantial time and resource are required.

6. Concluding remarks

Climate change has a huge, negative impact on everything discussed above- it reduces the survival chances for our seabirds, makes it difficult for marine mammals to thrive, contributes to erosion of our islands and the heritage they hold, and negatively impacts communities' habitability, economic prosperity and safety. As a country we must tackle climate change and offshore wind is a critical part of how we do this.

However, offshore wind must not be delivered at the expense of our island communities, nature, or cultural heritage. Offshore wind must be placed in the right places and at the right scale where damage is most reduced. The Trust feels this is likely to be in locations further out to sea as the landscape, marine environment, seabird, and heritage impacts are likely to be vastly reduced the further turbines are from land.

The Trust objects to the MachairWind Offshore Windfarm. We do not agree that the EIAR is comprehensive; uses appropriate judgement about the impact on landscape character; and draws accurate conclusions, particularly with regard to socio economic impact, landscape impacts, and cultural heritage impacts.

We welcome dialogue with the applicant and Marine Directorate on these points.

With regards,

[Redacted]

[Redacted]

Regional Director, Highlands and Islands

National Trust for Scotland

National Trust for Scotland (Ornithology)

National Trust for Scotland: Comments on the Offshore Ornithology for the MachairWind Offshore Windfarm

15th September 2026

1. Introduction

The National Trust for Scotland (the Trust) supports renewable energy and recognises offshore wind expansion as critical in Scotland's journey to reducing carbon emissions. We believe offshore wind should be located in the right place, and at the right scale to minimise any negative impacts.

The Trust previously submitted an objection to MachairWind Offshore Windfarm due to the severity and magnitude of impact the development will have on the cultural heritage, landscape and seascape, habitability, island economies, and communities within the Trust's care (namely Iona, Staffa, and the Treshnish Isles). Additionally, we objected due to the impacts on marine mammals and the methodology used in some chapters.

The Trust also raised concerns about the ornithological assessment in the EIAR, as we were concerned the baseline data used for assessing impacts on species which are features of Special Protected Areas (SPAs) was inaccurate, and because we were surprised that the predicted impacts on seabirds were so mild given the location and scale of the Windfarm Development Area (WDA).

This submission builds on these concerns. We appreciate the additional time given by the Marine Directorate to more fully assess EIAR Chapter 11- offshore ornithology. We have also included Corncrake in this submission.

We have not identified any flaws in the assessment that would suggest that the use of quantitative methodologies does not reflect current best practice.

However, having had more time to consider the assessment of the impact of the development on seabirds and Corncrake, we do not believe that the EIAR has adequately considered all important ornithological impacts and therefore is incomplete, which leads us to object at this stage. This is additional to the objection previously submitted.

2. Pre-application communications

The Trust would like to bring attention to Chapter 11 *(11.3.14)* which reads *"It should be noted that the Applicant held an introductory call with NTS on 27 March 2026 regarding the principles of options for compensatory measures and with MD-LOT on 06 May 2026 to discuss the Applicant's submission of a Without Prejudice Derogation Case"*.

The Trust welcomes all pre application communication with developers and appreciated Scottish Power Renewables reaching out to us. However, we would like to clarify the content of the meeting on 27 March. The Trust's understanding was that the primary purpose and content of this meeting was to share the results of our joint Manx Shearwater tracking. During the

meeting Scottish Power Renewables did ask if the Trust would be interested in partnering with them around compensation, however it was made clear that it was too early in the process to know if we would want to explore this further.

3. Geography of array area

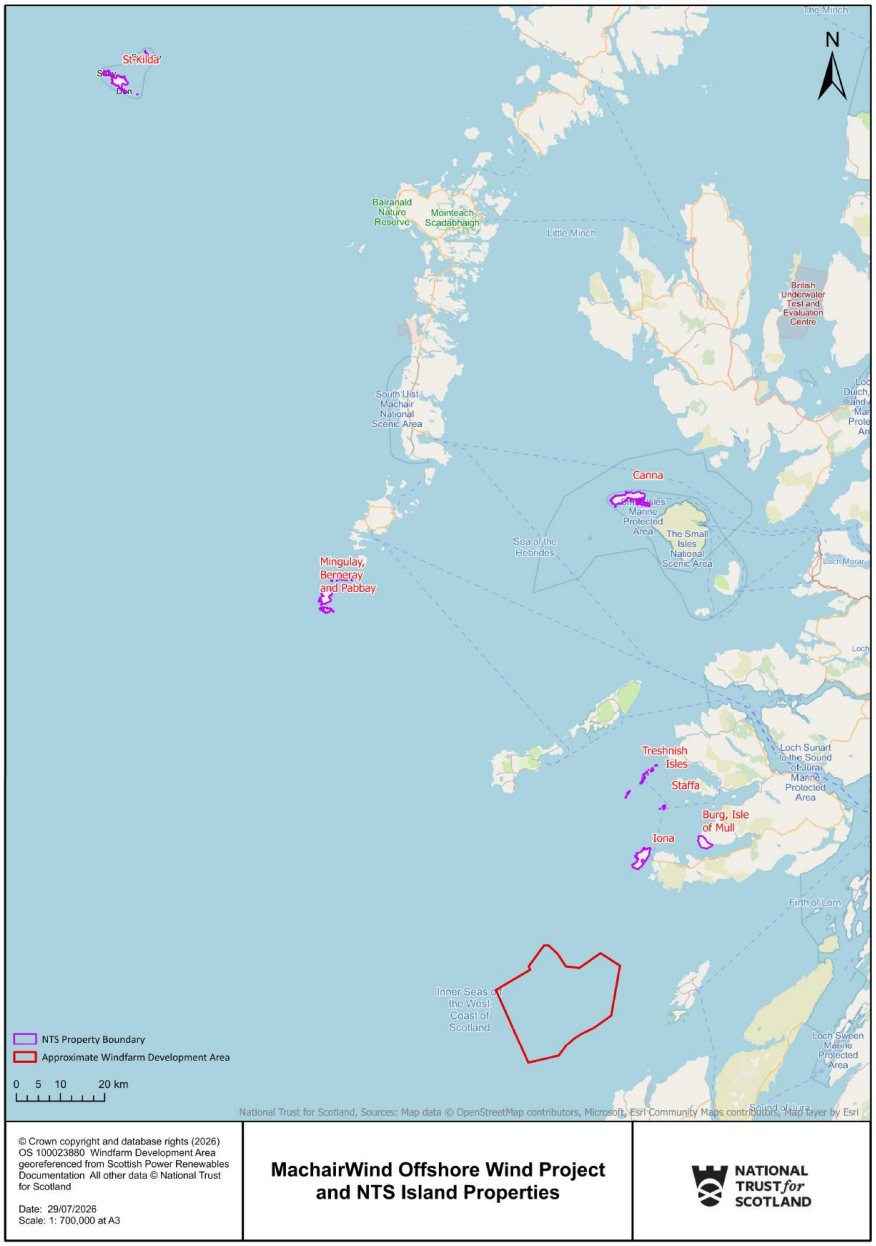
MachairWind Offshore Windfarm is a 2GW development NW of Islay; SSW of Iona, the Treshnish Isles and Staffa; and W of Colonsay. The Trust owns Iona (including the islets of Rèidh Eilean, Stac MhicMhurchaidh, and Soa), the Treshnish Isles, Staffa and Canna, as well as Pabbay, Mingulay, Berneray, and St Kilda, all of which are important strongholds for a variety of seabird species. Iona, Staffa, Mingulay, Pabbay, Berneray, Canna, and Lunga in the Treshnish Isles are also home to Corncrake populations. All these properties, and many of the designations that cover them, have seabirds within theoretical foraging range of the array area.

The species screened into the EIAR, the NatureScot recommended foraging ranges (*Nature Scot, Guidance Note 3: Guidance to Support Offshore Wind applications: Marine Birds- identifying theoretical connectivity with breeding site Special protection Areas using breeding season foraging ranges, 2023)*, affected Trust properties, and the SPAs within these ranges are shown below:

Species screened into EIAR	**NatureScot recommended foraging ranges (km)**	**Special Protection Areas for screened species within the theoretical connectivity range of the WDA. (Those SPAs immediately adjacent or covering Trust properties are in bold)**
1. Kittiwake	300.6	North Colonsay and western cliffs **Canna and Sanday** **Rum** Ailsa Craig Cape Wrath Handa Flannan Isles **Mingulay and Berneray** **St Kilda** Shiant Isles North Rona and Sula Sgeir Firth of Forth Islands
2. Great Black-Backed Gull	73.0	-
3. Herring Gull	85.6	**Canna and Sanday**
4. Arctic Tern	40.5	-
5. Guillemot	95.2 (excluding data from Fair Isle)	North Colonsay and western cliffs **Canna and Sanday** **Rum**
6. Razorbill	122.2	**Canna and Sanday** **Rum**
7. European Storm Petrel	336.0	**Treshnish Isles** Summer Isles **St Kilda** North Rona and Sula Sgeir Sule Skerry and Sule Stack
8. Fulmar	1200.2	**All Scottish Fulmar SPAs due to large radius**
9. Gannet	(for Gannets from the St Kilda SPA this	Ailsa Craig Firth of Forth **Fair Isle**

	is extended to 709km)	**Hermaness, Saxa Vord and Valla Field** **Mingulay and Berneray** North Rona and Sula Sgeir Noss **St Kilda** Sule Skerry and Sule Stack
10. Manx Shearwater	2365.5	**Rum** **St Kilda**
11. Great Northern Diver	-	-

The below map shows Trust properties with seabird populations within theoretical foraging range, as well as the proximity of Iona, the Treshnish Isles, and Canna's Corncrake populations *(National Trust for Scotland, MachairWind WDA and Trust properties, 2026)*:



4. Offshore ornithology

The Trust acknowledges that the quantitative methodology used reflects best practice, however we have specific concerns with the assessment and subsequent conclusions drawn in relation to European Storm Petrel, Manx Shearwater, Fulmar, Treshnish Geese, Arctic Skua and Great Skua.

4.1 Digital Arial Surveys for European Storm Petrel

The Trust strongly agrees with NatureScot, RSPB and MD-LOT comments that Digital Aerial Surveys (DAS) taken underrepresents the number of European Storm Petrels.

Due to the low numbers of European Storm Petrel picked up in DAS, they are not given a quantitative displacement or collision assessment, nor have density estimates been calculated in the EIAR. However, DAS will always fail to pick up small, cryptic, nocturnal species like Manx Shearwater and European Storm Petrels, as acknowledged in Chapter 11 *(11.1.6.4.1.259*). which states *"It is probably necessary at present to assume that DAS fails to detect many or most storm-petrels present in survey transects."* This means the true abundance of European Storm Petrels using the WDA is likely to be greater than the estimates presented in the EIAR. This is further confirmed by the Trust's own knowledge of the large populations of European Storm Petrels on the Treshnish Isles. It holds that the same would be true for Manx Shearwaters.

By using inaccurate information gathered by DAS, the EIAR does not accurately identify the scale and magnitude of the impact on European Storm Petrel and Manx Shearwater. It is critical this is rectified, particularly as European Storm Petrels are designated as part of the Treshnish Isles SPA and Site of Special Scientific Interest (SSSI), and Manx Shearwaters are designated under the Treshnish Isles SSSI.

This issue was raised in previous communications with Scottish Power Renewables in January 2026. Scottish Power Renewables responded by sharing a report about the effect of light attracting European Storm Petrels and Manx Shearwaters, however we feel this response did not address the core problem which is that DAS are likely to miss cryptic and nocturnal species from the WDA.

4.2 Tracking data used for European Storm Petrel and Manx Shearwater on Lunga

The EIAR includes tracking data showing breeding European Storm Petrels from Lunga entered the WDA but also states *"key areas for individuals from this colony were around the Treshnish Isles and to the west and north of the colony"* (*Bolton et al., Tracking of Leach's storm petrel from St Kilda and European Storm Petrel from Treshnish Isles, 2025).* The Trust disagrees that the scale of the tracking data provides sufficient evidence to conclude that the WDA is not an area of importance to this population.

By using this data, the EIAR concludes, without sufficient evidence, that the Lunga population of European Storm Petrel will not be affected, and therefore no mitigation is required. More evidence is necessary to fully understand the movements of the Lunga population of European Storm Petrels in relation to the WDA and have confidence in the level of mitigation required.

Trust research on Manx Shearwater tracking from Lunga (to which Scottish Power Renewables contributed funding) found that five of the seven birds which had tracks resolved entered the WDA, some spending up to 4 hours within it. Only two birds tracked did not enter the area- one

of these made six trips throughout the tracking period and came within 2.8 km of the WDA and the second bird did not leave the colony so its proximity of at sea distribution to the WDA is unknown (*Owen and Morgan, Manx Shearwater Tracking Work on Lunga in 2025 - Report for MachairWind Ltd, 2026)*.

The findings of this research have not been represented accurately in the EIAR. Chapter 11 *(11.1.6.4.1.263)* presents the research thus: *"the tracking data and aerial/boat-based survey data all tended to show that Manx Shearwaters from many colonies either enter the WDA or fly close to it (e.g. Critchley et al., 2019; Owen and Morgan, 2026; The Crown Estate, 2026). However, the WDA does not appear to be an area of high importance to Manx Shearwaters and other nearby areas are used more frequently"*. This conclusion is at odds with our results which showed five of the seven tracked birds entered and spent time in the WDA.

The findings are also misrepresented in the RIAA *(11.6.2.3.2.4.1.1.222),* which says *"During June 2025, 11 breeding adult Manx Shearwaters were tagged with remote download GPS tags. Some tagged individuals entered the WDA and visual inspection of the tag data suggested that, of the three individuals using the WDA, one was potentially foraging and one was rafting or resting on the sea overnight."* As above, seven birds were tagged and five of these entered the WDA.

4.3 Collision risk assessment for Fulmar

Fulmar is not currently included in the collision risk quantitative assessment because it has historically been considered a low flying species at low risk of flying at turbine height. Observations of flight height have historically been taken in calm sea and wind conditions, but new research indicates different wind and sea states may result in varied flying height. We are conscious this research may not have been available when completing the EIAR, however it should take cognises of it now so ensure comprehensiveness and accuracy. We believe further research should also be conducted as part of the EIAR to tag Fulmars with altimeters to verify the assumption that they are not flying within blade height. This should also be done for Manx Shearwaters and European Storm Petrels.

4.4 Omission of Treshnish geese

Greenland Barnacle Geese in the Islay SPA are considered, but Greenland Barnacle Geese in the Treshnish Isles SPA are not mentioned in the EIAR. The Trust strongly feels it would be appropriate to include Greenland Barnacle Geese on the Treshnish Isles, as well as Islay, in the EIAR as the Treshnish Isles are only 35km from the array area and are a SSSI and SPA for overwintering Greenland Barnacle Geese. In conversation with Scottish Power Renewables, it was highlighted that a migration collision risk assessment for the species identified the risk as negligible, but we think it important the risk for local movements is also assessed. Scottish Power Renewables also advised no regular movements through the WDA by Treshnish Geese have been evidenced. However, a lack of evidence does not mean necessarily a lack of movement, and there is a need to gather more data to have confidence in this conclusion.

Although not included in the EIAR, Greenland Barnacle Geese on Treshnish were mentioned in the RIAA. We would also welcome information on why this species was in the RIAA but omitted in the EIAR.

4.5 Vessel lights attraction for Manx Shearwater and European Storm Petrel

The Trust disagrees with the applicant's conclusion that adult shearwaters and European Storm Petrels will not be attracted to vessel lights (which will be white, as opposed to red and flashing like the turbine lights), and that fledglings from Lunga are too far from the WDA to be attracted to these lights (*Furness et al., Annex 11.2P: Evaluation of seabird attraction to offshore windfarms, 2016)*. We are concerned there is a high chance a newly fledged petrel may leave the island and be attracted to lights as far away as the WDA. For example, Mallaig regularly attracts Manx Shearwater fledgelings from Rum which is 26km away. We would welcome further investigation on this by NatureScot.

4.6 Arctic Skua and Great Skua collision risk modelling

Arctic Skua and Great Skua are considered to be at risk of colliding with turbines *(Furness et al. Assessing vulnerability of marine bird populations to offshore wind farms, 2013)* but no collision risk modelling was undertaken for either of these species as they were recorded at *"very low densities in the WDA" (Chapter 11 11.1.8.1.388).* In the 29 DAS samples used for collision risk modelling, four Arctic Skua individuals were recorded over three surveys and nine Great Skua individuals were recorded over six surveys. The Trust disagrees this constitutes *"very low densities"* as the UK population of Arctic Skua is only 2100-2500 pairs post avian flu.

We encourage these points to be fully addressed prior to an assessment being made on the application for MachairWind.

5. Corncrake

The Trust has concerns about the data and findings for Corncrake, which we strongly feel need to be fully addressed prior to a decision being taken on the application. These concerns are exacerbated by the fact that Corncrake has suffered one of the largest and most rapid declines of any bird species in the UK and is also one of the Trust's priority species in our Plan for Nature.

The WDA is surrounded by SPAs for which Corncrake is a designated feature (the Rinns of Islay SPA to the southeast of the WDA, the Oronsay and South Colonsay SPA to the northeast of the WDA, and both the Coll (Corncrake) SPA, and the Tiree (Corncrake) SPA to the north of the WDA). Whilst the island of Iona, lying to the northeast of the WDA, is not a designated SPA for Corncrakes, it is an integral part of the Inner Hebrides core area for this species (*Bailey and Proud, A Conservation Action Plan for the Corncrake, Crex Crex in Scotland 2025-2035, 2024)*.

As well as being present in breeding grounds close to the WDA, Corncrakes are migratory. Given the wide distribution and migratory nature of this species, the Trust is concerned that the potential impact of the proposed development has not been fully recognised.

The main reference used within the EIAR to model the collision risk for migratory bird species *(Woodward et al., Strategic study of collision risk for birds on migration and further development of the stochastic collision risk modelling tool, 2023)* concluded that *"significant knowledge gaps remain, and there is still uncertainty surrounding values for some parameters, for many species."* The Trust is concerned that the lack of certainty and known knowledge gaps means the potential mortality rates of migratory species are not accurately reflected in the EIAR.

With regard to Corncrakes, Woodward *et al*. describe low confidence levels in understanding the migratory routes, flight heights, flight speeds and avoidance rates and behaviour of Corncrake due to a lack of available data (*Woodward et al., Strategic study of collision risk for birds on migration and further development of the stochastic collision risk modelling tool, 2023)*. They go on to state that "*it is recommended that 100% of flights are assumed to take place at collision risk height"* but currently there is very limited to no data to suggest how many Corncrake flights are likely to occur within the WDA, meaning it is impossible to understand the impact the development will have on the UK population.

In Annex 11.3D: Migratory Collision Risk Modelling *(2.1.7, Table 1*) the UK Corncrake population estimate is stated to be 16,960 individuals. The Trust understands this to be an error within the mCRM tool (with the actual population to be 1,100 calling males) which needs to be rectified as part of the EIAR process (*Woodward et al., Strategic study of collision risk for birds on migration and further development of the stochastic collision risk modelling tool, 2023)*.

Annex 11.3D 'Table 5: Species-specific migration periods applied in the mCRM assessment' also states Corncrake migratory periods in the UK are April-May and July-August, however the Trust is aware we still have birds on breeding grounds into September. This factual inaccuracy should be rectified in the EIAR.

6. Concluding remarks

The Trust would welcome further investigation into the concerns raised above. It is critical the EIAR provides an accurate and full assessment of the true impact on the species highlighted in this submission. The Trust is open to assisting with this wherever possible.

With kind regards,

[Redacted]

Director of Conservation and Policy

National Trust for Scotland

NATS

From:	NATS Safeguarding
To:	MD Marine Renewables
Cc:	Abby Gray; John Mckay; Toni-marie Mcginn; Ben Walker
Subject:	RE: [SG38305] MD-00012385/ MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm – Windfarm Development Area - EIA Section 36 consent and Marine Licence Applications - Consultation – Response Required by 15 August 2026
Date:	30 June 2026 12:25:23
Attachments:	image002.png image004.png image005.png image006.png image007.png image008.png image009.png image010.png SG38305 MachairWind (ScotWind W1) - TOPA Issue 2.pdf

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Our Ref: SG38305

Dear Sir/Madam

We refer to the application above. The proposed development has been examined by our technical safeguarding teams and conflicts with our safeguarding criteria.

Accordingly, NATS (En Route) plc objects to the proposal. The reasons for NATS's objection are outlined in the attached report TOPA SG38305.

We would like to take this opportunity to draw your attention to the legal obligation of local authorities to consult NATS before granting planning permission. The obligation to consult arises in respect of certain applications that would affect a technical site operated by or on behalf of NATS (such sites being identified by safeguarding plans that are issued to local planning authorities).

In the event that any recommendations made by NATS are not accepted, local authorities are obliged to follow the relevant directions within Planning Circular 2 2003 - Scottish Planning Series: Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) (Scotland) Direction 2003 or Annex 1 - The Town And Country Planning (Safeguarded Aerodromes, Technical Sites And Military Explosives Storage Areas) Direction 2002.

These directions require that the planning authority notify both NATS and the Civil Aviation Authority ("CAA") of their intention. As this further notification is intended to allow the CAA to consider whether further scrutiny is required, the notification should be provided prior to any granting of permission.

It should also be noted that the failure to consult NATS, or to take into account NATS's comments when determining a planning application, could cause serious safety risks for air traffic.

Should you have any queries, please contact us using the details below.

Yours faithfully

NATS

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4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

Prepared by:
NATS Safeguarding Office

Technical and Operational Assessment (TOPA)

For SG38305 MachairWind

Wind Farm Development

NATS ref: SG38305

Scottish Government ref: SCOP0057

Issue 2

NATS Internal

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Publication History

Issue	Month/Year	Change Requests and summary
1	November 2024	Scoping Request
2	June 2026	Scoping Request

Document Use

External use: Yes

Referenced Documents

1. Background

1.1. En-route Consultation

NATS en-route plc is responsible for the safe and expeditious movement in the en-route phase of flight for aircraft operating in controlled airspace in the UK. To undertake this responsibility it has a comprehensive infrastructure of RADAR's, communication systems and navigational aids throughout the UK, all of which could be compromised by the establishment of a wind farm.

In this respect NATS is responsible for safeguarding this infrastructure to ensure its integrity to provide the required services to Air Traffic Control (ATC).

In order to discharge this responsibility NATS is a statutory consultee for all wind farm applications, and as such assesses the potential impact of every proposed development in the UK.

The technical assessment sections of this document define the assessments carried out against the development proposed in section 3.

2. Scope

This report provides NATS En-Route plc's view on the proposed application in respect of the impact upon its own operations and in respect of the application details contained within this report.

Where an impact is also anticipated on users of a shared asset (e.g. a NATS RADAR used by airports or other customers), additional relevant information may be included for information only. While an endeavour is made to give an insight in respect of any impact on other aviation stakeholders, it should be noted that this is outside of NATS' statutory obligations and that any engagement in respect of planning objections or mitigation should be had with the relevant stakeholder, although NATS as the asset owner may assist where possible.

3. Application Details

Scottish Government submitted a request for a NATS technical and operational assessment (TOPA) for the development at MachairWind (ScotWind W1) Wind Farm. It will comprise turbines as detailed in Table 1 and contained within an area as shown in the diagrams contained in Appendix B.

Turbine	Lat	Long	East	North	Tip Height (m)
1	55.9197	-6.4853	119879	678715	335
2	56.1029	-6.4495	123426	698939	335
3	56.1739	-6.6751	109948	707760	335
4	56.0886	-6.9559	91853	699504	335
5	55.8126	-6.6950	105980	667686	335
6	55.8186	-6.6834	106752	668298	335

Table 1 – Turbine Details

4. Assessments Required

The proposed development falls within the assessment area of the following systems:

En-route Surv	Lat	Long	nm	km	Az (deg)	Type
Great Dun Fell Radar	54.6841	-2.4509	157.0	290.7	300.2	CMB
Lowther Hill Radar	55.3778	-3.7530	98.4	182.3	291.5	CMB
Perwinnes Radar	57.2123	-2.1309	157.8	292.2	245.8	CMB
Tiree Radar	56.4556	-6.9230	18.9	34.9	162.0	CMB
En-route Nav	**Lat**	**Long**	**nm**	**km**	**Az (deg)**	**Type**
None						
En-route AGA	**Lat**	**Long**	**nm**	**km**	**Az (deg)**	**Type**
None						

Table 2 – Impacted Infrastructure

4.1. En-route RADAR Technical Assessment

4.1.1. Predicted Impact on Tiree RADAR

Using the theory as described in Appendix A and development specific propagation profile it has been determined that the terrain screening available will not adequately attenuate the signal, and therefore this development is likely to cause false primary plots to be generated. A reduction in the RADAR's probability of detection, for real aircraft, is also anticipated.

4.1.2. En-route operational assessment of RADAR impact

Where an assessment reveals a technical impact on a specific NATS' RADAR, the users of that RADAR are consulted to ascertain whether the anticipated impact is acceptable to their operations or not.

Unit or role	Comment
Prestwick Centre ATC	Unacceptable
Military ATC	Acceptable

Note: The technical impact, as detailed above, has also been passed to non-NATS users of the affected RADAR, this may have included other planning consultees such as the MOD or other airports. Should these users consider the impact to be unacceptable it is expected that they will contact the planning authority directly to raise their concerns.

4.2. En-route Navigational Aid Assessment

4.2.1. Predicted Impact on Navigation Aids

No impact is anticipated on NATS' navigation aids.

4.3. En-route Radio Communication Assessment

4.3.1. Predicted Impact on the Radio Communications Infrastructure

No impact is anticipated on NATS' radio communications infrastructure.

5. Conclusions

5.1. En-route Consultation

The proposed development has been examined by technical and operational safeguarding teams. A technical impact is anticipated, this has been deemed to be unacceptable.

Appendix A – Background RADAR Theory

Primary RADAR False Plots

When RADAR transmits a pulse of energy with a power of P_t the power density, P, at a range of r is given by the equation:

$$P = \frac{G_t P_t}{4\pi r^2}$$

Where G_t is the gain of the RADAR's antenna in the direction in question.

If an object at this point in space has a RADAR cross section of σ, this can be treated as if the object re-radiates the pulse with a gain of σ and therefore the power density of the reflected signal at the RADAR is given by the equation:

$$P_a = \frac{\sigma P}{4\pi r^2} = \frac{\sigma G_t P_t}{(4\pi)^2 r^4}$$

The RADAR's ability to collect this power and feed it to its receiver is a function of its antenna's effective area, A_e, and is given by the equation:

$$P_r = P_a A_e = \frac{P_a G_r \lambda^2}{4\pi} = \frac{\sigma G_t G_r \lambda^2 P_t}{(4\pi)^3 r^4}$$

Where G_t is the RADAR antenna's receive gain in the direction of the object and λ is the RADAR's wavelength.

In a real world environment this equation must be augmented to include losses due to a variety of factors both internal to the RADAR system as well as external losses due to terrain and atmospheric absorption.

For simplicity these losses are generally combined in a single variable L.

$$P_r = \frac{\sigma G_t G_r \lambda^2 P_t}{(4\pi)^3 r^4 L}$$

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Secondary RADAR Reflections

When modelling the impact on SSR the probability that an indirect signal reflected from a wind turbine has the signal strength to be confused for a real interrogation or reply can determined from a similar equation:

$$P_r = \frac{\sigma G_t G_r \lambda^2 P_t}{(4\pi)^3 r_t^2 r_r^2 L}$$

Where r_t and r_r are the range from RADAR-to-turbine and turbine-to-aircraft respectively. This equation can be rearranged to give the radius from the turbine within which an aircraft must be for reflections to become a problem.

$$r_r = \sqrt{\frac{\lambda^2}{(4\pi)^3}} \sqrt{\frac{\sigma G_t G_r P_t}{r_t^2 P_r L}}$$

Shadowing

When turbines lie directly between a RADAR and an aircraft not only do they have the potential to absorb or deflect, enough power such that the signal is of insufficient level to be detected on arrival.

It is also possible that azimuth determination, whether this done via sliding window or monopulse, can be distorted giving rise to inaccurate position reporting.

Terrain and Propagation Modelling

All terrain and propagation modelling is carried out by a software tool called ICS Telecom (version 11.1.7). All calculations of propagation losses are carried out with ICS Telecom configured to use the ITU-R 526 propagation model.

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Appendix B – Diagrams

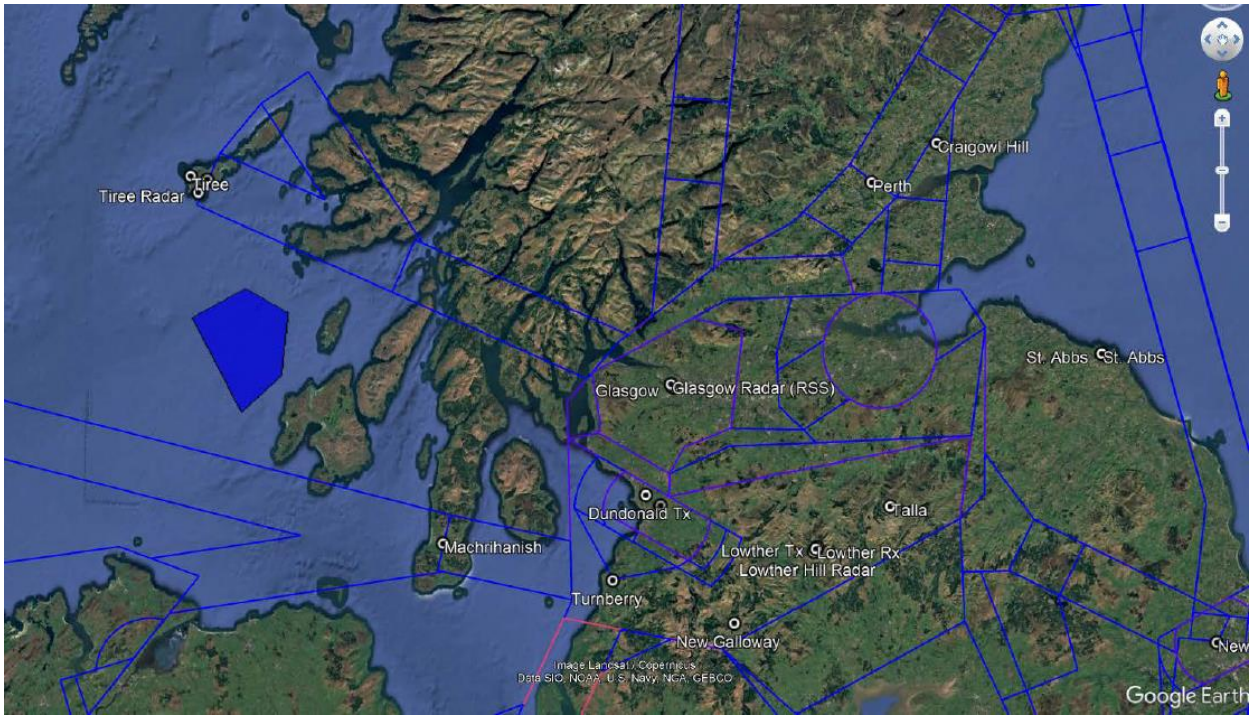


Figure 1: Proposed development location shown on an airways chart

NATS Internal

North Ayrshire Council

From:	**[Redacted]**
To:	MD Marine Renewables
Subject:	RE: MD-00012385/ MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm – Windfarm Development Area - EIA Section 36 consent and Marine Licence Applications - Consultation – Response Required by 15 August 2026
Date:	02 July 2026 15:34:54
Attachments:	image003.png

To whom it may concern,

MD-00012385/ MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm – Windfarm Development Area - EIA Section 36 consent and Marine Licence Applications - Consultation

Thank you for consulting North Ayrshire Council on the above EIA Section 36 consent and Marine Licence application.

From a Planning Service perspective, North Ayrshire Council has no comments on the proposal at this time. It is noted that the onshore grid connection and associated infrastructure are currently proposed to be located within South Ayrshire, with the exact location to be determined. Should the final proposal include any associated infrastructure and/or other activities being within North Ayrshire, it would be appreciated if the Planning Service is kept informed for comment, where appropriate.

Please note that this is an Officer response on behalf of the Council and will not prejudice any future decision that may be required by the Council regarding the proposal.

Kind regards,

[Redacted]

Planning Officer (Strategic Planning)

Planning Services | Communities & Housing | North Ayrshire Council
Cunninghame House, Irvine KA12 8EE

[Redacted]

If you would like to view or comment on a planning application, please go to www.eplanning.north-ayrshire.gov.uk

The Council has now started the process of updating our Local Development Plan. For more information on the upcoming plan or how to get involved, click on the image below or scan the QR code using a mobile device.





North Ayrshire's
Third
Local Development
Plan

https://northayrshireldp.commonplace.is/

NW & SW Region,
Inshore Fisheries Group

From: [Redacted]

Sent: 24 August 2026 08:00

To: MD Marine Licensing <MD.MarineLicensing@gov.scot>

Subject: Licence Consultation 12385 and 12386 Macxhair Wind Turbine Array

Good morning,

I refer you to your consultation on the above proposed development.

Having consulted affected fishing businesses in Islay and Mull, I can confirm that this RIFG have no objection to the proposal.

Regards,

--

[Redacted]

NW & SW Region, Inshore Fisheries Group
Mob 07729 715060

Peel Ports Group

From:	**[Redacted]**
To:	MD Marine Renewables
Cc:	Abby Gray; John Mckay; Toni-marie Mcginn; Ben Walker
Subject:	RE: MD-00012385/ MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm – Windfarm Development Area - EIA Section 36 consent and Marine Licence Applications - Consultation – Response Required by 15 August 2026
Date:	29 June 2026 16:43:57
Attachments:	image001.png image002.png image683279.png image965591.png

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Good afternoon

This project is located outwith Clydeport jurisdiction. We have no comment to make.

Kind Regards,

[Redacted]

[Redacted]

[Redacted]

Peel Ports Group Ltd
Greenock Ocean Terminal
Patrick Street
Greenock
PA16 8UU

Work Safe. Home Safe.

EHS365

Please consider the environment before printing this e-mail

The Royal Yachting Association

10 August 2026

MD Marine Renewables
Licensing Operations Team
Marine Directorate
Marine Laboratory, 375 Victoria Road,
Aberdeen, AB11 9DB
MD.MarineRenewables@gov.scot

To whoever it may concern,
MD-00012385/ MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm

I have read the relevant chapters of the EIA as well as the applications on behalf of RYA Scotland.

I note that the comments made by ourselves during the planning process have largely been notes and taken account of and for that reason we do not object to the consents being given. We welcome the adjustment to the eastern boundary. However, we do have some reservations which can perhaps best be addressed through conditions attached to the licence.

There are two main issues which we raised earlier.
First, we welcome the listing of potential ports to be used in section 153 of chapter 3 of the EIA. The use of most of these would not pose problems for recreational boaters and I welcome the fact that Port Ellen Harbour Association is comfortable with that port being used for marine operations during construction. However, we have concerns about the possible use of Oban for marine operations. Oban is already a very busy port with more than 13,000 vessel movements a year and its status as a statutory harbour currently uncertain. If it is to be used by the development then it is essential that a Navigational Risk Assessment is carried out to identify the scale of the impact and possible mitigations. The granting of a marine licence should be made contingent on this taking place. Furthermore, the EIA does not explicitly rule out the use of other ports and this should be clarified before the licence is awarded.

Secondly, Table 3.1 in chapter 3 omits comments made about the cable route as this was excluded from the hazard workshop due to the route not being confirmed. An additional Navigational Risk Assessment will be required for this and particularly where it passes the Mull of Kintyre where navigation is already restricted for small craft due to the presence of the Traffic Separation Scheme and the tidal streams which can prove challenging. As above, the granting of a marine licence should be made contingent on this taking place.
RYA Scotland as a matter of policy rarely comments on matters other than the safety of navigation. However, the apparent unspoiled nature of the seas and coasts is an attraction to recreational boaters. For example, Sail Scotland notes that 'Scotland has some of the finest and most pristine sailing and cruising waters in the world and we are keen to share them with you'. The SLVIA study identified several places where there would be major and significant effects by day and night on the seascape/ landscape. Section 45 of chapter 16 notes that there may be impacts on recreational boaters but these are not mentioned at all in the tables for the various locations. It is unclear what the impact there would be on the choices recreational boaters make and the consequent effect on local economies. I cannot see how the impact can be mitigated and so what additional condition might be attached to the licence. Nevertheless, this is potentially a significant issue that ought to be recorded.

Yours sincerely,

[Redacted]

[Redacted]

Planning and Environment Officer, RYA Scotland

RSPB

Consenting and Licensing Casework Manager
Licensing Operations Team – Marine Directorate
Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

By email: MD.MarineRenewables@gov.scot

8th October 2026

Dear Sir/Madam

APPLICATION FOR CONSENT UNDER SECTION 36 OF THE ELECTRICITY ACT 1989 AND MARINE LICENCES UNDER PART 4 OF THE MARINE AND COASTAL ACCESS ACT 2009 TO CONSTRUCT AND OPERATE MACHAIR OFFSHORE WIND FARM, LOCATED NORTHWEST OF ISLAY AND WEST OF COLONSAY

Thank you for consulting RSPB Scotland on the above application to construct and operate an offshore windfarm (approximately 2GW generating capacity), off the northwest coast of Islay and west of Colonsay.

RSPB Scotland recognises that climate change is the greatest long-term threat to nature and people, and we fully support the need to develop more renewable energy, including offshore wind. However, any development, including offshore wind, must be carefully sited, designed and deployed to ensure that it does not result in unacceptable impacts on nature.

Machair Offshore Windfarm is a large and significant project. There are numerous seabird colonies in the area, many of which are qualifying features of Special Protected Areas (SPA) which are designated due to supporting one or more rare, threatened, or vulnerable bird species as listed in Annex I of the Birds Directive or regularly occurring migratory species. Decision makers are subject to legal obligations under the Habitats Regulations (as amended by the Conservation of Habitats and Species (Offshore Wind) (Amendment etc.) Regulations 2026) which requires them to carry out appropriate assessments before they determine any proposal which could have an impact on the UK Marine Protected Area (MPA) network which include European Sites (SACs and SPAs), SSSIs and Ramsar sites (where all or part is in the UK Marine Area). The conservation objective for each SPA aims to protect these internationally important sites and establish a framework for assessing all future plans and projects that have the potential to affect the protected

features of the SPA. Generally, they aim to ensure qualifying features are in favourable condition and the integrity of the sites are restored, ensuring populations of qualifying features are a viable component of the site; distribution of the qualifying features is maintained throughout the site by avoiding significant disturbance of the species and supporting habitats and processes are maintained, or restored.

RSPB Scotland has reviewed the Environmental Impact Assessment and shadow Habitats Regulation Assessment (HRA). We note that the Applicant has concluded that there will be no adverse effect on site integrity (AEoSI) for the designations reviewed as part of the shadow HRA. However, the Applicant is offering 'without prejudice' compensation measures for Guillemot at North Colonsay and Western Cliffs SPA should Scottish Ministers come to a different conclusion when carrying out the required appropriate assessment.

RSPB Scotland **objects** to the Application for the following reasons:

- Unacceptable impacts for Guillemot on a project alone and 'in combination' basis for North Colonsay and Western Cliffs SPA;
- Inadequate assessment to inform a decision, including appropriate assessment for the following reasons:
    - Spiorad Na Mara Offshore Windfarm has not been factored into the in-combination assessment of the project;
    - Lack of apportioning of mortality to any SPA
    - A quantitative assessment has not been carried out to inform the Applicant's conclusion of no AEoSI for Manx Shearwater at Rum SPA and Storm Petrel at Treshnish Isles SPA, on a project and in combination basis;
    - We have serious concerns about the way that the Migration Collision Risk Model (mCRM) Shiny application has been used, including incorrect population estimates and migration corridor sizes that have resulted in under-estimates for several species of high conservation concern such as Corncrake;
    - The mCRM is considered to be inappropriate for assessing the inter-island movements of White-tailed Eagles and the assessment has failed to account for juveniles and sub-adults in the population;
    - There is a need for a corrected annual collision rate calculation for Greenland White-fronted Goose to produce a more accurate assessment. This is particularly important as Islay acts as a major staging post for this sub-species, involving a large proportion of the global population.
    - Failure to account for immature birds in many of the population size estimates.
- Lack of appropriate Habitat Regulations compensation and the unevidenced assumption that there would be full and effective compensation for other projects, including Berwick Bank offshore windfarm

<u>Population Modelling</u>

It must be recognised by MD-LOT in their recommendation to Ministers that models are simplified versions of reality. They do not fully capture the nuances of our dynamic natural environment, the complex behaviours of seabirds or the interlinkages between the two. Models are not complete evaluations of the possible risks that windfarms pose to seabirds. Seabirds are long-lived, tend to breed later and have fewer young than other birds and, as a result, their populations are sensitive to even the smallest increases in adult mortality. This fact, combined with the requirements of the Habitats Regulations,

emphasises the requirement to take a precautionary approach when assessing all possible impacts of the proposed development.

The survival and productivity rates of seabirds can be impacted by offshore windfarms directly (i.e. through collision) and indirectly (e.g. displacement from foraging areas and additional energy expenditure required to avoid and due to additional flying distances to alternative foraging areas). They are also already under severe pressure. In Scotland, the number of breeding seabirds has declined by 49% since the 1980s, according to the Scottish biodiversity indicator[1]. Kittiwake and Puffin are red listed as Birds of Conservation Concern while Northern Gannet, Razorbill and Guillemot are amber listed. In addition, in 2019 they were assessed as moving away from the target to achieve Good Environmental Status[2].

Offshore (seabird ornithology)

RSPB Scotland has reviewed the ornithological assessment presented in the Machair Wind Offshore Windfarm Report to Inform Appropriate Assessment – part 3 Ornithology (RIAA) for both project-alone and in-combination impacts. The Applicant's own assessment concludes no adverse effect on site integrity (AEoSI) for any qualifying feature at any site, including the 14 Special Protection Areas (SPAs) taken to quantitative assessment (Section 7 of RIAA).

Guillemot at the North Colonsay and Western Cliffs SPA

RSPB Scotland does not accept that the conclusion set out in the EIA captures the full extent of potential effects resulting from the development. Applying the NatureScot3 guidance scenarios consistently across all 26 species-SPA combinations taken to Population Viability Analysis (PVA), the RIAA outputs predict substantial reductions in projected 35-year population size of Guillemot at the North Colonsay and Western Cliffs SPA. Therefore, AEoSI cannot be ruled out, on project alone basis and in-combination, for Guillemot as a qualifying feature of this SPA.

Exclusion of Spiorad na Mara Offshore Windfarm in Assessment

We note the Applicant has excluded Spiorad na Mara Offshore Windfarm from the in-combination assessment. This makes it impossible to assess the full impacts of the development in the wider development context, especially because there is likely to be an overlap in the SPAs impacted by both developments. This omission must be addressed to enable a full assessment of the project and to be consistent with additional information that developers have been required to submit in relation to east coast projects where applications were submitted without assessments of similar projects, submitted within in a similar time period.

Mortality not apportioned to any SPA

[3] Guidance Note 8: Guidance to support Offshore Wind Applications: Marine Ornithology Advice for assessing the distributional responses, displacement and barrier effects of Marine birds | NatureScot

A substantial proportion of estimated seabird mortality is not apportioned to any SPA. For example, more than 80% of estimated Kittiwake collision and displacement mortality from the development is not apportioned to an SPA population. This is an ongoing challenge in the assessment of offshore wind impacts and highlights the limited understanding of population-level effects.

Lack of Quantitative estimate for some species

We are also concerned by the potential of Machair Wind to impact internationally important populations of Procellariiformes, including Manx Shearwater (Rum SPA) and European Storm-petrel (Treshnish Isles SPA). The developer-commissioned review on which the RIAA relies (Furness et al. 2026) states there is no empirical evidence of artificial lighting at night on offshore windfarm infrastructure causing attraction, grounding or mortalities of any seabirds, although it is acknowledged that detecting this is challenging due to any carcasses falling into the sea (paragraph 245, RIAA). There is no evidence that birds are not attracted to such lighting and we know birds are attracted to other artificial lights at night. Based on the lack of evidence, the Applicant has not carried out any quantitative estimate of the predicted collision and displacement mortality is presented. This includes no quantitative assessment of the risk to fledglings from construction vessels operating at night. Both Manx Shearwater and European Storm-petrel are long-lived with low productivity, and so small reductions in adult survival can cause substantial population declines. Manx Shearwaters are also thought to have low manoeuvrability, reducing their ability to avoid turbines (Deakin et al. 2022). These uncertainties are compounded by the recognised bias of digital aerial surveys for these species due to their small size, poor detectability and diel activity patterns, meaning that abundance in development areas is likely to be underestimated. In the absence of quantification, RSPB Scotland considers that adverse effects on integrity cannot be excluded beyond reasonable scientific doubt.

The predicted reductions in population size are of particular concern given the compounding pressures already facing these populations, including the ongoing impacts of Highly Pathogenic Avian Influenza, and the effects of climate change on prey availability and breeding success. Several of the affected features are already in unfavourable condition and have declined substantially between the Seabird 2000 and Seabirds Count surveys, as highlighted in the Applicant's RIAA. A population already under pressure from these stressors has substantially reduced resilience to absorb additional mortality. RSPB Scotland considers the scale of impact places the long-term integrity of the SPA features at serious risk.

Query in relation to breeding season mortality

A number of SPA sites are screened into the assessment based on the boundary distance to the development area but then apportioned no breeding-season mortality because the centre-to-centre distance falls beyond the foraging range. While this follows NatureScot guidance, it is surprising that the difference between the two measures results in some features being excluded from the breeding season assessment. We would ask that the Applicant present apportioning to boundary distances as a sensitivity test for these features.

Migratory/Nearshore Ornithology

Use of the mCRM Shiny Application

The Applicant has used the mCRM Shiny application tool to assess the collision risk for 55 non-seabird species that potentially migrate through the WDA. Whilst we recognise the usefulness of this tool for making such assessments, greater effort should have been made to identify and isolate specific populations that use migration corridors in Western Scotland from those passing over UK waters in general. Instead, it appears that the Applicant simply used the default values for population size preset in the Shiny app (some of which are incorrect, see below and Appendix 2). Corncrake is a good example, with only the Scottish breeding population likely to fly into or through Western Scotland – other components of the biogeographic population such as those breeding in Ireland, Norway and Russia will either not travel as far north as Scotland or will use migration corridors further east (e.g. North Sea).

Another example is White-tailed Eagle, for which the mCRM tool is not well-suited because the Scottish population is largely resident rather than migratory and does not perform regular pre- and post-breeding movements along migration corridors. However, immature birds in particular wander widely before establishing a breeding territory, and movements between food-rich foraging areas such as seabird breeding colonies may occur multiple times per year. Tracking data from birds fitted with satellite tags would provide a better indication of the frequency of such movements and enable a better-informed assessment of the risks of offshore windfarms to this species.

Given these concerns, we request that the assessment of risks to migratory non-seabird species and White-tailed Eagle is revised, based on more accurate population estimates and a refined list of species most likely to pass through the WDA. This should be informed by various data sources including BTO online resources on waterbird numbers and distribution on nearby islands during the winter and migration periods, and tagging data where available, as well as the mCRM Shiny app and its underpinning report (Woodward et al. 2023).

Errors in the mCRM Shiny app

For some species, including Corncrake and White-tailed Eagle, the default preset value in the mCRM Shiny app for the number of birds at risk of collision in UK waters is incorrect. It appears to be a percentage of the number of calling males or breeding pairs within the biogeographic population (Woodward et al. 2023), without doubling those numbers to convert from pairs to individuals.

For Corncrake, there also appears to be an error in the percentage calculation, as 16,690 is 0.8% of the biogeographic population of 2.12 million males. According to Woodward et al. (2023), this percentage should be 0.08%, an order of magnitude lower. Correcting for both errors (i.e. taking 0.08% of 4.24 million breeding adults) gives an estimated 3,392 individuals at risk of collision in UK waters during their pre-breeding migration in spring. We also note that the Icelandic Black-tailed Godwit (sub-species *islandica*) migration corridor is missing from the mCRM Shiny app. This error in the model has resulted in an estimate of zero birds passing through the WDA (Table 1), when it is known that large numbers pass through the Inner Hebrides (e.g. Tiree) during migration to and from their wintering areas further south.

There may be further errors as not all species were checked, so a more cautious approach must be taken when using this tool to ensure the correct conclusions are drawn.

Failure of the mCRM app to account for immature birds in population size estimates

The near-identical numbers presented for collision mortality during the pre- and post-breeding migration periods (Tables 6 and 7) highlight another deficiency of the modelling performed. Assuming the same migration corridors are used during both migration periods by all birds within a population, in most cases the post-breeding population size is larger than the pre-breeding one, as it contains that year's juveniles as well as a proportion of the breeding adults. If numbers migrating were the same in spring and autumn, for a population to remain stable there must be 100% survival overwinter, which is implausible, or a cohort of immature birds that do not migrate until they reach breeding age (this may apply to some species). Furthermore, for long-lived species that do not breed until several years old, such as White-tailed Eagle, immature birds make up a large component of the population. In Scotland, this cohort of younger birds is thought to represent around 60% of the population, so the number of adults should be multiplied by 2.5 to give the total population size. Based on 148 breeding pairs (296 breeding adults), this would be 740 individuals of all age classes.

What we believe to be a more realistic estimate of the impacts upon Corncrake can be found in appendix 2.

Corncrake collision risk

Bird parameters used in the mCRM are presented in Table 4, including the avoidance rate and proportion of flights at collision risk height. Emerging evidence from GPS tracking studies in several European countries suggests that migrating Corncrakes are vulnerable as they migrate at night and a high proportion of flights are at collision risk height. Using a value of 1.0 for the proportion of flights at collision risk height is therefore appropriate (Table 4).

However, an avoidance rate of 0.9950 was used (default value in the mCRM Shiny app tool), which is much higher than the rate of 0.9875 recommended for Corncrake by Woodward et al. (2023). Consequently, the collision rates presented in Tables 6 and 7 (0.090 and 0.124 per year under two windfarm design scenarios) are 25 times lower than they would be if the recommended avoidance rate of 0.9875 was used.

Habitat Regulations Tests

The Applicant has concluded that there will be no AEoSI from the proposed development but, it accepts that Ministers may reach a different conclusion and has proposed a 'without prejudice' way forward. Further tests apply after the appropriate assessment has been undertaken before a decision can be made. Under the Habitats Regulations, a project for which it cannot be concluded that there would be no adverse impacts on the site integrity of European Sites, cannot be permitted unless it can be demonstrated there are no lesser damaging alternative solutions and there are imperative reasons of overriding public interest (IROPI) for the project to go ahead. In the event of there being no alternative solutions and the IROPI test being satisfied, the competent authority must ensure that compensatory measures benefit the UK MPA network in a manner which is reasonably proportionate to the adverse effects, or predicted adverse effects, of the proposed offshore wind project on the integrity of the impacted European site network. European sites are amongst the most important sites for wildlife and as such it is right that

maintaining them in favourable conservation status and protecting them from development carries a high weight in decision making.

Proposed Compensation under the Habitat Regulations

It is important to highlight that the Applicant should provide a clear, evidence-based assessment demonstrating that any proposed compensatory measure(s) is *additional* to the normal practice for managing the site that will benefit from the measure. There is a further obligation on the Applicant to clearly distinguish between baseline (normal practice) actions and the additional components being offered as compensation. These existing commitments require the Competent Authority to take such steps as it considers appropriate to secure the preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds, having regard to the requirements of Article 2 of the Birds Directive. For offshore SPAs and SACs Regulation 26, Offshore Habitats Regulations requires Competent Authorities to exercise their functions as far as possible to secure steps to avoid the disturbance of species and the deterioration of habitats or habitats of species within those sites.

In the event that the Scottish Government accepts that there are no suitable alternative solutions, and that the development must be consented for Imperative Reasons of Overriding Public Interest, it is vital that the most rigorous assessment of the suitability and efficacy of the compensation measures proposed are carried out. This demands rigorous application of any agreed compensation in the interests of ensuring the overall protection of the UK MPA network. Nothing less than this would be acceptable.

If compensation measures have been required for a project, then that project has been identified as giving rise to potential adverse impacts on the integrity of a European protected site, either alone or in combination with other plans or projects. Therefore, potential adverse effects of site integrity from other developments are also relevant.

We have serious concerns that in considering the in-combination effects of proposals that there is an increasing assumption that there would be full and effective compensation for other projects (including Berwick Bank Offshore Windfarm). We do not believe that there is any evidence that this level of compensation is available.

RSPB Scotland notes the proposed compensation put forward by the Applicant sets out that an emphasis will be placed on strategic options through the strategic compensation approach through the Marine Recovery Fund. However, on a without prejudice basis, and submitted with the Application are project-level options based upon a long list then shortlisted to the following measures:

Project based measures:

- Mammalian predator management
- Anthropogenic disturbance management
- Conservation funding measures

Commentary on, and analysis of, these proposed compensation measures is attached to this letter as an appendix (Appendix 3). In summary, it is RSPB Scotland's clear opinion that **these compensation measures are not appropriate** as they stand. They are generic and based upon what appears to be a desk-based review rather than specific geographic locations with outlined projects based upon those locations. The potential to move through the compensation hierarchy is addressed in the document. However, RSPB Scotland would emphasise that the clear preference of the guidance is that Tier 1

measures should be prioritised where they are available and that there are tests and barriers between the tiers and the guidance should not be read as if it hosted an easy mechanism to move down the hierarchy to wider measures in Tier 3.

We agree that the developer should utilise the strategic approach to compensation through the Marine Recovery Fund when this becomes available. However, if project-based measures continue to be pursued, then a much greater level of evidence and certainty around exactly what the measures are and where they would be carried out is critically required to demonstrate their efficacy and quantitative suitability as compensation under the Habitat Regulation test, conditions have been used on a number of consents and compensation requirements are being compounded when there is no evidence to suggest that the amount of compensation required cumulatively is available. Consequently, any assessment of compensation should be carried out very carefully before any consent to the development is given.

We have very limited capacity to engage in project-level measures given the number of proposals asking similar questions and seeking similar solutions at the same places. **The Applicant must improve the proposed compensation measures to ensure that they are as effective ecologically, financially and legally, and are as close as possible to the affected colonies, thus protecting the UK MPA network.**

Summary

RSPB Scotland objects to the application based upon unacceptable impacts upon Guillemot at North Colonsay and Western cliffs SPA.

Further to the above RSPB Scotland object to the application based upon an inadequate assessment, as detailed above. In addition, we do not believe the Applicant's proposed compensation measures are appropriate or adequate and it cannot be assumed that there is full and effective compensation for other relevant projects.

Should you require any further information or clarification, please do not hesitate to get in contact.

Yours sincerely

[Redacted]

[Redacted]
Senior Conservation Planner, RSPB Scotland

Appendix 1 Offshore ornithology assessment
Appendix 2 Migratory and nearshore species assessment
Appendix 3 Commentary on compensation measures

Appendix 1
Machair Offshore Windfarm Application
Detailed Response Offshore (seabird) Ornithology by the Royal Society for the Protection of Birds Scotland

1. Legislative and policy background

Introduction

1.1 This appendix sets out the steps for the Habitat Regulations with the legal steps that must be taken, together with the wider legal context and the policy landscape for offshore wind development. This is followed by a summary of the most relevant seabird colonies and their current status.

The Habitats Regulations

1.2 The Habitats and Birds Directives have been transposed into UK legislation by the following regulations, relevant to this application:

1.3.1 The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) ("the 1994 Regulations") - applies on land in Scotland, and in Scottish inshore waters (the area of sea adjacent to Scotland from 0 to 12 nautical miles);

1.3.2 The Conservation of Habitats and Species Regulations 2017 - applies to specific reserved and devolved activities on land in Scotland, and in Scottish inshore waters, including for consents under sections 36 and 37 of the Electricity Act 1989;

1.3.3 The Conservation of Offshore Marine Habitats and Species Regulations 2017 - applies to all UK offshore waters (the area of sea beyond 12 nautical miles); and

1.3.4 The Conservation of Habitats and Species (Offshore Wind) (Amendment etc.) Regulations 2026.

1.3 These are referred to as "the Habitats Regulations" in this submission. The Habitats Regulations seek to conserve particular sites and species across the UK. The overall aim of these Regulations is to ensure the long-term survival of viable populations of the UK's most vulnerable and threatened species and habitats, throughout their natural range and to maintain and promote biodiversity.

1.4 In Scotland, 162 Special Protection Areas (SPAs) have been classified. These have been specifically identified and protected due to supporting one or more rare, threatened, or vulnerable bird species as listed in Annex I of the Birds Directive or regularly occurring migratory species.

1.5 Although the UK has withdrawn from the EU, the aims and objectives (as set out in the Habitats and Birds Directives recitals/preambles) remain relevant and important as discussed below. SPAs are protected in Scotland and the rest of the UK, and the standard of protection and requirements has not changed.

1.6 There have, however, been some changes to terminology and process due to Brexit. Of relevance to this submission is that the EU-wide network of SPAs and SACs known as "Natura 2000" is now referred to as the "UK site network" and references in the Habitats Regulations to the "coherence of Natura 2000" must now be read as references to the coherence of the UK's National site network.

1.7 Using *the Conservation of Habitats and Species Regulations 2017* (since all Habitats Regulations have identical requirements), the Regulations set out the sequence of steps to be taken by the competent authority (here the Scottish Ministers) when considering authorisation for a project that may have an impact on a European site and its species. These are as follows:

- Step 1: consider whether the project is directly connected with or necessary to the management of the SPA and its species (regulation 63(1)). If not –
- Step 2: consider, on a precautionary basis, whether the project is likely to have a significant effect on the SPA and its species, either alone or in combination with other plans or projects (the Likely Significance Test) (regulation 63(1)).
- Step 3: make an appropriate assessment of the implications for the SPA and its species in view of its conservation objectives. There is no requirement or ability at this stage to consider extraneous (non-conservation e.g. economics, renewable targets, public safety etc) matters in the appropriate assessment (regulation 63(1)).
- Step 4: consider whether it can be ascertained that the project will not, alone or in combination with other plans or projects, adversely affect the integrity of the SPA, having regard to the manner in which it is proposed to be carried out, and any conditions or restrictions subject to which that authorisation might be given (the Integrity Test) (regulation 63(6)).
- Step 5: In light of the conclusions of the assessment, the competent authority shall agree to the project only after having ascertained that it will not adversely affect the integrity of the European site, the Ramsar site or the European offshore marine site (as the case may be), alone or in combination with other plans or projects (regulation 63(5)).
- Step 6: only if the competent authority is satisfied that, there being no alternative solutions and the plan or project must be carried out for imperative reasons of overriding public interest (IROPI) which (subject to regulation 64(2)), may be of a social or economic nature, they may agree to the plan or project notwithstanding a negative assessment of the implications for the European site (regulation 64(1)).
- Step 7: in the event of there being no alternative solutions and the IROPI test being satisfied, the Scottish Ministers must secure that any necessary compensatory measures are taken to ensure that the overall coherence of the National Site Network is protected (regulation 68) [for relevant offshore wind projects, compensatory measures must benefit the UK MPA in a manner which is reasonably proportionate to the adverse effects or predicted adverse effects of the project on the integrity of the European offshore marine site or European site].

1.8 It is vital that the precautionary approach required by the Habitats Regulations is taken. This means if scientific data is incomplete or hard to get and it is not possible to complete a full evaluation of all possible or potential risks an activity/development may cause, account should still be taken of all possible harm. Potential harm should not be dismissed due to the lack of scientific data. Importantly, the precautionary principle requires the Applicant to demonstrate with scientific certainty that something would not be harmful. The concept of something being 'overly precautionary' dismisses the inherent uncertainty in modelling and overlooks the simplistic version of reality that the modelling captures.

1.9 It is important to add that the compensatory requirements referred to above, in relation to both the inshore area and the offshore marine area, are *additional* to normal practice for managing the site

that will benefit from the measure(s) - the competent authority must still exercise its functions so as to secure compliance with the existing requirements of the Habitats Directive and the Birds Directive; in other words, to take such steps as it considers appropriate to secure the preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds, having regard to the requirements of Article 2 of the Birds Directive.[7] And for offshore SPAs, the Offshore Regulations (Reg 26) require competent authorities to exercise their functions (as far as possible) to secure steps to avoid the disturbance of species and the deterioration of habitats or habitats of species within those sites.

Appropriate assessment

1.10 As part of the assessment requirements, the Habitats Regulations (Regulation 63) and the Offshore Regulations (Regulation 28) invoke the application of the precautionary principle, meaning that if it cannot be excluded, that the plan or project, on the basis of objective scientific information, is likely to have a significant effect on a SPA and its species, then an appropriate assessment will be required: see *Waddenzee*[1].

1.11 Following that appropriate assessment, a project may only be granted consent if the competent authority is convinced that it will not have an adverse effect on the integrity of the European site(s) and their species of concern, having applied the precautionary principle and taken account of the conservation objectives for those sites and their habitats and species. *Waddenzee* confirmed that where doubt remains as to the absence of adverse effects on the integrity of the site, approval should be refused (subject to the considerations of alternative solutions, imperative reasons of overriding public interest and the provision of compensatory measures as set out in regulations 64 & 68).

1.12 An appropriate assessment requires all aspects of the project which could affect the site, its species and its conservation objectives to be identified in the light of the best scientific knowledge in the field. According to case law, this means that 'no reasonable scientific doubt' should remain as to the absence of such effects.

1.13 Integrity of the SPA should be considered as the coherence of the site's ecological structure and function, across its whole area, or the habitats, complex of habitats and/or populations of species for which the site is classified. A site can be described as having a high degree of integrity where the inherent potential for meeting site conservation objectives is realised, the capacity for self-repair and self-renewal under dynamic conditions is maintained, and a minimum of external management support is required. When looking at the 'integrity of the site', it is therefore important to take into account a range of factors, including the possibility of effects manifesting themselves in the short, medium and long-term.

1.14 As is clear from the requirements of the Habitats Regulations, the assessment of integrity is to be considered by reference to the impact of the project alone and in-combination with other plans and projects, taking account of the site(s) conservation objectives. As clearly set out in *Waddenzee*, para 61:

> *"**61** In view of the foregoing, the answer to the fourth question must be that, under Article 6(3) of the Habitats Directive, **an appropriate assessment of the implications for the site concerned of the plan or project implies that, prior to its approval, all the aspects of the plan or project which can, by themselves or in combination with other plans or projects, affect the site's conservation objectives must be identified in the light of the best scientific knowledge in the field.** The competent national authorities, taking account of the appropriate assessment of the implications of mechanical cockle fishing for the site concerned in the light of the site's conservation objectives, are to authorise such an activity only if they have made*

[1] CJEU Case-127/02; [2004] ECR-7405 at [45]

certain that it will not adversely affect the integrity of that site. That is the case where no reasonable scientific doubt remains as to the absence of such effects." (emphasis added)

Assessment of the derogation case

1.15 The Applicant has concluded that there will be no AEoSI from the proposed development but, it accepts that Ministers may reach a different conclusion and has proposed a 'without prejudice' way forward. As a result, further tests apply after the appropriate assessment has been undertaken before a decision can be made. This means the magnitude and severity of impacts from the development could be of such significance that it would prevent the achievement of the conservation objectives and the preservation of the SPA for the conservation of its species. These international sites are the most important sites for wildlife and are legally required to be conserved and, if necessary, restored to favourable conservation status. There is also an obligation to assesses any applications which may harm them and ensure protection requirements are fully complied with in any application processes. As identified above, part of those legal requirements are the Habitats Regulations, which only allows projects to be permitted if:

1. There are no feasible alternative solutions to the project which are less harmful;
2. There are imperative reasons of overriding public interest (IROPI) for the project to proceed; and
3. Any necessary compensatory measures are secured to ensure that the overall coherence of the UK/National Site Network or, in the case of relevant offshore wind projects, appropriate compensatory measures must benefit the UK MPA network in a manner which is reasonably proportionate to the adverse effects, or predicted adverse effects, of the project on the integrity of the European offshore marine site or European site (Reg 36A).

1.16 These requirements need to be considered individually but also together; the IROPI needs to be identified to be able to consider possible alternative solutions. If those tests can be passed then any compensation will need to be identified and information provided to demonstrate that it is certain, ecologically, legally and financially, that compensation measures can be secured. All three must be satisfied before a project with potential adverse effects on site integrity may be consented.

1.17 As set out in the European Commission's updated guidance on Article 6(4) of the Habitats Directive ("the EC guidance"), compensation measures considered under the context of the Habitat Regulations are independent of the project and are aimed to offset the residual negative effects of that project in order to maintain the overall coherence of the UK/National site network. They must provide continuity in the ecological processes essential to maintain the structure and functions that contribute to the European site network coherence.

1.18 It is vital that details and evidence are provided by the Applicant to give confidence in the compensation proposals. Information to do this must be available for review by all interested parties. As it stands, the generic nature of the proposed compensatory measures means that it is not possible to assess them. As a result, considerable uncertainty surrounds the ability of the various proposed compensation measures to deliver the claimed ecological benefits.

1.19 As such, the Minister cannot conclude that the UK's National Site Network for the affected species will be protected. As the application can only be permitted through the derogation process, securing compensation goes to the heart of the acceptability. Leaving this detail to pre-commencement condition risks undermining the derogation process and could result in an unimplementable

development consent. Further commentary on the proposed compensation is provided within Appendix 3.

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

1.20 These EIA requirements state that consent cannot be granted for Environmental Impact Assessment (EIA) development unless the decision maker has taken into account environmental information including an environmental statement which describes the significant effects, including cumulative effects, of the development on the environment. This will include effects on all wild bird species whether SPA species or not.

1.21 Offshore wind farms have the potential to impact on birds through collision with rotating blades, direct habitat loss, disturbance from construction activities, displacement during the operational phase (resulting in loss of foraging/roosting area) and impact on bird flight lines (i.e. barrier effect) and associated increased energy use by birds for commuting flights between roosting and foraging areas. These additional potential impacts must be taken into account.

The UK Marine Strategy Regulations and Good Environmental Status

1.22 Also of relevance to achieving sustainable development in our seas is the Marine Strategy Framework Directive[2]. This was developed in response to concerns that although existing legislation protected the sea from some specific impacts, it was sectoral and fragmented. To overcome this, the Directive seeks to reduce impacts on marine waters regardless of where impacts occur by applying an ecosystem approach.

1.23 Applying an ecosystem approach is important. Our natural environment is complicated, and the outcome of an impact may manifest itself elsewhere. It also feeds into the concept of sustainable development and the vision for clean, healthy, safe, productive, and diverse seas; managed to meet the long-term needs of nature and people as set out in Scotland's National Marine Plan.

1.24 The Marine Strategy Framework Directive was transposed into UK law by the Marine Strategy Regulations 2010. It requires the UK to put in place the necessary management measures to achieve 'Good Environmental Status' (GES) in UK seas by 2020. This involves protecting the marine environment, preventing its deterioration, and restoring it where practical alongside using marine resources sustainably. As with the Habitats Regulations, although the UK has withdrawn from the EU, the legislative requirement for GES remains in place.

1.25 Governments of the UK have collectively failed to meet 11 out of the 15 indicators of Good Environmental Status (GES) for our seas with the marine bird indicator moving away from target. For breeding seabirds, more species, especially surface feeders who depend on small fish at the surface (35% in the Greater North Sea), are now experiencing frequent, widespread breeding failures. The reduced availability of small fish is largely responsible for these declines and impacts on breeding success.

Policy position

1.26 In accordance with the requirements of the Marine (Scotland) Act 2010 when considering an application and making a recommendation to Ministers, MD-LOT must consider the extent to which the proposed activity accords with any marine plan for an area and the impact that it would have on the

[2] EU Council Directive 2008/56/EC

environment, human health, and other legitimate users of the sea as well as other matters considered relevant.

1.27 Scotland's National Marine Plan1 (NMP) (adopted 2015) sets out the strategic policies for sustainable development in both the Scotland inshore region (0 to 12 nautical miles) and within the Scottish Offshore region (12 to 200 nautical miles).

1.28 A core aim of marine planning, as set out by the NMP, is to manage human impact on the marine environment. The plan therefore seeks to put the marine environment at the heart of the planning process and adopt the principles of sustainable development. The environmental, social, and economic policies of the plan are intended to be complementary with one another as elements of sustainability.

1.29 Through policy GEN 9 (Natural Heritage), the NMP requires that development and use of the marine environment complies with legal requirements for protected areas and protected species, not result in significant impact on the national status of priority marine features and protect, and where appropriate, enhances the health of the marine area. It also encourages a strategic approach to mitigation of potential and cumulative impacts, stating that these form an integral part of marine planning and decision making.

1.30 Renewables specific policies within the NMP direct commercial scale development to the plan options areas (as identified in the Sectoral Marine Plan) and require applications to demonstrate compliance with the Environmental Impact Assessment (EIA) and Habitat Regulations Appraisal (HRA) legislative requirements.

1.31 Since the adoption of the NMP, Scottish Government has further recognised that net zero and energy goals will have impacts on the environment, specifically marine biodiversity, as well as other users of the sea. In particular, the draft Energy Strategy and Just Transition Plan (2023), recognises the potential impacts on biodiversity arising from the major expansion in offshore wind. It contains a commitment to work in a way that recognises this reality and ensures appropriate protection of the natural environment as part of a joined-up approach to tackling the climate and nature crisis.

1.32 This follows the approach of the National Planning Framework 4 which, in policy 1, clearly sets the expectation that significant weight will be given to the global climate and nature crises when considering all development proposals. Although this document is not directly applicable to marine development, it is applicable to onshore elements and RSPB Scotland believe it is a relevant consideration, albeit one with limited weight, for development offshore.

Section summary

1.33 Taken together, there is a clear legal and policy requirement to protect the marine environment and deliver sustainable development. The ability of an application to comply with the vital requirements of the Habitats Regulations which seek the long-term survival of Europe's most vulnerable and threatened populations and habitats, demands the most careful scrutiny. The UK Marine Strategy is clear in its aims of improving the state of the marine environment through taking a large scale, holistic approach. Therefore, any proposal that further impacts the ability of the UK to achieve GES should be considered very carefully.

2. Ornithological interest of the Application site

2.1 The UK is of outstanding international importance for its breeding seabirds and wintering marine birds. As with all Annex I and regularly migratory species, the UK has a particular responsibility under the Birds Directive to secure their conservation.

2.2 Seabirds are relatively long-lived, and as a result, their populations are sensitive to small increases in adult mortality. Their survival and productivity rates can be impacted by offshore windfarms directly (i.e. collision) and indirectly (e.g. displacement from foraging areas, additional energy expenditure, potential impacts on forage fish and wider ecosystem impacts such as changes in stratification).

2.3 The probability of seabirds being impacted by an application relates to whether they are likely to be in the area of the development, and their behaviour in the vicinity of the development. This will depend on a number of factors, including the application's proximity to seabird colonies, the species within those colonies, the species behaviours (including their foraging range, food preferences and flight behaviour), the attraction of the application array itself as a foraging area, and the attraction of areas beyond the application array for foraging (which would require birds to transition through the development array or detour around it).

Species of interest

2.4 The **key species of** interest **in relation to the application are** Black-legged Kittiwake (*Rissa tridactyla*), Northern Gannet (*Morus bassanus*), Common Guillemot (*Uria aalge*), Atlantic Puffin (*Fratercula artica*)

2.5 A summary of their population status within the Britain, Isle of Man and Channel Islands is provided in Table 1 below.

Species	**% World Population**	**UK Colony Trends 1986 to 2021**
Black-legged Kittiwake	5.3	Declining
Northern Gannet	59.1	Mostly increasing but a few declining colonies *(N.B. Gannets were badly impacted by HPAI in 2021-22)*
Guillemot	6.2	Some colonies increasing but many declining
Atlantic Puffin	3.3-3.9	Declining

Northern Gannet

2.6 Northern Gannet are endemic to the North Atlantic although the majority breed in Britain and Ireland. They tend to breed on offshore islands and stacks. Gannets are typically long-lived seabirds, living to an average age of 17 years and not breeding until the age of 5 years. During the breeding season, adults will take it in turn to incubate the single egg for approximately 42-46 days with the chick fledging unaccompanied by its parents after approximately 90 days. Some colonies, such as that on the Bass Rock in the Firth of Forth – the largest Gannetry in the world - are particularly large and conspicuous. Gannet can catch fish at depths of 20 metres but also feed from the surface on small shoaling fish such as sandeel.

2.7 During the breeding season Gannets are central-place foragers meaning they are constrained to return to the nest after foraging to maintain territories and raise their young. Foraging trip durations are

dependent on colony size with birds from larger colonies making longer foraging trips (both in distance and duration).

2.8 Gannet were particularly badly impacted by Highly Pathogenic Avian Influenza (HPAI) during the 2022 breeding season with large numbers of deaths reported. On the Bass Rock a catastrophic breeding failure was reported which is likely to vastly impact their future population numbers and the robustness of those populations to additional mortality.

2.9 They are amber listed in the Birds of Conservation Concern.

2.10 Northern Gannet have been assessed as having a high vulnerability to collisions with rotating turbine blades (Furness *et al.,* 2013, Wade *et al.,* 2016), partly due to their flight altitude and manoeuvrability. Breeding Gannets tracked with GPS from Helgoland in the eastern North Sea travelled around and through operational wind farms.

2.11 There is a need to assess the possible impacts to Gannets throughout the year as behavioural constraints change; starting when they arrive back at the colony for the breeding season until they leave on migration, and then throughout the winter. During autumn and winter potential interaction with turbines will not be limited to birds from the closest breeding colony but birds from across the breeding range as they disperse and travel south.

2.12 There is consistent evidence of wind farm avoidance by non-breeding Gannets and Gannets on migration. But little is known about the behavioural responses of breeding Gannets to offshore turbines resulting from a lack of operational turbines within foraging range of breeding colonies.

Black-legged Kittiwake

2.13 Black-legged Kittiwake are members of the gull family. They tend to nest on vertical rocky-sea cliffs and during the breeding season feed on energy rich pelagic shoaling fish, such as sandeel, sprat and juvenile herring. Kittiwakes are surface feeders and are highly dependent on sandeels in the breeding season, as such they are particularly vulnerable to food shortage. During the breeding season Kittiwakes are central-place foragers meaning they are constrained to return to the nest after foraging to maintain territories and raise their young. When not in attendance at the nest or away on a foraging trip, Kittiwakes use the sea below the cliffs for maintenance behaviours such as loafing (spending time on the water to preen or rest, not related to feeding), preening and bathing. During the breeding season the highest densities of Kittiwakes at sea are within 1km of the colony.

2.14 Kittiwake are red listed in the Birds of Conservation Concern and on the OSPAR list of threatened and/or declining species and have been assessed by the IUCN as vulnerable to global extinction. They are particularly susceptible to collision risk but are also vulnerable to distributional changes as a result of the presence of turbines.

Common Guillemot

2.15 Common Guillemot are members of the auk family along with Puffin and Razorbill. They typically form highly dense colonies and lay a single egg (without a nest) on a cliff, narrow ledges, or other inaccessible areas. They tend to eat fish and crustaceans. Guillemots are typically long-lived seabirds, living to an average age of 23 years and not breeding until the age of 5 years. Breeding success is highest where birds are most tightly packed. Adults will incubate the egg for 28-37 days, fledging then taking place when the chick is ~3 weeks old. The chick will then complete its growth at sea accompanied by its male parent.

2.16 The response of Guillemots to offshore wind farms is mixed although there is a paucity of data for breeding birds. Non-breeding birds have been shown to avoid offshore wind farms, as have breeding

birds in the southern North Sea, whereas in the Irish Sea, Guillemots have shown no changes in abundance post construction and at another site, increased in abundance. More recent work has suggested that there may be some habituation over time to the presence of wind farms.

2.17 While details are still emerging, the 2024 breeding season for Guillemot appears to be extremely poor, with large number of nest sites vacant, birds present but not laying eggs and high degree of breeding asynchronicity. The causes of this are likely to be multifactorial, and may include HPAI, high water temperatures and resultant poor body conditions. The long term, population scale consequences are unclear, but may be severe. As a result, an extremely high level of precaution should be applied in considering the impacts arising from any offshore development on this species.

2.18 They are amber listed in the Birds of Conservation Concern.

Puffin

2.19 Puffin are one of the most iconic seabird species around Scotland with their brightly coloured beaks during the breeding season. They tend to nest in burrows and so are susceptible to mammalian predators. There is some evidence their diet changes seasonally but during the breeding season, they typically feed on shoaling fish such as sandeel, sprat and herring which they catch by underwater pursuit.

2.20 They are vulnerable to displacement which can lead to a loss of feeding grounds and excess energy expenditure as they take less direct routes to reach alternative prey sources.

2.21 Puffin are red listed in the Birds of Conservation Concern and have been assessed by the IUCN as vulnerable to global extinction.

Proximity of seabird colonies

2.22 The application array location is close to several SPAs with qualifying features within foraging range of the application array area. This includes the East Caithness Cliffs SPA, North Caithness Cliffs SPA, Outer Firth of Forth and St Andrews Bay Complex SPA, the Forth Islands SPA, Fowlsheugh SPA and St Abb's Head to Fast Castle SPA.

2.23 As SPAs, these sites are subject to general duties to protect, conserve and restore the designated features of the site to meet their conservation objectives, to prevent deterioration of the site's habitats and to prevent significant disturbance to the sites. If an application might impact a qualifying feature, as set out in Chapter 1, assessment in accordance with the Habitats Regulations is required.

3 RSPB Scotland Comments on RIAA

3.1 RSPB Scotland has reviewed the ornithological assessment presented in the MachairWind Offshore Windfarm RIAA for both project-alone and in-combination impacts. The applicant's own assessment concludes no adverse effect on site integrity (AEoSI) for any qualifying feature at any site, including the 14 Special Protection Areas (SPAs) taken to quantitative assessment.

3.2 RSPB Scotland does not accept that this conclusion captures the full extent of effects of the development. Applying the NatureScot guidance scenarios consistently across all 26 species-SPA combinations taken to PVA, the RIAA outputs predict substantial reductions in projected 35-year population size of guillemot at the North Colonsay and Western Cliffs SPA and so AEoSI cannot be ruled out on project alone impacts for this guillemot feature of this SPA.

3.3 We also note the applicant has excluded Spiorad na Mara Offshore Windfarm from the in-combination assessment. This makes it difficult to assess the full impacts of the development in the wider development context, especially as there will likely be overlap in the SPAs impacted by both developments.

3.4 A number of SPA features are screened into the assessment based on the boundary distance to the development area but then apportioned no breeding-season mortality because the centre-to-centre distance falls beyond the foraging range. While this follows NatureScot guidance, it is surprising that the difference between the two measures results in some features being excluded from the breeding season assessment. Can the applicant present apportioning to boundary distances as a sensitivity test for these features?

3.5 We also note that a substantial proportion of estimated seabird mortality is not apportioned to any SPA. For example, more than 80% of estimated kittiwake collision and displacement mortality from the development is not apportioned to an SPA population. This is an ongoing challenge in the assessment of offshore wind impacts and highlights the limited understanding of population-level effects.

3.6 We are also concerned by the potential of MachairWind to impact internationally important populations of Procellariiformes, including Manx shearwater (Rum SPA) and European storm-petrel (Treshnish Isles SPA). The developer-commissioned review on which the RIAA relies (Furness et al. 2026) states there is no empirical evidence to demonstrate lighting on offshore wind infrastructure will not attract or disorientate these species, but no quantitative estimate of the resulting collision and displacement mortality is presented. This includes the risk to fledglings from construction vessels operating at night. Both species are long-lived with low productivity, and so small reductions in adult survival can cause substantial population declines. Manx shearwaters are also thought to have low manoeuvrability, reducing their ability to avoid turbines (Deakin et al. 2022). These uncertainties are compounded by the recognised bias of digital aerial surveys for these species due to their small size, poor detectability and diel activity patterns, meaning that abundance in development areas is likely to be underestimated. In the absence of quantification, RSPB Scotland considers that adverse effects on integrity cannot be excluded beyond reasonable scientific doubt.

3.7 The predicted reductions in population size are of particular concern given the compounding pressures already facing these populations, including the ongoing impacts of Highly Pathogenic Avian Influenza, and the effects of climate change on prey availability and breeding success. Several of the affected features are already in unfavourable condition and have declined substantially between the Seabird 2000 and Seabirds Count surveys, as highlighted in the applicant's RIAA. A population already under pressure from these stressors has substantially reduced resilience to absorb additional mortality. RSPB Scotland considers the scale of impact places the long-term integrity of the SPA features at serious risk.

Table 1. Summary of Population Viability Analysis results for Special Protection Areas and species features identified during scoping. Median Counterfactual of Growth Rate (CGR) and Median Counterfactual of Population Size (CPS) estimated using NatureScot Upper Impact Scenario in combination with other plans and projects over the 35-year operational lifetime of the project.

SPA	Species	CGR	CPS	Table

Ailsa Craig	Kittiwake	0.9965	0.8813	6.24
	Gannet	0.9993	0.9758	6.26
Canna and Sanday	Kittiwake	0.9997	0.9886	6.30
Cape Wrath	Kittiwake	0.9979	0.9261	6.35
	Razorbill	0.9989	0.9608	6.37
Flannan Isles	Kittiwake	0.9996	0.9867	6.43
	Razorbill	0.9994*	0.9775*	6.45
Handa	Kittiwake	0.9998	0.9929	6.51
	Razorbill	0.9990	0.9658	6.53
Mingulay and Berneray	Kittiwake	0.9996	0.9856	6.58
	Razorbill	0.9985	0.9469	6.60
North Colonsay and Western Cliffs	Kittiwake	0.9980	0.9311	6.66
	Guillemot	0.9926*	0.7662*	6.68
North Rona and Sula Sgeir	Kittiwake	0.9996	0.9863	6.72
	Great black-backed gull	0.9992[+]	0.9718[+]	6.74
	Razorbill	0.9983	0.9411	6.76
Rathlin Island	Kittiwake	0.9994	0.9791	6.83
	Guillemot	0.9972*	0.9029*	6.85
	Razorbill	0.9984	0.9439	6.87
	Puffin	0.9997	0.9917	6.89
Rum	Kittiwake	0.9996	0.9860	6.94
Shiant Isles	Razorbill	0.9992	0.9714	6.99
Skomer, Skokholm and the Seas off Pembrokeshire	Razorbill	0.9988	0.9557	6.106
St Kilda	Kittiwake	0.9997*	0.9907*	6.111
	Razorbill	0.9988*	0.9563*	6.113
Sule Skerry and Sule Stack	Puffin	0.9990	0.9656	6.120

*No in-combination impacts considered, only project alone impacts presented

[+]Great black-backed gull was assessed for project alone collision mortality only, so there are no upper and lower displacement scenarios

Table 2. Summary of Population Viability Analysis results for Special Protection Areas and species features identified during scoping. Median Counterfactual of Growth Rate (CGR) and Median Counterfactual of Population Size (CPS) estimated using NatureScot Lower Impact Scenario in combination with other plans and projects over the 35-year operational lifetime of the project.

SPA	Species	CGR	CPS	Table
Ailsa Craig	Kittiwake	0.9966	0.8851	6.24
	Gannet	0.9996	0.9847	6.26
Canna and Sanday	Kittiwake	0.9998	0.9899	6.30

Cape Wrath	Kittiwake	0.9982	0.9375	6.35
	Razorbill	0.9995	0.9801	6.37
Flannan Isles	Kittiwake	0.9997	0.9897	6.43
	Razorbill	0.9998*	0.9931*	6.45
Handa	Kittiwake	0.9999	0.9952	6.51
	Razorbill	0.9995	0.9837	6.53
Mingulay and Berneray	Kittiwake	0.9997	0.9881	6.58
	Razorbill	0.9993	0.9746	6.60
North Colonsay and Western Cliffs	Kittiwake	0.9983	0.9402	6.66
	Guillemot	0.9960*	0.8652*	6.68
North Rona and Sula Sgeir	Kittiwake	0.9997	0.9900	6.72
	Great black-backed gull	0.9992[+]	0.9718[+]	6.74
	Razorbill	0.9994	0.9819	6.76
Rathlin Island	Kittiwake	0.9995	0.9826	6.83
	Guillemot	0.9987*	0.9545*	6.85
	Razorbill	0.9992	0.9696	6.87
	Puffin	0.9998	0.9960	6.89
Rum	Kittiwake	0.9997	0.9890	6.94
Shiant Isles	Razorbill	0.9996	0.9865	6.99
Skomer, Skokholm and the Seas off Pembrokeshire	Razorbill	0.9993	0.9762	6.106
St Kilda	Kittiwake	0.9998*	0.9937*	6.111
	Razorbill	0.9995*	0.9838*	6.113
Sule Skerry and Sule Stack	Puffin	0.9994	0.9794	6.120

*No in-combination impacts considered, only project alone impacts presented
[+]Great black-backed gull was assessed for project alone collision mortality only, so there are no upper and lower displacement scenarios

Summary of PVA results

3.8 RSPB Scotland has independently reviewed the population viability analysis (PVA) results for the 26 species and SPA combinations that the applicant took to PVA-level assessment. These are summarised in the paragraphs below and in Tables 1 and 2, using the NatureScot upper and lower mortality scenarios only, and are presented when relevant in-combination with the mortality contribution of other wind farms, consistent with the position set out above.

3.9 The presentation of these combinations should not be taken as agreement that species and sites not listed here are free from significant impact. It reflects only that the applicant has not carried out a PVA for those combinations, so no conclusion can be reached from the assessment as submitted.

Black-legged Kittiwake

3.10 Ailsa Craig SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from

distributional change and collision mortality associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of kittiwake at the Ailsa Craig SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9965 and 0.9966. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 88.13% and 88.51% of what it would have been in the absence of the development.

3.11 Canna and Sanday SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change and collision mortality associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of kittiwake at the Canna and Sanday SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9997 and 0.9998. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 98.86% and 98.99% of what it would have been in the absence of the development.

3.12 Cape Wrath SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change and collision mortality associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of kittiwake at the Cape Wrath SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9979 and 0.9982. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 92.61% and 93.75% of what it would have been in the absence of the development.

3.13 Flannan Isles SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change and collision mortality associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of kittiwake at the Flannan Isles SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9996 and 0.9997. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 98.67% and 98.97% of what it would have been in the absence of the development.

3.14 Handa SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change and collision mortality associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of kittiwake at the Handa SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9998 and 0.9999. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 99.29% and 99.52% of what it would have been in the absence of the development.

3.15 Mingulay and Berneray SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change and collision mortality associated with MachairWind Offshore Windfarm

in combination with other wind farms are predicted to result in the annual population growth rate of kittiwake at the Mingulay and Berneray SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9996 and 0.9997. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 98.56% and 98.81% of what it would have been in the absence of the development.

3.16 North Colonsay and Western Cliffs SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change and collision mortality associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of kittiwake at the North Colonsay and Western Cliffs SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9980 and 0.9983. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 93.11% and 94.02% of what it would have been in the absence of the development.

3.17 North Rona and Sula Sgeir SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change and collision mortality associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of kittiwake at the North Rona and Sula Sgeir SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9996 and 0.9997. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 98.63% and 99.00% of what it would have been in the absence of the development.

3.18 Rathlin Island SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change and collision mortality associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of kittiwake at the Rathlin Island SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9994 and 0.9995. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 97.91% and 98.26% of what it would have been in the absence of the development.

3.19 Rum SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change and collision mortality associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of kittiwake at the Rum SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9996 and 0.9997. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 98.60% and 98.90% of what it would have been in the absence of the development.

3.20 St Kilda SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change and collision mortality associated with MachairWind Offshore Windfarm in

combination with other wind farms are predicted to result in the annual population growth rate of kittiwake at the St Kilda SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9997 and 0.9998. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 98.97% and 99.37% of what it would have been in the absence of the development.

Great Black-backed Gull

3.21 North Rona and Sula Sgeir SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from collision mortality associated with MachairWind Offshore Windfarm alone are predicted to result in the annual population growth rate of great black-backed gull at the North Rona and Sula Sgeir SPA declining with a ratio of impacted to unimpacted population growth rate of 0.9992. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be 97.18% of what it would have been in the absence of the development.

Common Guillemot

3.22 North Colonsay and Western Cliffs SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change associated with MachairWind Offshore Windfarm alone are predicted to result in the annual population growth rate of guillemot at the North Colonsay and Western Cliffs SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9926 and 0.9960. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 76.62% and 86.52% of what it would have been in the absence of the development.

3.23 Rathlin Island SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change associated with MachairWind Offshore Windfarm alone are predicted to result in the annual population growth rate of guillemot at the Rathlin Island SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9972 and 0.9987. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 90.29% and 95.45% of what it would have been in the absence of the development.

Razorbill

3.24 Cape Wrath SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of razorbill at the Cape Wrath SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9989 and 0.9995. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 96.08% and 98.01% of what it would have been in the absence of the development.

3.25 Flannan Isles SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change associated with MachairWind Offshore Windfarm alone are predicted to result in the annual population growth rate of razorbill at the Flannan Isles SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9994 and 0.9998. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 97.75% and 99.31% of what it would have been in the absence of the development.

3.26 Handa SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of razorbill at the Handa SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9990 and 0.9995. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 96.58% and 98.37% of what it would have been in the absence of the development.

3.27 Mingulay and Berneray SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of razorbill at the Mingulay and Berneray SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9985 and 0.9993. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 94.69% and 97.46% of what it would have been in the absence of the development.

3.28 North Rona and Sula Sgeir SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of razorbill at the North Rona and Sula Sgeir SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9983 and 0.9994. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 94.11% and 98.19% of what it would have been in the absence of the development.

3.29 Rathlin Island SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of razorbill at the Rathlin Island SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9984 and 0.9992. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 94.39% and 96.96% of what it would have been in the absence of the development.

3.30 Shiant Isles SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of razorbill at the Shiant Isles SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9992 and 0.9996. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 97.14% and 98.65% of what it would have been in the absence of the development.

3.31 Skomer, Skokholm and the Seas off Pembrokeshire SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of razorbill at the Skomer, Skokholm and the Seas off Pembrokeshire SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9988 and 0.9993. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 95.57% and 97.62% of what it would have been in the absence of the development.

3.32 St Kilda SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change associated with MachairWind Offshore Windfarm alone are predicted to result in the annual population growth rate of razorbill at the St Kilda SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9988 and 0.9995. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 95.63% and 98.38% of what it would have been in the absence of the development.

Atlantic Puffin

3.33 Rathlin Island SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of puffin at the Rathlin Island SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9997 and 0.9998. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 99.17% and 99.60% of what it would have been in the absence of the development.

3.34 Sule Skerry and Sule Stack SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of puffin at the Sule Skerry and Sule Stack SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9990 and 0.9994. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 96.56% and 97.94% of what it would have been in the absence of the development.

Northern Gannet

3.35 Ailsa Craig SPA Within the range of likely mortalities derived using the methods advocated by NatureScot, Marine Directorate and RSPB Scotland during scoping, the impacts arising from distributional change and collision mortality associated with MachairWind Offshore Windfarm in combination with other wind farms are predicted to result in the annual population growth rate of gannet at the Ailsa Craig SPA declining with a ratio of impacted to unimpacted population growth rate of between 0.9993 and 0.9996. This means that after the 35-year lifetime of MachairWind Offshore Windfarm, the population size of the SPA feature is expected to be between 97.58% and 98.47% of what it would have been in the absence of the development.

Appendix 2 RSPB Scotland Migratory Ornithology Assessment

Use of the mCRM Shiny app

1. The Applicant has used the mCRM Shiny app tool to assess the collision risk for 55 non-seabird species that potentially migrate through the WDA. Whilst we recognise the usefulness of this tool for making such assessments, greater effort should have been made to identify and isolate specific populations that use migration corridors in Western Scotland from those passing over UK waters in general. Instead, it appears that the Applicant simply used the default values for population size preset in the Shiny app (some of which are incorrect, see below). Corncrake is a good example, with only the Scottish breeding population likely to fly into or through Western Scotland – other components of the biogeographic population such as those breeding in Ireland, Norway and Russia will either not travel as far north as Scotland or will use migration corridors further east (e.g. North Sea).

2. Another example is White-tailed Eagle, for which the mCRM tool is not well-suited because the Scottish population is largely resident rather than migratory and does not perform regular pre- and post-breeding movements along migration corridors. However, immature birds in particular wander widely before establishing a breeding territory, and movements between food-rich foraging areas such as seabird breeding colonies may occur multiple times per year. Tracking data from birds fitted with satellite tags would provide a better indication of the frequency of such movements and enable a better-informed assessment of the risks of offshore windfarms to this species.

Errors in the mCRM Shiny app

3. For some species, including Corncrake and White-tailed Eagle, the default preset value in the mCRM Shiny app for the number of birds at risk of collision in UK waters is incorrect. It appears to be a percentage of the number of calling males or breeding pairs within the biogeographic population (Woodward et al. 2023), without doubling those numbers to convert from pairs to individuals.

4. For Corncrake, there also appears to be an error in the percentage calculation, as 16,690 is 0.8% of the biogeographic population of 2.12 million males. According to Woodward et al. (2023), this percentage should be 0.08%, an order of magnitude lower. Correcting for both errors (i.e. taking 0.08% of 4.24 million breeding adults) gives an estimated 3,392 individuals at risk of collision in UK waters during their pre-breeding migration in spring.

5. We also note that the Icelandic Black-tailed Godwit (sub-species *islandica*) migration corridor is missing from the mCRM Shiny app. This error in the model has resulted in an estimate of zero birds passing through the WDA (Annex 11.3D, Table 1), when it is known that large numbers pass through the Inner Hebrides (e.g. Tiree) during migration to and from their wintering areas further south.

6. There may be further errors as not all species were checked, so we encourage a more cautious approach when using this tool to ensure the correct conclusions are drawn.

Failure to account for immature birds in population size estimates

7. The near-identical numbers presented for collision mortality during the pre- and post-breeding migration periods (Annex 11.3D, Tables 6 and 7) highlight another deficiency of the modelling performed. Assuming the same migration corridors are used during both migration periods by all birds within a population, in most cases the post-breeding population size is larger than the pre-breeding one, as it contains that year's juveniles as well as a proportion of the breeding adults. If numbers migrating were the same in spring and autumn, for a population to remain stable there must be 100% survival overwinter, which is implausible, or a cohort of immature birds that do not migrate until they reach breeding age (this may apply to some species).

8. Furthermore, for long-lived species that do not breed until several years old, such as White-tailed Eagle, immature birds make up a large component of the population. In Scotland, this cohort of younger birds is thought to represent around 60% of the population, so the number of adults should be multiplied by 2.5 to give the total population size. Based on 148 breeding pairs (296 breeding adults), this would be 740 individuals of all age classes.

Corncrake conservation status and distribution

9. Corncrake is a nationally rare breeding species in the UK and is on the Red list of Birds of Conservation Concern (Stanbury et al. 2021). As a migratory species, it is also listed on Annex 1 of the EC Birds Directive. Apart from a small, reintroduced population in eastern England and a few pairs in Northern Ireland, the UK breeding range is largely confined to islands in western and northern Scotland. Breeding numbers in these core areas have been monitored annually since the mid-1990s and have ranged from around 450 singing males in 1993–94 to almost 1,300 in 2014 following the successful deployment of agri-environment schemes to improve their breeding success and survival. Numbers have fallen by over 30% since 2014 but appear to have stabilised at 800–900 singing males in recent years. Corncrakes are short-lived, so population size can change rapidly in response to years with high or low breeding success, and ongoing conservation effort aims to recover the population to levels reached 10–20 years ago.

10. The proposed development is of particular concern because the WDA is located close to several islands that hold large numbers of Corncrakes. The Inner Hebrides have consistently held around 50–60% of the UK population since the mid-2000s, with Tiree alone holding one-third of the UK population (typically 300–400 singing males each year) making it the UK's most important site for the species, and other important populations are on Coll, Colonsay/Oronsay and Islay. Four of the ten SPAs in Scotland with Corncrake as a designated feature are on these islands; Tiree (corncrake), Coll (corncrake), Oronsay and South Colonsay, and Rinns of Islay. The other six SPAs are in the Outer Hebrides, and these islands typically hold 35–40% of the UK population. Corncrakes migrate to and from Africa each year (arriving in April–May and leaving between July and October), and most of the population breeds on islands to the north of the WDA. Therefore, it is possible that a significant proportion of the UK breeding population could pass through the WDA twice per year. However, it is very unlikely that birds from other, non-UK breeding population would pass through the WDA as French and Irish birds would not fly

that far north, and Norwegian birds are more likely to pass through eastern parts of the UK and the North Sea. There are none in Iceland or the Faroe Islands, and other populations in mainland Europe and Russia almost certainly follow migration routes that avoid the UK.

Assessment of Corncrake numbers at risk

11. Using the whole biogeographic population of 2.12 million singing males to estimate the collision risk for Corncrake instead of the Scottish estimates of 1,100 singing males makes no sense. Furthermore, as mentioned above, failing to account for females and juveniles in the population is a serious shortcoming of the models performed. During spring migration, it should be assumed that the **Scottish Corncrake pre-breeding population is 2,200 individuals** (i.e. double the number of singing males), and during the post-breeding migration, the population size must be larger than in spring for it to persist. Based on a requirement for each female Corncrake to rear, on average, 4.3 independent chicks per year to maintain population stability (Green 2020), and assuming between 10% and 50% of adults survive the summer, the **post-breeding migration in Western Scotland would involve approximately 5,000 to 6,000 individuals.** Given that approximately 90% of these birds breed on Hebridean islands north of Islay, a significant proportion (much greater than 1.99%) are likely to pass through or close to the WDA. The mean windfarm width is 29 km (Annex 11.3D, Table 2), and the Corncrake migration corridor in Western Scotland is probably no wider than 200 km, so on average 14.5% of the population could pass through the WDA. This would equate to **287 birds passing through the WDA during the pre-breeding migration and 652–783 birds during the post-breeding migration.**

Corncrake collision risk

12. Bird parameters used in the mCRM are presented in Annex 11.3D, Table 4, including the avoidance rate and proportion of flights at collision risk height. Emerging evidence from GPS tracking studies in several European countries suggests that migrating Corncrakes are vulnerable as they migrate at night and a high proportion of flights are at collision risk height. Using a value of 1.0 for the proportion of flights at collision risk height is therefore appropriate (Annex 11.3D, Table 4).

13. However, an avoidance rate of 0.9950 was used (default value in the mCRM Shiny app tool), which is much higher than the rate of 0.9875 recommended for Corncrake by Woodward et al. (2023). Consequently, the collision rates presented in Annex 11.3D, Tables 6 and 7 (0.090 and 0.124 per year under two windfarm design scenarios) are 25 times lower than they would be if the recommended avoidance rate of 0.9875 was used. Recalculation that combines a 0.9875 avoidance rate with more realistic estimates of the numbers of Corncrakes passing through the WDA in each migration season, as described above, gives much higher predicted collision rates of 0.98 and 1.36 during the pre-breeding period, and 2.23–2.69 and 3.08–3.70 during the post-breeding period. This equates to **approximately 3–5 collisions per year**.

Definition of population size in Tables 1 and 8

14. In Annex 11.3D, Table 1, the phrase "Total UK population" is potentially misleading. The figures presented are the size of the "biogeographic population at risk of collision in UK waters (passage/breeding/non-breeding)", as described in Woodward et al. (2023) and used as default values in the mCRM Shiny app tool. They are not UK breeding or non-breeding population sizes, which would have been more appropriate to use for some species (e.g. Corncrake and White-tailed Eagle).

15. This also applies to the Discussion and Table 8 (Section 4.1) of Annex 11.3D. For example, for Corncrake the 0.0007% presented in Table 8 is the percentage of the biogeographical population, 99.5% of which breeds in other European countries or in Russia. Based on the recalculations presented above, we estimate that annual collision mortality would account for approximately 0.06% of the Scottish Corncrake breeding population. Whilst still low, this is two orders of magnitude higher than the Applicant's assessment.

Greenland White-fronted Goose

16. There appear to be some inadequacies with the Applicant's assessment of Greenland White-fronted Goose collision risk during the migration periods. This mainly relates to the numbers assumed to pass through the WDA during their pre-breeding spring migration being underestimated.

17. The bird parameter values presented in Annex 11.3C, Tables 1 and 2 accurately reflect those in the literature cited, although the biogeographic population size in Table 2 (14,997) is slightly lower than the 15,043 given by Fox et al. (2025). However, at least 10% of the population winters further north than the WDA (e.g. Orkney, Outer Hebrides, and northern parts of Mainland Scotland), so the figure used is an overestimate of the numbers potentially affected by the proposed development. That said, we note that the mCRM Shiny App default value is 21,500 (from spring 2019-20 counts), reflecting the severe and ongoing population decline in this subspecies, with numbers now approaching the lowest ever estimate of population size in the 1970s (Fox et al. 2025).

18. The migration corridor to and from Iceland presented in Woodward et al. (2023) and used in the mCRM Shiny app is very wide, reflecting their widespread wintering distribution from southern Ireland to Orkney, and is backed up by tracking data from satellite-tagged birds. However, assuming only 7.3% of the entire population passes through the WDA during autumn (Annex 11.3C, Table 5) is probably an underestimate given that one-third of the population overwinters on Islay (Fox et al. 2025). It is also inconceivable that only 7.3% of the Islay wintering population would pass through the WDA, with the true value likely to be much nearer to 100%. Annex 11.3C, Table 5 presents collision mortality estimates based on all three of these calculations, but greater clarity could have been provided if the Applicant had explicitly presented the number of Greenland White-fronted Geese expected to pass through the WDA, as they had done for other migratory species (see Annex 11.3D). We calculate these figures to be 1,095 individuals from the British and Irish population (7.3% of 14,997) and 360 and 4,926 individuals from the Islay population (7.3% and 100% of 4,926, respectively). Only the last of these figures seems plausible, which gives mean estimates of 0.37–0.50 collisions per year (Annex 11.3C, Table 5).

19. However, according to Woodward et al. (2023), most of the birds wintering in Ireland, Wales and southern Scotland often use staging areas in western Scotland, including Islay, during their pre-breeding migration during spring. **Numbers passing through the WDA may therefore be much higher during spring than autumn, and significantly higher than the Applicant has assumed in their models.** The 4,926 population estimate for Islay used in the models is from the March 2024 count on Islay. At that time, thousands more were still in Ireland and southern Scotland, and many of these birds are likely to have passed through Islay or nearby areas in late March or April (Woodward et al. 2023; Fox et al. 2025). It would therefore seem appropriate to assume at least a proportion of these birds also passed through the WDA during their pre-breeding spring migration. The Applicant's model outputs do not address this, as their assessment for the entire British and Irish population only assumed 1,095 individuals (7.3% of the population) pass through the WDA, and the Islay wintering population alone is 4.5 times this number.

20. We also note that the avoidance rate used, which is the default value in the mCRM Shiny app, was 0.9990. The Applicant correctly states this is lower than the avoidance rate of 0.9998 recommended by Woodward et al. (2023). However, the Applicant does not mention that the avoidance rate currently recommended for all geese by NatureScot is 0.9980, which if used instead of 0.9990 would have doubled the predicted collision rates presented in Annex 11.3C, Table 5.

21. We therefore believe that the annual collision rate for Greenland White-fronted Goose has been underestimated, and that corrections are required to produce a more accurate assessment. Islay acts as a major staging post for many species (including Greenland White-fronted Goose and Whooper Swan) heading south and north. We are concerned that the satellite tag data held by the WWT has not been accessed by the applicant as this would indicate potential impacts upon SPAs further afield from the site.

22. We also query the outputs of the PVA model, which appear to predict only a very small decline in population size over the next 60 years. **This is in stark contrast to the actual changes observed over the last three decades in both the Islay and British/Irish populations, with declines of approximately 60% since the peak count in 1999** (Fox et al. 2025; Frost et al. 2026). Regardless of the comparison between baseline and windfarm scenarios, the PVA model's validity must be questioned.

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Appendix 3
RSPB Scotland commentary on the Applicant's proposed compensation measures for Machair Offshore Wind Farm

1. RSPB Scotland approach to evaluating compensation measures

Introduction

1.1 RSPB Scotland notes that the Applicant has concluded that there will be no adverse effect on site integrity (AEoSI) caused by the development of the Machair Offshore Wind Farm. However, the Applicant has provided a 'Without Prejudice Derogation Case' in case Scottish Ministers take a different view. The Derogation Case was disseminated before the Conservation of Habitats and Species (Offshore Wind) (Amendment etc.) Regulations 2026 came into force on 21 May 2026 and there is an acknowledgement that the application will have to be reviewed in the light of the new legislation and the associated guidance.

1.2 Amongst other changes, the reforms require that compensatory measures secured for relevant offshore wind activity must benefit the UK Marine Protected Area (MPA) network in a manner that is reasonably proportionate to the adverse effects, or predicted adverse effects, on the integrity of the European site or European offshore marine site.

1.3 The Applicant would prefer to meet any compensation commitments through contributions to the Scottish Marine Recovery Fund (SMRF) when it becomes available, subject to the financial viability of the proposed tariff and the capacity of strategic compensation through the SMRF to meet the Project's compensation requirements. However, if compensation requirements are not met through the SMRF, the Applicant has proposed a range of scalable measures for compensation that are being progressed at the project level and / or in collaboration with other developers to meet the compensation requirements of the Project. These have been short-listed as follows, in relation to the guillemot population feature of North Colonsay and Western Cliffs SPA:

1. Mammalian predator management

1. Reduction of anthropogenic disturbance at colonies

1. Conservation management measure funding.

2. RSPB Scotland's approach to assessing compensation proposals

2.1 In short, it is vital that details and evidence are provided to enable confidence ecologically, financially and legally, in the compensation proposals and such information must be available for review by all Interested Parties. This section sets out RSPB Scotland's approach to evaluating compensation measures. It includes our general approach to assessing compensation proposals and the level of detail we consider is required in order to evaluate compensation proposals as part of the Application's determination, for example: specific proposals and locations for compensation measures, the scale of compensation, lead-in times for compensation, the lifetime of compensation in relation to damage and the environmental assessment of the proposed compensation measures.

2.2 Set out below are the key criteria and requirements from the EC guidance[1] on compensatory measures, along with additional commentary based on RSPB Scotland's experience of the principles that should be applied when assessing compensatory measures.

[1] EC (2018) Managing Natura 2000 sites – The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC (21/11/18) C(2018) 7621 final

EC criteria	EC guidance summary (emphasis added)	RSPB Scotland additional commentary
Targeted	Measures should be the **most appropriate to the impact predicted** and **focused on objectives and targets addressing the Natura 2000 elements affected**. Must **refer to structural and functional aspects of site integrity and habitats/species affected**. **Must consist of ecological measures**: payments to individuals/funds are not appropriate.	Clear objectives and success criteria must be established for the compensation measures. Must address the ecological functions and processes required by impacted species/habitat. Requires shared understanding and agreement on what the impacts are i.e. need to agree nature, magnitude including that they will continue for as long as the project's impacts. This includes the time likely to be required for the SPAs to recover from those impacts in the case of proposals that are in place for a specified time period. This is in order to define objectives for compensation measures and to set out the success criteria to determine whether those objectives have been/are being achieved.
Effective	**Based on best scientific knowledge available alongside specific investigations for the location where the measures will be implemented**. Must be **feasible and operational in reinstating the conditions needed to ensure the overall coherence** of the Natura 2000 network. **Measures where no reasonable guarantee of success should not be considered**. The likely success of the compensation scheme should influence final approval of the plan or project in line with the prevention principle. The **most effective option, with the greatest chance of success, must be chosen**. **Detailed monitoring required** to ensure long-term effectiveness with remediation provisions if shown to be less effective.	Scientific evaluation of proposed measures must be carried out before consent is granted to avoid agreeing to measures that is/are not effective or technically feasible. This should include appropriate baseline survey and assessment. Compensation must address the impacted SPAs features to ensure overall coherence of the network for that feature is maintained. Substitution is not acceptable. Must be clearly defined timescales for delivery and measuring success (See success criteria under Targeted above). Monitoring must directly relate to the target species and the relevant ecological functions and processes. The compensation measures should be provided in perpetuity in line with obligations to ensure the overall coherence of the UK Site Network is maintained. Where it is not possible to devise compensatory measures to offset the adverse effects on site integrity, the project should not proceed.
Technical feasibility	**Design must follow scientific criteria and evaluation** in line with best scientific knowledge and take into account the specific requirements of the ecological features to be reinstated.	See **Effective** above.
Extent	Extent required **directly related to**:	Based on an assessment of the necessary ecological requirements to restore species' populations and the related habitat structure and functions identified in the compensation objectives. Determining the minimum

EC criteria	EC guidance summary (emphasis added)	RSPB Scotland additional commentary
	- the **quantitative and qualitative aspects inherent to the elements of integrity likely to be impaired** - **estimated effectiveness of the measure(s)** Therefore, ratios best set on a case-by-case basis. Ratios should generally be well above 1:1. Ratios of 1:1 or below only considered when shown measures will be fully effective in reinstating structure and functionality in a short period of time.	appropriate quantity will require an understanding of the quality of the compensation measures and how effective they will be in reinstating the required structures and functions. Any identified uncertainty in success should be factored in to increased ratios. However, if there is no reasonable guarantee of success that measure should not be considered (see **Effective** under EC criteria). Ratios need to be used where they make ecological sense and will help secure a successful outcome by providing more of something. Simply multiplying capacity to address uncertainty risks giving a false level of confidence.
Location	**Located in areas where they will be most effective** in maintaining overall coherence of the Natura 2000 network. Pre-conditions to be met include: - **must be within same range/ migration route/wintering areas for bird species** and **provide functions comparable those justifying selection of original site esp. geographical distribution**; - **must have/be able to develop the ecological structure and functions required by the relevant species** (or habitat) - **must not jeopardise integrity of any other Natura 2000 site**. Spatial search hierarchy starting as close as possible to the impacted Natura 2000 site and working out from there.	While the preference is for compensation measures as geographically close to the location of the damage, it is important to consider whether or not the compensation measures will be subject to pressures impacting their efficacy in that location e.g. prey availability, disturbance, and/or other impacts from the same or similar developments such as collision risk or displacement due to offshore wind farms. Therefore, compensation measures should be located so as to maximise proximity while minimising external pressures that may reduce likelihood of success. Compensation measures proposed to benefit SPA features must not result in damage to the integrity of any other SPA, SAC or Ramsar site and their features.
Timing	Case by case approach but **must provide continuity in the ecological processes essential to maintain the structure and functions that contribute to the Natura 2000 network coherence**. Requires **tight co-ordination between implementation of the plan or project and the compensation measures**. Factors to consider include: - **no irreversible damage to the site before compensation in place**	Compensation measures should be fully functional before any damage occurs to ensure the overall coherence of the UK Site Network is protected. This requires careful alignment of the timelines for implementing the plan or project and the compensation measures. Suggested time lags in delivering fully functional compensation will need to be carefully considered and can only be accepted where this will not compromise the continuity of essential ecological processes,

EC criteria	EC guidance summary (emphasis added)	RSPB Scotland additional commentary
	- **compensation operational at the time damage occurs**. If not possible, over-compensation required - **time lags only admissible if will not compromise objective of "no net loss" to coherence of Natura 2000 network**; - May be possible to scale down in time depending on whether the negative effects are expected to arise in short, medium or long term. **All technical, legal or financial provisions must be completed before plan or project implementation starts** to prevent unforeseen delays that compromise effective compensation measures.	Any effect of delay should be factored into the design and additional compensation measures provided (see also **Extent** above).
Long-term implementation	**Legal and financial security required for long-term implementation** and **for protection, monitoring and maintenance of sites to be secured before impacts occur.**	Legal rights to secure and implement the compensation measures must be in place prior to consent being granted. And robust financial guarantees are required to fund implementation, monitoring and any necessary remediation measures.

Table 1: Criteria for designing compensatory measures

3. Scottish Government Guidance

3.1 The Scottish Government's Guidance (published 06 Jul 2026) clarifies the sequential nature of the compensation hierarchy and confirms that Tier 1 measures (that benefit the impacted feature) should be treated as the first preference, followed by Tier 2 measures (those that benefit a feature similar to the impacted feature) and then Tier 3 (those measures that benefit the UK MPA Network). It also emphasises that movement to a lower tier is only acceptable where appropriate evidence-based justification is provided.

3.2 The Guidance confirms that Tier 3 measures may only be considered once Tier 1 and Tier 2 options have been assessed and the Availability Test and the Greater Ecological Benefit Test have been applied. In summary, this means that for any compensatory measure to be deemed available, it must be anticipated to be feasible, ecologically effective and can reasonably be expected to be practically implemented. Further, Tier 2 or Tier 3 compensatory measures may only be proposed in preference to higher-tier measures where the proposed measure or package of measures would deliver a greater overall ecological benefit to the UK MPA network.

3.3 The 'reasonably proportionate' requirement means that the scale and anticipated ecological benefit of the compensatory measure(s) must be judged by Scottish Ministers to be relevant to the magnitude of the ecological loss arising from the offshore wind plan or project, recognising that compensatory measures must deliver an ecological contribution to the UK MPA network, based solely on ecological considerations.

3.4 The Applicant must provide sufficient, proportionate evidence to enable the assessment of proposed compensatory measures by Scottish Ministers. In particular, the Applicant must:

3. provide an appropriate evidence-based justification explaining how the measure is expected to deliver direct and/or indirect ecological benefit to the impacted feature, and over what timeframe.

3. provide evidence of wider ecological benefits to the UK MPA network and the marine environment that supports it and over what timeframe.

3. regardless of tier, compensatory measures must include clearly defined success criteria that are SMART (Specific, Measurable, Achievable, Relevant and Time-bound). Success criteria must be capable of being effectively monitored and reported against over time and each compensatory measure must be supported by a robust adaptive management plan, including clearly defined trigger points that specify when corrective action will be taken if monitoring indicates that ecological benefits are not being delivered as predicted.

3. undertake a review of potential direct and indirect adverse effects that may arise from implementing the proposed compensatory measure, including impacts on habitats, species interactions, and wider ecosystem processes. An assessment of any potential socio-economic impacts resulting from implementation of the compensatory measure must also be provided, where relevant.

3. present a clear and evidence-based justification demonstrating that the proposed compensatory measure, or package of measures across Tier 1, Tier 2 and/or Tier 3, is reasonably proportionate to the predicted adverse effects identified in the Appropriate Assessment.

3. must incorporate additional risk management to manage uncertainty.

3.5 Importantly, the Applicant should provide a clear, evidence-based assessment demonstrating that any proposed compensatory measure(s) is *additional* to normal practice for managing the site that will benefit from the measure.

3.6 The Guidance confirms that the Applicant should ordinarily deliver compensatory measures in advance of any predicted impact on the protected feature wherever possible and that remains the preferred approach.

3.7 There is an expectation that a monitoring plan will be put in place by the Applicant designed to provide reliable, timely and sufficiently detailed evidence to demonstrate whether compensatory measures are being delivered and are achieving the intended ecological outcomes, as defined in the agreed success criteria.

4. Commentary on measures proposed

4.1 The Applicant has proposed the following indicative short-list of compensatory measures:

4. Mammalian predator management

4. Reducing anthropogenic disturbances at colonies

4. Conservation management measure funding.

4.2 The Applicant's position is that they have presented sufficient information to give Scottish Ministers confidence in the proposed measures, allowing them to grant the required consents should they conclude that securing compensation is necessary as a result of predicted Project effect. However, it is RSPB Scotland's view that the current application fails to provide the necessary level of information. As it stands, there is insufficient detail to evaluate any of the project-level compensation measures – the relevant sites have not yet been identified, the landowners and stakeholders have not been contacted, there is no information in relation to timings and no meaningful evidence-based justification to support the recommendation for Tier 2 and 3 measures within the compensation hierarchy.

4.3 We appreciate that the Applicant is relying heavily on the future availability of strategic compensation under the SMRF but, as it stands, that is unavailable and so the project-level alternatives do need to be set out with sufficient detail to enable them to be evaluated before any consents can be given. We would add that compensation measures have been presented for one SPA feature only (breeding common guillemot at North Colonsay and Western Cliffs SPA) and our initial research suggests that other species and sites should be within scope.

4.4 The Applicant acknowledges that their application will have to be reviewed in the light of the new legislation and the associated Government Guidance and we would be grateful for the opportunity to provide further comment once the application has been amended and the new legislation and guidance complied with.

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Marine Directorate Licensing Operations Team
Scottish Government

29th August 2026

Dear Sir/Madam,

Objection to the MachairWind Offshore Wind Farm.

Scottish Environment LINK welcomes the opportunity to comment on the Environmental Impact Assessment (EIA) for the proposed MachairWind Offshore Wind Farm.

LINK supports the urgent transition to renewable energy as part of Scotland's response to the climate and nature emergencies. However, offshore renewable energy developments must be planned and delivered in a manner that safeguards biodiversity; respects environmental limits, Scotland's landscapes, and impacted communities; and ensures compliance with marine conservation legislation. The consenting process for this development should be embedded within a genuinely holistic, nature-positive framework for marine spatial planning that proactively sequences and spatially manages competing licensable activities, rather than assessing this application in isolation from the cumulative, sector-wide pressures on the same marine space.

We are deeply concerned that the MachairWind proposal, as currently presented, has not demonstrated that it will avoid hindering the conservation objectives of the Sea of the Hebrides Marine Protected Area (MPA), designated for basking shark, minke whale, fronts and marine geomorphology of the Scottish shelf seabed. The MPA was designated specifically to conserve basking sharks, minke whales and the oceanographic features that support them[1][2]. The proposed wind farm is situated just below the southern boundary of the Sea of the Hebrides MPA and, given that at least two of the designated Priority Marine Features (PMF) of the MPA are highly mobile and

[1] https://www.gov.scot/publications/sea-hebrides-marine-protected-area-business-regulatory-impact-assessment/pages/3/
[2] https://www.gov.scot/publications/arine-protected-areas-mobile-marine-species-consultation-proposals-designate-four-new-marine-protected-areas-scottish-waters/pages/8/

form seasonal summer aggregations, it is likely that these aggregations and migratory routes will be impacted by the construction and siting of the development[3].

Whilst our response focuses on the potential impacts of MachairWind on the Sea of the Hebrides MPA, similar concerns also apply to harbour porpoise, a qualifying feature of the Inner Hebrides and the Minches Special Area of Conservation (SAC), which lies approximately 0.4 km from the Development Area. The underwater noise modelling demonstrates that relatively modest reductions in source levels could substantially reduce the scale of impact. This demonstrates the significant benefit of reducing noise at source. However, Noise Abatement Systems remain optional within the draft Marine Mammal Mitigation Protocol. Given the proximity of these protected sites to the Development Area and the potential spatial extent of the predicted impacts, LINK members consider that effective noise abatement should be committed as a primary mitigation measure and that the applicant should demonstrate that the proposed mitigation is sufficient to avoid hindering the conservation objectives of the sites and minimise impacts on the protected features.

We are also concerned about the magnitude of impact the development will have on some of Scotland's most beautiful seascapes, and by extension the islands that are part of these. We are concerned the development will have a negative cultural, and socio-economic impact on these islands, and disagree with the conclusions reached on these by the applicant. We also dispute the comprehensiveness of the EIA in exploring the impacts on seascape and island communities, and seabird impacts. The applicant has omitted key viewpoints in the visual assessment which means the conclusions in Chapter 16 are fundamentally flawed. These flawed findings are then used to inform later conclusions about the socio-economic impacts of the development, resulting in inaccurate and underestimated predictions of impact. Without addressing these methodological issues, the application cannot be fully considered.

LINK therefore objects to the application on the grounds that:

a) the EIA does not provide sufficient certainty that the conservation objectives of the Sea of the Hebrides MPA and the Inner Hebrides and the Minches SAC can be achieved and maintained, particularly in relation to basking shark, minke whale and harbour porpoise.
b) The proposal raises significant concerns regarding underwater noise, displacement, disturbance, vessel impacts and cumulative effects. Taken together, these uncertainties mean that Scottish Ministers cannot presently be satisfied that the proposal will not hinder achievement of the conservation objectives of the MPA.
c) We disagree with the conclusions drawn in Chapter 16 about the severity and magnitude of the visual impact on Iona, Staffa, and the Treshnish Isles.
d) The severity and scale of impact on the seascape, cultural heritage, economies, and habitability of surrounding islands are underestimated.

[3] Witt, M.J., Doherty, P.D., Godley, B.J. Graham, R.T. Hawkes, L.A. & Henderson, S.M. 2016. Basking shark satellite tagging project: insights into basking shark (Cetorhinus maximus) movement, distribution and behaviour using satellite telemetry. Final Report. Scottish Natural Heritage Commissioned Report No. 908.

e) Chapter 16 is not comprehensive- it misses out key viewpoints in the visual assessment which means the conclusions are fundamentally flawed.
f) Chapter 18 uses these flawed conclusions in its assessment of the socio-economic impacts of the development, thereby resulting in a severe underestimation of the magnitude and severity of impact.
g) We query the accuracy of the baseline data for impacts to seabirds, and the applicant's assessment of "moderate" impact. However, we have not had the capacity to fully investigate this.

Statutory Duties Relating to the Sea of the Hebrides MPA
The Sea of the Hebrides is a Nature Conservation MPA designated under the Marine (Scotland) Act 2010. The conservation objective for basking shark and minke whale is to conserve these PMFs in favourable condition.

Under Part 5 of the Marine (Scotland) Act 2010, public authorities must exercise their functions in a manner that furthers, or where this is not possible least hinders, the conservation objectives of MPAs. Where a proposed activity can affect an MPA feature other than insignificantly, the potential impact on the conservation objectives must be carefully assessed before consent is granted. We consider that the conservation objectives are likely to be affected given the proximity of the proposed development to the MPA and the highly mobile nature of minke whales and basking sharks.

NatureScot's Conservation and Management Advice identifies underwater noise, disturbance, displacement and vessel interactions as important pressures affecting basking sharks and minke whales[4]. It advises that, to achieve the conservation objectives, risks of injury and mortality should be minimised, access to resources should be maintained and supporting ecological processes should be conserved[5].

The key question for decision-makers is not simply whether significant population-level impacts have been demonstrated at broad management-unit scales. Rather, the relevant question is whether the applicant has demonstrated that the conservation objectives of the Sea of the Hebrides MPA will not be hindered. In our view, the EIA fails to provide sufficient evidence to reach that conclusion.

Importance of the Sea of the Hebrides MPA and the wider Hebridean Sea
The Sea of the Hebrides MPA is an important area for mobile marine species in Scotland. It was designated because the area supports nationally significant concentrations of basking sharks and minke whales and contains highly productive frontal systems that create important feeding opportunities for both species[6].

[4] https://www.nature.scot/sites/default/files/nature-conservation-mpa/10474/conservation-and-management-advice.pdf
[5] https://www.nature.scot/sites/default/files/nature-conservation-mpa/10474/conservation-and-management-advice.pdf
[6] https://www.nature.scot/doc/naturescot-research-report-1364-hebridean-cetacean-research-programme-2021-2024

Scientific evidence underpinning the MPA designation demonstrates that basking sharks repeatedly use the area and show site fidelity to important feeding habitats within the region[7]. The site is also recognised as one of the most important areas in Scottish waters for minke whales. Both species are also associated with oceanic frontal systems[8], also a designated feature of the MPA and which may be disrupted by inappropriately sited infrastructure.

The MPA therefore exists not simply because individuals occasionally pass through the area, but because these waters provide habitat of exceptional ecological significance which contributes directly to the conservation of these species. The EIA does not adequately acknowledge the importance of this ecological context when assessing risk and significance.

Application of the Precautionary Principle

The precautionary principle is a fundamental component of environmental decision-making and is particularly important where uncertainty exists regarding protected features of an MPA.

The EIA acknowledges substantial uncertainty regarding:

- behavioural responses of basking sharks and minke whales to construction activities;
- the magnitude and duration of displacement effects;
- cumulative impacts arising from multiple offshore developments;
- long-term impacts of repeated disturbance;
- the effectiveness of proposed mitigation measures.

However, throughout the assessment, precautionary modelling outputs and potentially significant effects are repeatedly moderated through professional judgement and assumptions regarding mitigation effectiveness.

Where uncertainty remains concerning impacts on protected features of an MPA, that uncertainty should weigh in favour of environmental protection rather than development. The burden of proof therefore rests with the applicant to demonstrate that the conservation objectives of the Sea of the Hebrides MPA will not be hindered. LINK does not consider that this burden has been discharged.

Impacts on Minke Whale

The proposed development lies near the Sea of the Hebrides MPA and its designated minke whale feature. NatureScot has identified underwater noise as a significant pressure affecting minke whales and advises that disturbance and injury risks should be minimised[9]. The applicant's own assessment identifies pile-driving noise as a key impact pathway. The EIA subsequently relies heavily upon mitigation measures and assumptions regarding behavioural responses to conclude that residual effects will not be significant.

[7] https://www.nature.com/articles/srep42837
[8] https://www.int-res.com/journals/meps/articles/meps248187
[9] https://www.nature.scot/sites/default/files/nature-conservation-mpa/10474/conservation-and-management-advice.pdf

This approach is concerning as the assessment recognises potentially extensive zones of influence for underwater noise generated during construction. There also remains considerable uncertainty regarding how minke whales respond to repeated disturbance and displacement. Finally, the assessment does not adequately consider how multiple seasons of construction activity may affect use of important feeding habitat within and adjacent to the protected area. The assessment gives insufficient weight to the fact that the MPA was designated specifically because these waters are of particular importance to minke whales.

A conclusion that animals may theoretically use habitat elsewhere does not address whether displacement from preferred habitat within a protected area would undermine the conservation objectives for which that protected area was established. The EIA therefore fails to demonstrate that minke whale conservation objectives will not be hindered.

Impacts on Basking Shark

The implications for basking sharks are equally concerning. The Sea of the Hebrides MPA was designated to protect one of the most globally significant known areas for basking shark aggregation, feeding and potentially courtship behaviour[10]. Scientific studies have demonstrated repeated use of this region and highlighted its importance to the species.

Basking sharks are vulnerable to disturbance, vessel interactions and underwater noise[11]. NatureScot's advice identifies these pressures as potentially affecting the conservation objectives for the species. Despite this, significant uncertainty remains regarding basking shark behavioural responses to offshore wind construction activities, vessel movements and associated habitat disturbance.

The applicant has not demonstrated that displacement from important feeding areas can be ruled out. Nor has adequate consideration been given to cumulative pressures arising from offshore wind development across the west coast of Scotland. Given the conservation importance of the area and the remaining scientific uncertainty, a precautionary approach is required.

MPA Conservation Objectives and Ecological Function

A fundamental weakness of the EIA is its reliance on broad management-unit assessments that fail to reflect the ecological basis of the nearby MPA designation. The Sea of the Hebrides MPA protects not only basking sharks and minke whales, but also the oceanographic fronts that support productivity and create predictable feeding opportunities. These fronts are recognised as a key ecological feature of the site and provide an important functional link between protected species and the wider ecosystem.

NatureScot's advice explicitly states that maintenance of access to resources and conservation of supporting ecological processes are important components of achieving the MPA's conservation

[10] https://www.nature.scot/sites/default/files/Publication 2016 - SNH Commissioned Report 908 - Basking shark satellite tagging project - insights into basking shark (Cetorhinus maximus) movement, distribution and behaviour using satellite telemetry - Final report.pdf

[11] https://www.nature.scot/sites/default/files/nature-conservation-mpa/10474/conservation-and-management-advice.pdf

objectives. It is insufficient simply to conclude that displaced animals could relocate elsewhere. Such displacement may itself undermine the ecological rationale for designation if it disrupts use of habitat known to be nationally important. The EIA does not adequately address this issue.

The Argyll Array (2013)

The broader regional context is highly relevant. ScottishPower Renewables' Argyll Array proposal off Tiree was withdrawn in December 2013 following extensive technical and environmental investigations. Contemporary reports identified the significant presence of basking sharks as one of the major environmental constraints associated with the project, alongside engineering and commercial challenges.

Argyll Array generated substantial research into basking shark ecology and highlighted the environmental sensitivity of this region. Extensive assessments were undertaken specifically because of concerns regarding basking shark presence and habitat use. Importantly, Argyll Array pre-dated formal designation of the Sea of the Hebrides MPA. Since then, the ecological significance of these waters for basking sharks and minke whales has been formally recognised through MPA designation and supported by an expanded scientific evidence base.

While each application must be considered on its own merits, the Argyll Array experience clearly demonstrates that the wider region has long been recognised as environmentally sensitive and that substantial uncertainty regarding impacts on basking sharks is not a new issue. If basking shark presence represented a material environmental constraint prior to MPA designation, a more rigorous application of the precautionary principle is warranted now that the nearby area is formally protected for this feature.

Concerns Regarding Mitigation

LINK shares concerns raised by marine conservation organisations regarding the reliance placed on mitigation measures to reduce significant impacts[12]. The assessment depends heavily upon assumptions regarding the effectiveness of noise mitigation, marine mammal mitigation protocols, acoustic deterrent devices and monitoring measures. However, the evidence presented does not demonstrate that these measures will achieve the reductions in impact assumed within the assessment. Where mitigation forms the basis for concluding that impacts are not significant, the applicant must demonstrate that those measures can achieve the required outcomes. In the absence of such evidence, a precautionary interpretation should apply.

The assessment's approach to underwater noise mitigation also warrants further consideration. The underwater noise modelling demonstrates that a nominal 10 dB reduction in source levels would substantially reduce the predicted spatial extent of impacts on marine mammals, including reducing the maximum predicted PTS onset range for low-frequency cetaceans from up to 27 km to approximately 2.1 km when mitigation is considered. However, the draft Marine Mammal Mitigation Protocol currently identifies Noise Abatement Systems (NAS) as optional rather than committed

12 https://static1.squarespace.com/static/595bcd2e86e6c029dc28ac1d/t/6a74517ce30fd83fe1cb018e/1786007932091/MachairWind_EIA+response_HWDT_20260805.pdf

mitigation. Given the scale of the predicted impacts and the proximity of the Development Area to designated sites supporting cetaceans, LINK considers that effective noise abatement at source should form a committed mitigation measure. The applicant should demonstrate how the assumed noise reduction will be achieved in practice and secured through the final project design and MMMP.

Landscape and cultural heritage impacts

The application only fully assesses one photomontage from Iona, Staffa, and the Treshnish Isles (viewpoint 22, Dun I). Given the line of sight of the array area from Iona, Staffa, and the Treshnish Isles, as well as the cultural importance of the westward sea views, and the fact that Staffa and the Treshnish isles are in the Loch na Keal National Scenic Area, we believe using only viewpoint from one island is insufficient. Viewpoints that should be included are:

- Iona- St Columba's Bay and Carn Cul ri Eirinn, which both embody strong connections to Ireland and Iona's unique heritage as the birthplace of Scottish Christianity.
- Iona- The view from St Mary's Chapel westward
- Iona- The Marble Quarry, a scheduled monument that would look directly at the array.
- Staffa- View from the top of the island above Fingal's Cave
- Treshnish Isles- View from the top of the island of Lunga

The applicant concluded that the impact of the development on the viewpoint that was assessed (viewpoint 22, Dun I), would be of medium magnitude and that the effect significance of the windfarm when operational would be "moderate and significant". We disagree with this finding. It overemphasises the distance and horizontal angle of the array and does not give enough weight to how the array area will change the character of the seascape. The seascape from Iona is particularly important historically and culturally as it contributes in large part to the feeling of tranquillity, spirituality, wildness and remoteness the island is known for. The view west from Iona is important culturally as it looks towards Ireland, where Columba travelled from before landing on the western edge of Iona, and subsequently spreading Christianity throughout Scotland. The array area, even at its proposed distance, will create a new, industrial focal point in the landscape which will detract from people's experience of Iona

Socio-economic impacts

The economies of Iona and Mull are closely tied with the attractiveness wildlife, cultural heritage, geology, and atmosphere of wildness and spirituality of the surrounding islands. Iona attracts between 20-30k visitors per year, and almost 100k people visit Staffa per year (National Trust for Scotland, 2026).

Chapter 18 (on the socio-economic impacts of the development) uses the conclusions drawn in Chapter 16 on landscape. As discussed above, Chapter 16 is not comprehensive as it misses out key viewpoints. We also disagree with the findings in Chapter 16 about the one viewpoint that was considered (viewpoint 22, Dun I). The result of this is that the socio-economic impacts in Chapter 18 are severely underestimated, and the conclusions drawn are inaccurate.

The applicant states that because the islands near the array area have many individual features that attract tourists, degrading one of them (i.e. visual amenity) will not have a negative impact on the visitor economy. However, the seascapes of Iona, Staffa and the Treshnish Isles are intrinsically linked to the cultural and spiritual offering of the islands, which is one of the biggest draws for tourists. We do not agree that the visual amenity can be considered as equal to the other individual features of the islands, and argue that the visual amenity is of such importance, the array will have a direct, detrimental effect on the islands. The development will remove the feeling of remoteness in the seascape, and although only west coast beaches would be affected, the westward view is the one that most draws the eye and is of most importance to Iona.

Conclusion

LINK considers that the applicant has failed to demonstrate that the project will not hinder achievement of the conservation objectives of the adjacent Sea of the Hebrides MPA and Inner Hebrides and the Minches SAC. LINK also calls into question the assessments by the applicant in relation to seabird impacts and visual impacts. In the absence of sufficient scientific certainty that the project will not hinder achievement of adjacent MPA conservation objectives, Scottish Ministers should refuse consent in accordance with their duties under the Marine (Scotland) Act 2010 and the precautionary principle that underpins marine nature conservation decision-making.

Yours faithfully,

[Redacted]

[Redacted]

Senior Marine Advocacy Officer, Scottish Environment LINK

This letter was compiled on behalf of Scottish Environment LINK's Marine Group and is supported by:
Hebridean Whale and Dolphin Trust
Marine Conservation Society
National Trust for Scotland
The Scottish Seabird Centre

For any further information, please contact esther@scotlink.org.

Scottish Fishermen's Federation

Our Ref: OB MD- MD-00012385 MD-00012386 MachairWind OWF EIA/0026/001

Your Ref: MD-00012385 MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm – Windfarm Development Area - EIA Section 36 consent and Marine Licence Applications - Consultation

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14th August 2026

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SFF Response MD-00012385/ MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm – Windfarm Development Area - EIA Section 36 consent and Marine Licence Applications - Consultation

The Scottish Fishermen's Federation (SFF) welcomes the opportunity to respond to the statutory consultation on the applications submitted by MachairWind Limited for Section 36 consent, a declaration under Section 36A of the Electricity Act 1989 and associated Marine Licence applications for the proposed MachairWind Offshore Wind Farm.

The SFF represents the 450 plus fishing vessels through its constituent associations, including the Anglo Scottish Fishermen's Association (ASFA), Fife Fishermen's Association (FFA), Fishing Vessel Agents and Owners Association (FVA&OA), Mallaig & North West Fishermen's Association (MNWFA), Orkney Fisheries Association (OFA), Scottish Pelagic Fishermen's Association (SPFA), the Scottish White Fish Producer's Association (SWFPA) and Shetland Fishermen's Association (SFA).

SFF recognises the important contribution offshore renewable energy can make towards Scotland's energy transition and climate objectives. However, offshore renewable development must proceed in a manner that is consistent with the sustainable management of marine space and with the continued viability of existing marine industries, including commercial fishing. Commercial fisheries represent a longstanding, legitimate and economically important use of Scotland's seas and form a critical component of many coastal communities.

Summary Position

Having reviewed the Environmental Impact Assessment Report (EIAR), supporting technical documentation and associated application documents, SFF acknowledges the substantial assessment effort undertaken by the Applicant and the extensive engagement that has taken place with fisheries stakeholders throughout project development. SFF also recognises a number of positive project refinements and the inclusion of fisheries-specific mitigation, monitoring and liaison commitments within the application.

However, SFF remains concerned that several key fisheries conclusions rely upon assumptions and future processes that have yet to be demonstrated or agreed. In particular, significant uncertainty remains regarding:

- cable burial performance and long-term cable stability
- the extent, location and type of cable protection that may ultimately be required
- the assessment of fisheries effects associated with the Offshore Export Cable Corridor
- assumptions regarding future coexistence between commercial fishing activity and Project infrastructure
- displacement and redistribution of fishing effort
- future cable maintenance, repair and reburial activities
- the effectiveness of mitigation measures that remain dependent upon future plans, future assessment and post-consent approval processes.

A recurring theme throughout the EIAR is that conclusions relating to commercial fisheries rely heavily upon future Cable Plans, Cable Burial Risk Assessments, Fisheries Mitigation, Monitoring and Communication Plans, disruption agreement arrangements and other post-consent management processes. SFF does not dispute the value of such mechanisms; however, their future preparation does not in itself provide certainty regarding the outcomes upon which the assessment conclusions depend.

SFF further notes that the Marine Licence applications confirm the substantial scale of offshore infrastructure proposed, including extensive cable networks and significant permanent seabed deposits. However, the final distribution, extent and fisheries implications of cable protection, seabed deposits and associated infrastructure interactions remain dependent upon future design, engineering and approval processes.

SFF's principal concern is that several of the most important fisheries conclusions remain dependent upon assumptions regarding cable burial success, limited cable protection requirements, displacement outcomes, future coexistence and mitigation effectiveness that are not yet fully evidenced. Consequently, SFF does not consider that the conclusion that residual effects on commercial fisheries will be predominantly minor adverse and not significant has been fully demonstrated at this stage.

Policy and Legislative Context[1]

The National Marine Plan seeks to support marine development whilst simultaneously safeguarding existing marine industries and minimising conflict between marine users. Commercial fishing is expressly recognised as an important and legitimate use of Scotland's marine environment. The policy framework therefore requires more than consultation with existing users, it requires meaningful efforts to avoid, minimise and manage impacts upon established marine industries while supporting sustainable development of the marine area.

SFF recognises the strong policy support for offshore renewable energy deployment and does not object to offshore wind development in principle. However, policy support for offshore wind does not remove the requirement to demonstrate that impacts on existing marine users have been appropriately avoided, minimised and managed. The key policy question is therefore not whether offshore wind development should occur, but whether the effects on commercial fisheries have been adequately identified, assessed and mitigated.

The Applicant identifies the National Marine Plan as a key component of the consenting framework and states that relevant marine planning policies are addressed throughout the technical chapters of the EIAR. SFF therefore considers that conclusions presented within the Commercial Fisheries assessment should be

[1] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 2 Policy and Legislative Context (2026)

tested not only against EIA significance criteria but also against the wider objectives of marine planning policy, including support for coexistence, sustainable use of marine resources, minimisation of user conflict and protection of socio-economic interests dependent upon the marine environment.

SFF does not consider that the EIAR clearly demonstrates how these policy objectives have been achieved in relation to commercial fisheries. Whilst considerable emphasis is placed upon offshore wind deployment, energy transition objectives and the strategic need for renewable generation, at this stage of the EIAR SFF has not identified clear evidence demonstrating the extent to which commercial fisheries considerations have influenced project design, impact avoidance measures, mitigation proposals or assessment outcomes. In particular, SFF notes that claims regarding reductions in fisheries impacts through project refinement are not consistently supported by quantitative evidence demonstrating the extent of fishing activity, fishing value or fishing grounds avoided.

SFF further notes the relevance of the Scottish Government's Blue Economy Vision, which seeks to ensure sustainable use of marine resources and equitable outcomes for marine dependent communities. Commercial fisheries make an important contribution to the economy and social fabric of many coastal and island communities in western Scotland. The assessment should therefore provide confidence that displacement effects, loss of access, cumulative pressures and impacts upon fishing businesses have been fully understood and minimised. SFF does not consider that this has yet been clearly demonstrated.

Chapter 2 also confirms that the Project is being progressed through separate consent applications for the Windfarm Development Area, Offshore Export Cable Corridor and Onshore Transmission Development Area. SFF remains concerned that assessment of whole project fisheries effects is inherently constrained where significant elements of transmission infrastructure, including future export cable routing and associated fisheries interactions, remain subject to future consent applications and future assessment.

SFF also notes that Chapter 2 confirms the potential use of statutory safety zones during construction, major maintenance and decommissioning activities. These mechanisms have the potential to temporarily restrict access to established fishing grounds and therefore form part of the displacement pathways requiring assessment within the Commercial Fisheries chapter.

Finally, SFF notes that the application includes a request for a declaration under Section 36A of the Electricity Act 1989, allowing the final turbine layout to be approved subsequently through a Development Specification and Layout Plan. While this is an established consenting approach, it introduces additional uncertainty when considering assumptions regarding future fishing access and coexistence within the operational array. SFF therefore considers that conclusions relating to coexistence should be demonstrated to remain valid across the full design envelope rather than any preferred illustrative layout.

Project Description[2]

The Proposed Development comprises a substantial fixed-bottom offshore wind farm within a 448 km² Windfarm Development Area and includes:

- 91–144 wind turbines
- up to two Offshore Substation Platforms
- up to 572 km of inter-array cables
- up to 272 km of Offshore Substation Platform (OSP) link cables
- up to 200 km of export cables within the WDA
- extensive foundation and cable installation works
- sandwave levelling and boulder clearance activities

[2] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 3 Project Description (2026)

- long-term operational maintenance and cable intervention activities.

The EIAR identifies approximately 25 million m² of temporary seabed disturbance and approximately 6.8 million m² of permanent seabed occupation. From a fisheries perspective, the principal interaction pathway is not limited to turbine foundations but extends across the extensive subsea cable network and associated cable protection infrastructure. The scale of the proposed offshore cable network is particularly significant as fisheries interactions may arise not only during construction but throughout the operational life of the Project through cable exposure, protection requirements, inspection activities and future intervention works.

SFF further notes that the accompanying Marine Licence applications confirm the substantial scale of permanent seabed infrastructure proposed within the Windfarm Development Area, including extensive cable networks, foundation infrastructure and significant quantities of permanent seabed deposits. Whilst the eventual distribution and function of these deposits will depend upon final engineering design, installation requirements and protection measures, they provide further indication of the scale of physical interaction that may occur between Project infrastructure and commercial fishing activity over the lifetime of the development.

Particular concern arises from the substantial uncertainty surrounding cable burial performance. Burial depths ranging from 0.3 m to 3 m are presented within the Project Design Envelope, with target burial depths only being achieved "where practicable". The final burial outcome remains dependent on future Cable Burial Risk Assessments, seabed mobility studies and Cable Plans that have not yet been completed. Consequently, the extent to which cables may remain shallowly buried, exposed or require future remedial intervention remains uncertain.

The Project Description also envisages future cable inspection, repair, replacement and remedial reburial activities throughout the 35-year operational life of the Project. The need for such activities is explicitly linked to potential cable exposure and seabed mobility. Consequently, cable fisheries interactions should not be considered solely as a construction issue but as a potential pathway for recurring operational impacts over the lifetime of the development.

The design envelope also allows for up to 10% of inter-array, OSP link and export cables to require external cable protection. Whilst the Applicant states that these assumptions have been informed by publicly available datasets, site investigations and experience from projects with similar seabed conditions, the basis for concluding that 10% represents an appropriate worst case assumption remains difficult to verify at this stage. The Project Design Envelope additionally allows for a range of cable protection measures, including rock placement, concrete mattresses, frond mattresses, bagged solutions and protection shells. Insufficient information is currently available to determine the likely extent, distribution and type of cable protection that may ultimately be required.

SFF further notes that the Project includes extensive seabed preparation activities, including sandwave levelling across a footprint of more than 8 million m² and disturbance of in excess of 4 million m³ of sediment. Whilst the engineering justification for these activities is described, limited information is provided at this stage regarding the potential implications for fishing grounds, seabed characteristics and future fishing activity within the affected areas.

Finally, the Project Description indicates that, following decommissioning, certain infrastructure may remain in situ, including cable protection, scour protection and, potentially, buried cables. Whilst detailed decommissioning proposals will be developed at a later stage, retained infrastructure could result in fisheries interactions persisting beyond the operational life of the Project. SFF therefore considers that the fisheries implications of any infrastructure proposed to remain in situ should be fully assessed when evaluating long-term effects on commercial fishing activity.

Accordingly, SFF does not consider that the implications of burial uncertainty, cable protection requirements, extensive seabed preparation activities and future intervention and decommissioning assumptions are fully reflected in the significance conclusions presented elsewhere in the EIAR.

Site Selection and Alternatives[3]

SFF notes that the Applicant has undertaken a structured site selection and refinement process within the ScotWind W1 Plan Option, resulting in successive reductions in the Project footprint from the original Option Agreement Area to the final 448 km² Windfarm Development Area. The chapter identifies commercial fisheries as one of the factors considered during project refinement and records engagement with fisheries stakeholders throughout the development process. Particular note is taken of the removal of Gravity Base Structures from the Wind Turbine Generator design envelope, which the Applicant identifies as being influenced, in part, by concerns regarding seabed footprint and associated effects. SFF acknowledges this as a positive example of fisheries stakeholder engagement informing project design.

The Applicant also states that refinement of the Windfarm Development Area has reduced overlap with existing fishing grounds and has avoided areas of known fishing activity. However, whilst these claims are repeated throughout the chapter, limited quantitative evidence is provided demonstrating the extent to which fishing activity, fishing value or fishing opportunity has actually been avoided through the refinement process. The assessment does not clearly identify the amount of fishing effort removed from the footprint, the value of fishing grounds avoided, the fleets affected, or the degree to which potential fisheries impacts have been reduced as a consequence of the boundary changes.

SFF further notes that commercial fisheries are treated as a relatively broad constraint within the alternatives assessment, with Table 4.5 describing the constraint simply as impacts upon fishing locations and displacement of fishing activity. In contrast to several other development constraints considered within the chapter, relatively little information is provided regarding the distribution, characteristics, economic importance or operational requirements of specific fisheries operating within the area. Consequently, it is difficult to independently assess the extent to which fisheries considerations materially influenced site selection decisions or the weighting applied to fisheries concerns relative to engineering, navigation, visual and economic considerations.

Of particular relevance is the Applicant's acknowledgement that displacement of fishing activity may alter fishing patterns outside the Windfarm Development Area and potentially increase fishing effort in neighbouring areas. SFF considers this an important recognition of a potential impact pathway. However, the chapter does not provide any assessment of the capacity of surrounding fishing grounds to absorb displaced activity or the potential consequences of effort redistribution for other fishing businesses.

The chapter also confirms that separate consent applications will be pursued for the Offshore Export Cable Corridor and Onshore Transmission Development Area, with detailed site selection for those elements to be presented through future applications. As a result, the extent to which fisheries interactions associated with export cable routing, cable burial, cable protection requirements, crossings and landfall infrastructure may influence the overall fisheries effects of the Project remains uncertain. SFF therefore considers that assessment of whole project fisheries effects continues to be constrained by the absence of a fully defined export cable route.

Overall, SFF considers that Chapter 4 demonstrates that fisheries have been considered during the site selection process and that some project refinements have been undertaken in response to fisheries engagement. However, the chapter relies largely on qualitative statements regarding reductions in fisheries effects and overlap with fishing activity and does not provide sufficient quantitative evidence to demonstrate the extent to which fishing activity, fishing grounds or fishing opportunity have been avoided

[3] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 4: Site Selection and Alternatives (2026)

through project refinement. Consequently, the claimed fisheries benefits associated with site selection and boundary refinement remain difficult to independently verify.

EIA Methodology[4]

Chapter 5 establishes the methodological framework through which commercial fisheries impacts are identified, assessed and assigned significance. As a result, the assumptions adopted, the treatment of uncertainty and the application of professional judgement have a direct bearing on the conclusions ultimately presented within the Commercial Fisheries assessment. Several aspects of the methodology therefore give rise to concern from a fisheries perspective.

Most notably, the methodology confirms that assessment of Offshore Export Cable Corridor and Onshore Transmission Development Area effects remains qualitative and commensurate with the level of information currently available. The Applicant further acknowledges that offshore engineering and environmental surveys required to support Export Cable Corridor refinement are anticipated to take place following submission of the Windfarm Development Area application. Consequently, assessment of whole project fisheries effects remains inherently uncertain, with significant aspects of export cable routing, burial performance, cable protection requirements and associated fisheries interactions remaining subject to future survey and design work.

SFF is also concerned that the cumulative assessment methodology has the potential to underestimate fisheries effects where impacts assessed as negligible at the project level are screened from cumulative assessment. Whilst the methodology allows for negligible effects to be retained through the application of professional judgement, the approach adopted will require careful scrutiny within the Commercial Fisheries assessment. Commercial fisheries effects frequently arise through the interaction of multiple developments and multiple individually minor restrictions on access, fishing activity and operational flexibility. As such, impacts assessed as negligible or minor in isolation may nevertheless contribute to materially greater cumulative displacement and competition effects at a regional scale. Particular attention should therefore be given to whether fisheries impacts screened out of cumulative assessment may still contribute to wider cumulative pressures affecting fishing businesses.

The methodology further relies extensively on future plans and post-consent processes, including:

- the Fisheries Mitigation, Monitoring and Communication Plan
- Cable Plans
- Cable Burial Risk Assessments and
- future management measures.

SFF does not consider that commitments to prepare future plans should, in themselves, be treated as mitigation. Rather, the effectiveness of any mitigation depends upon the specific measures to be implemented through those plans and the extent to which those measures can be demonstrated to reduce identified impacts. At present, many such measures remain subject to future development and agreement. SFF notes in this regard that NatureScot specifically distinguished between management plans themselves and the mitigation measures contained within them.

Finally, whilst the EIAR states that realistic worst case scenarios have been assessed, it is not evident that a fisheries specific worst case scenario has been adopted. Chapter 5 establishes that assessments should be based upon a realistic worst case approach consistent with the Project Design Envelope. From the information presented within Chapter 5, it remains unclear how the commercial fisheries assessment has defined its fisheries specific worst case scenario and whether this has included:

[4] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 5 EIA Methodology (2026)

- maximum cable protection requirements
- minimum achievable burial depths
- maximum displacement effects
- long-term cable exposure
- recurring cable repair and reburial activities
- the full range of fisheries interactions permitted within the Project Design Envelope.

SFF therefore considers that the Commercial Fisheries chapter should clearly demonstrate how a fisheries specific worst case scenario has been defined and how that scenario aligns with the uncertainties identified elsewhere in the EIAR, particularly in relation to cable burial performance, cable protection requirements and export cable corridor assessment.

Consultation and Engagement[5]

SFF acknowledges the extensive engagement undertaken by the Applicant with fisheries stakeholders, including SFF, SWFPA, SPFA, CFA, CIFA, SWCRIFG, MIFA and fishers operating within and around the Windfarm Development Area throughout the development process. The chapter demonstrates a sustained programme of fisheries engagement over several years through meetings, workshops, Fisheries Liaison Officer engagement, hazard workshops and consultation activities. SFF further notes that the removal of Gravity Base Structures from the Wind Turbine Generator design envelope represents a positive example of fisheries consultation influencing project design.

However, consultation should not be judged solely by the extent of engagement activity undertaken. The key question is whether fisheries concerns have materially influenced project design, assessment assumptions and assessment conclusions. Whilst the chapter clearly demonstrates that consultation has taken place, it provides considerably less evidence regarding:

- unresolved fisheries concerns
- continuing areas of disagreement
- stakeholder acceptance of assessment conclusions
- agreement with assumptions regarding coexistence of fishing activity and offshore wind infrastructure
- agreement with displacement conclusions
- agreement on issues relating to cable protection, cable burial and future fisheries access.

SFF further notes that, whilst the Applicant proposes a Commercial Fisheries Working Group to promote coexistence wherever possible, the chapter does not demonstrate whether coexistence assumptions adopted elsewhere within the EIAR are supported by evidence or whether coexistence remains an aspirational objective to be pursued through future engagement. This distinction is important given the scale of fixed-bottom infrastructure, associated cable protection measures and the potential for fisheries displacement identified elsewhere within the EIAR.

The chapter also relies heavily on the future Fisheries Mitigation, Monitoring and Communication Plan as a mechanism through which fisheries concerns will continue to be addressed. However, limited information is provided regarding the specific mitigation measures, commitments or procedures that will ultimately be implemented through that process. Consequently, the effectiveness of the proposed fisheries mitigation approach cannot be fully assessed from Chapter 6 alone.

Overall, SFF considers that Chapter 6 demonstrates substantial fisheries engagement and provides evidence that fisheries stakeholders have influenced certain aspects of project design. However, the chapter documents consultation activities far more clearly than consultation outcomes and does not demonstrate

[5] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 6: Consultation and Stakeholder Engagement (2026)

that fisheries concerns relating to displacement, coexistence, cable protection, cable burial, cumulative effects and future fisheries access have been satisfactorily resolved. Consequently, it remains unclear to what extent fisheries stakeholders support, dispute or continue to hold concerns regarding the conclusions presented elsewhere in the EIAR.

Marine Physical Environment[6]

SFF notes that the principal fisheries relevance of Chapter 7 lies not in the assessment of large scale hydrodynamic effects, but in the characterisation of seabed conditions which underpin assumptions relating to cable burial, cable protection, infrastructure stability and future intervention requirements.

SFF notes that the Applicant's hydrodynamic and sediment transport modelling generally concludes that large scale changes to currents, waves and sediment transport processes are likely to be limited and largely localised. SFF does not identify any obvious basis for challenging these conclusions. Appendix 7.2 further indicates that the Windfarm Development Area remains predominantly well mixed throughout the year, with little evidence of persistent water column stratification, supporting the Applicant's conclusion that large scale hydrodynamic and oceanographic effects are likely to be limited. The principal fisheries concerns arising from Chapter 7 therefore relate not to regional physical changes but to the implications of the existing seabed conditions for cable installation, cable stability and future fisheries interactions.

The chapter confirms that the Windfarm Development Area is characterised by active sediment transport processes and a highly variable seabed environment, including sandwaves, dunes, megaripples, mobile sediments, cobble and boulder deposits, glacial till and bedrock outcrops. The supporting geophysical surveys further identify extensive areas of seabed mobility and conclude that the migration and re-orientation of mobile seabed features during the operational life of the Project could result in exposure, spanning or increased burial of installed infrastructure. The survey evidence also identifies widespread ripples, megaripples, sandwaves and dunes throughout the site, highlighting the dynamic nature of the seabed environment. These findings are directly relevant to the long-term performance and stability of buried cables.

SFF notes that these physical conditions are consistent with the concerns raised elsewhere in relation to cable burial performance. Whilst the Project Design Envelope anticipates cable burial wherever practicable, Chapter 7 does not provide clear evidence regarding the proportion of cables likely to achieve design burial depths, the proportion anticipated to remain shallowly buried, or the proportion expected to require future intervention. The assessment instead relies upon future Cable Plans and Cable Burial Risk Assessments to determine final installation methodologies and burial outcomes.

The chapter also confirms the presence of bedrock outcrops, shallow geological constraints, widespread cobble and boulder fields and extensive mobile sediment features throughout the Windfarm Development Area. Appendix 7.3 identifies approximately 8,600 boulders across the survey area together with extensive areas of numerous boulders, bedrock outcrops and probable glacial till outcrops. Such conditions are commonly recognised as factors that may influence trenching performance and have potential implications for cable burial and cable protection requirements. However, whilst the assessment continues to assume that cable protection will be required along only a limited proportion of cable routes, limited evidence is

[6] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 7: Marine Physical Environment (2026); Haskoning UK Ltd, Appendix 7.1: Marine Physical Environment Numerical Modelling: Wave, Hydrodynamic and Plume Dispersion Modelling Report (prepared for ScottishPower Renewables UK Ltd, MachairWind Offshore Windfarm EIA, 28 November 2025); Royal HaskoningDHV (Pty) Ltd, Appendix 7.2 Marine Physical Environment Stratification Analysis (prepared for ScottishPower Renewables, MachairWind EIA and Consenting, 16 February 2026); MachairWind Ltd and Fugro GB (North) Marine Ltd, MachairWind 2023 Geophysical and Environmental Survey, Volume 3 of 7: Geophysical and Habitat Interpretative Report (Report No 230633-MachairWind-V3 07, 2023)

provided demonstrating how the physical survey results support the assumed extent of cable protection adopted within the Project Design Envelope.

SFF further notes that the Project Design Envelope anticipates that cable maintenance, repair and reburial activities may be required during the operational life of the Project. This indicates an acknowledgement that long-term burial performance remains uncertain and that cable fisheries interactions may continue beyond construction through future intervention activities. The implications of such activities for fishing access, fishing operations and long-term coexistence should therefore be fully reflected within the Commercial Fisheries assessment.

The extensive sandwave and seabed preparation activities described within Chapter 7 also remain relevant to fisheries interests. Chapter 7 confirms the presence of sandwaves up to approximately 6.6 m in height and identifies active bedload transport processes across the site. Appendix 7.1 further confirms that extensive cable trenching, cable levelling and associated sediment disturbance activities form a significant component of the construction works assessed. Appendix 7.3 additionally identifies extensive fields of ripples, megaripples, sandwaves and dunes, including dunes up to approximately 12.3 m in height, and concludes that these mobile seabed features have the potential to influence the future exposure, spanning and burial of infrastructure. Whilst the Applicant concludes that seabed morphology will recover over time and that physical effects will be largely localised, limited information is provided regarding the implications of large scale seabed disturbance for fishing grounds, seabed characteristics or future fishing activity within the affected areas.

Overall, SFF considers that Chapter 7 provides a robust physical characterisation of the site and supports the conclusion that large scale hydrodynamic impacts are likely to be limited. However, the survey and modelling evidence also confirms the presence of active sediment transport processes, mobile seabed features, bedrock outcrops, glacial till outcrops, extensive boulder fields and difficult ground conditions that are directly relevant to cable burial feasibility, cable protection requirements and future reburial activities. Consequently, Chapter 7 strengthens the need for the Commercial Fisheries assessment to demonstrate that assumptions regarding cable burial performance, cable protection requirements, future intervention activities and fisheries coexistence are supported by the physical conditions identified within the Windfarm Development Area.

Benthic Ecology[7]

SFF notes that the principal fisheries relevance of Chapter 8 lies not in the assessment of ecological effects on benthic receptors, but in the additional evidence it provides regarding seabed conditions, cable installation assumptions, cable protection requirements, future intervention activities and the characterisation of sensitive seabed features within the Windfarm Development Area.

SFF considers that the benthic ecology assessment is supported by a substantial site specific evidence base, including grab sampling, drop down video surveys, geophysical surveys and multiple survey campaigns undertaken between 2021 and 2025. SFF does not identify any obvious basis for challenging the Applicant's broad conclusion that most benthic ecological effects are likely to be localised in extent and, where temporary, generally recoverable over time.

The chapter confirms the presence of a range of sensitive benthic receptors and habitats within the Windfarm Development Area, including Priority Marine Features, records of ocean quahog (*Arctica islandica*), extensive areas of coarse sediment, cobble and boulder habitats, and areas identified as having potential Annex I stony reef characteristics. Whilst these findings do not in themselves give rise to specific

[7] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 8: Benthic Ecology (2026)

fisheries objections, they provide further evidence of the complex nature of the seabed environment within which project infrastructure would be installed.

The chapter further confirms that ocean quahog, a recognised Priority Marine Feature and OSPAR threatened and declining species, is present within the Windfarm Development Area. SFF notes that the presence of this long lived and slow growing benthic species contributes to the wider evidence base regarding seabed sensitivity and should be considered alongside assumptions concerning habitat disturbance, recovery and future intervention activities.

The identification of potential Annex I stony reef habitat and other sensitive benthic features is also relevant from a fisheries perspective. Such features may influence cable routing, micrositing and installation methodologies and may have implications for final cable installation and protection requirements. Whilst the assessment places significant reliance on micrositing and avoidance measures to reduce ecological effects, the implications of such constraints for final cable installation outcomes are not fully explored.

Chapter 8 also provides further evidence of the prevalence of cobble and boulder rich seabed conditions within the Windfarm Development Area. The assessment relies primarily on avoidance and micrositing to minimise interactions with such features and anticipates boulder relocation only where necessary. These findings are consistent with the extensive boulder fields identified elsewhere within the EIAR and reinforce the need to understand how such seabed constraints may influence cable burial performance, cable protection requirements and future maintenance activities.

SFF notes that the chapter continues to rely upon assumptions regarding cable burial and cable protection that are also adopted elsewhere in the EIAR. The assessment assumes cable burial depths ranging between approximately 0.3 m and 3 m, with final burial outcomes to be determined through future Cable Plans and Cable Burial Risk Assessments. Similarly, the assessment continues to assume that cable protection will be required along a limited proportion of cable routes. However, limited evidence is provided demonstrating how the combination of ecological constraints, geophysical conditions and engineering considerations supports the assumed extent of cable protection required.

The chapter further assumes that cable repair, replacement and reburial activities may be required during the operational life of the Project, including reburial of portions of installed cables where necessary. SFF notes that the inclusion of reburial activities within the operational assessment represents a continued acknowledgement across multiple chapters of the EIAR that long-term cable burial performance remains uncertain. As noted elsewhere, the implications of future intervention activities for fishing access, fishing operations and fisheries coexistence should be fully reflected within the Commercial Fisheries assessment.

SFF also notes that estimates of permanent habitat loss presented within Chapter 8 are influenced by assumptions regarding the extent of cable protection and scour protection required. Consequently, the assumptions adopted regarding cable protection requirements are relevant not only to the engineering design of the Project but also to the scale of permanent habitat loss assessed within the chapter.

More generally, Chapter 8 continues a pattern identified elsewhere within the EIAR whereby a number of key outcomes remain dependent upon future project plans and assessments, including the Cable Plan, Cable Burial Risk Assessment, micrositing decisions and decommissioning proposals. Whilst SFF recognises that such plans will form an important component of later project design stages, the assessment relies heavily upon future measures rather than demonstrating the likely outcomes that would be achieved across the range of seabed conditions identified within the Windfarm Development Area.

Overall, SFF considers that Chapter 8 broadly supports the Applicant's conclusion that benthic ecological effects are likely to be localised and generally recoverable. However, the assessment also provides additional evidence that the Windfarm Development Area contains sensitive seabed features, Priority

Marine Features, ocean quahog records, potential Annex I reef habitat, extensive boulder areas and complex seabed conditions that remain directly relevant to cable burial feasibility, cable protection requirements and future intervention activities. Consequently, Chapter 8 does not materially alter the fisheries concerns identified elsewhere within the EIAR but instead provides additional support for the need to demonstrate that assumptions regarding cable burial performance, cable protection requirements, future reburial activities, long-term infrastructure maintenance requirements and fisheries coexistence are robust and supported by the physical and ecological characteristics of the seabed.

Fish (including Basking Shark) and Shellfish[8]

SFF notes that the principal fisheries relevance of Chapter 9 lies not in the assessment of ecological effects on fish and shellfish receptors, but in the information it provides regarding commercially important species, fish habitats, shellfish resources, fishing activity and the interaction of these receptors with project construction, operation and maintenance activities.

SFF considers that the assessment is supported by a substantial body of baseline information, including site specific survey data, fisheries datasets and published evidence[9] relating to fish and shellfish ecology. Whilst some uncertainty remains regarding the potential effects of EMF on certain species, SFF does not identify any obvious basis for challenging the Applicant's broad conclusion that significant effects on fish and shellfish populations are generally unlikely following the implementation of embedded mitigation measures.

The chapter confirms the presence of a range of commercially important fish and shellfish species within and around the Windfarm Development Area, including herring, sandeel, Nephrops, king scallop, brown crab, velvet crab, lobster and whelk. Commercial fisheries data presented within the chapter indicate that shellfish species dominate landings within the Local Study Area. These findings reinforce the importance of the area as a commercially active marine environment and provide additional context for the assessment of potential fisheries interactions.

The chapter further confirms that the Windfarm Development Area overlaps with areas identified as suitable herring spawning and nursery habitat. SFF notes that herring is a commercially important species and that suitable spawning substrates are acknowledged to be present within the project area. Whilst the Applicant concludes that effects on herring spawning habitat are unlikely to be significant, these findings confirm that project activities would occur within an area supporting habitat of recognised importance to a commercially exploited stock.

The assessment also identifies extensive areas of suitable sandeel habitat across the Windfarm Development Area, reflecting the predominance of sandy and gravelly sediments throughout the site. Site specific sediment analyses indicate that much of the surveyed seabed can be classified as preferred sandeel habitat. Whilst this finding does not in itself give rise to a specific fisheries objection, it demonstrates that the seabed subject to cable trenching, cable burial, sandwave levelling and other disturbance activities supports ecologically important habitat rather than representing an abiologically uniform seabed environment.

SFF notes that the assessment identifies relatively limited overlap between the Windfarm Development Area and the principal Nephrops grounds within the wider region. Insofar as this conclusion is supported by the evidence presented, SFF does not identify any specific basis for challenge. However, the chapter

[8] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 9: Fish (including Basking Shark) and Shellfish (2026);

[9] Scott K., Harsanyi P., Lyndon A.R., et al. (2021) Exposure to Electromagnetic Fields (EMF) from Submarine Power Cables Can Trigger Behavioural and Physiological Responses in the Edible Crab, Cancer pagurus (L.). Journal of Marine Science and Engineering, 9(7), 776

nevertheless confirms the presence of a range of commercially exploited shellfish species and supports the conclusion that shellfish resources form an important component of the local marine environment.

Of particular relevance to fisheries interests, the chapter explicitly identifies changes in fishing activity as a potential impact pathway. This represents an acknowledgement that project development may influence the distribution and pattern of fishing activity within the wider area. Accordingly, the Commercial Fisheries assessment should clearly demonstrate how potential displacement, redistribution and concentration of fishing effort have been assessed and whether these effects have been considered separately for different fishing sectors operating within the area.

SFF further notes that the chapter continues to rely upon assumptions regarding cable burial, cable protection and future intervention activities that are also adopted elsewhere in the EIAR. The assessment assumes that cable protection will be required only along a limited proportion of cable routes and continues to rely upon future Cable Plans and Cable Burial Risk Assessments to determine final installation outcomes. However, the chapter does not provide additional evidence demonstrating how the adopted cable protection assumptions are supported by the seabed, habitat (particularly fish and shellfish spawning and nursery grounds), geophysical and engineering constraints identified elsewhere within the EIAR.

The chapter also assumes that cable repair, replacement and reburial activities may be required during the operational life of the Project, including assumptions that portions of installed cable may require future reburial. SFF notes that the recurrence of these assumptions across multiple chapters of the EIAR represents a continued acknowledgement that long-term cable burial performance remains uncertain. The implications of future intervention activities for fishing access, fishing operations and fisheries coexistence should therefore be fully reflected within the Commercial Fisheries assessment.

SFF also notes that the assessment of fish and shellfish receptors associated with the Offshore Export Cable Corridor remains subject to future surveys and assessment work. The chapter acknowledges limitations in the currently available information and indicates that further assessment will be undertaken as the Offshore Export Cable Corridor design develops. Detailed fish and shellfish data are not yet available for the full Offshore Export Cable Corridor and the assessment recognises that sensitive spawning habitats, nursery areas and shellfish resources may occur along the eventual route. These limitations should be taken into account when considering the completeness of project wide fisheries assessments and the interaction between the Windfarm Development Area and Offshore Export Cable Corridor.

Overall, SFF considers that Chapter 9 broadly supports the Applicant's conclusion that ecological effects on fish and shellfish receptors are likely to be limited and generally not significant. However, the assessment also confirms the presence of commercially important fish and shellfish species, shellfish dominated fisheries, herring spawning habitat, extensive sandeel habitat and active fishing interests within and around the Windfarm Development Area. Consequently, Chapter 9 does not materially alter the fisheries concerns identified elsewhere within the EIAR but provides further support for the need to demonstrate that assumptions regarding cable burial performance, cable protection requirements, future reburial activities, fishing effort displacement and long-term fisheries coexistence are robust and supported by the available evidence.

Commercial Fisheries[10]

SFF notes that Chapter 12 represents the principal fisheries assessment within the EIAR and is therefore of particular importance in understanding the potential effects of the Project on commercial fishing activity, fishing communities and fisheries coexistence.

[10] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 12: Commercial Fisheries (2026); NiMa Consultants Ltd, Appendix 12.1: Commercial Fisheries Technical Report (MachairWind Offshore Windfarm EIA Report, prepared for ScottishPower Renewables Ltd, 25 March 2026)

SFF acknowledges that the assessment is supported by a substantial fisheries evidence base, including fisheries liaison activities, consultation with industry representatives, vessel plotter information, ScotMap data, FiSMaDiM outputs, landings information and other fisheries datasets. SFF also notes that the Applicant has incorporated a number of issues previously raised during consultation, including consideration of pre-Brexit baseline information, assessment of gear snagging pathways and recognition of pelagic fisheries interests.

The fisheries baseline presented within Chapter 12 and Appendix 12.1 identifies potting activity as the dominant fishery within and around the Windfarm Development Area. The assessment confirms that brown crab, lobster, velvet crab and other shellfish fisheries represent important components of the local fishing economy and that under 12 m vessels operating static gear are among the principal users of the area. Multiple evidence sources, including plotter information, ScotMap data, FiSMaDiM outputs and fisheries scouting surveys, indicate moderate to high levels of potting activity within the Windfarm Development Area and demonstrate that potting activity occurs throughout much of the site. These findings are consistent with landings data presented within Appendix 12.1, which identify pots and traps as the highest value fishery within the Local Study Area.

SFF notes that these findings demonstrate the importance of established shellfish fishing grounds within the project area and provide important context for the assessment of displacement, exclusion, coexistence and operational fisheries interactions.

The chapter explicitly identifies significant adverse effects on UK potting vessels during construction and decommissioning arising from temporary loss of access, exclusion and displacement effects. SFF notes that this represents an acknowledgement by the Applicant that the Project would have the potential to give rise to significant fisheries effects in the absence of mitigation measures.

Of particular relevance, the assessment relies upon the implementation of future disruption agreements and associated disruption payments to reduce these significant effects to non significant levels. Whilst SFF recognises the importance of compensation and disruption arrangements in addressing economic consequences for affected fishers, disruption payments do not in themselves restore access to fishing grounds, reduce displacement of fishing activity or remove physical interactions between fishing operations and project infrastructure. Accordingly, it is not always clear how disruption agreements alter the underlying physical impacts experienced by affected fishing vessels.

SFF further notes that the assessment assigns a medium sensitivity to the principal crab and lobster potting fisheries affected by the Project. However, the baseline evidence demonstrates that potting activity dominates fishing effort and value within the Windfarm Development Area, that many affected vessels are smaller inshore operators and that fishing activity is concentrated on established shellfish grounds within and around the site. Appendix 12.1 further describes a shellfish dominated fishery characterised by small inshore vessels and strong dependence on local fishing grounds. Whilst SFF does not seek to prescribe an alternative sensitivity rating, the basis for the adopted sensitivity assessment should be clearly justified having regard to the level of fisheries dependence described within the baseline.

The chapter places significant reliance on assumptions regarding coexistence between commercial fishing activity and operational windfarm infrastructure. Operational effects are generally reduced on the basis that fishing activity is expected to resume within the array following construction, that turbine spacing will facilitate continued fishing activity and that only relatively small infrastructure footprints will remain unavailable. However, limited evidence is presented demonstrating actual future fishing behaviour within the operational windfarm, the willingness of fishers to return to the area, the commercial viability of operating within the array or the extent to which fishing patterns may change over time. Consequently, the assessment appears to rely to a significant degree upon assumed coexistence outcomes rather than demonstrated coexistence supported by project specific evidence.

SFF notes that the conclusions regarding operational fisheries interactions remain dependent upon assumptions relating to cable burial performance, cable protection requirements and the long-term condition of installed infrastructure. These assumptions have been discussed in previous chapters of the EIAR and continue to rely on future Cable Plans, Cable Burial Risk Assessments and detailed engineering design. The assessment generally assumes that cable protection will remain limited in extent and that snagging risks can be reduced to low levels through burial, protection measures, charting and fisheries liaison. However, the assessment provides limited additional evidence demonstrating how these conclusions remain valid across the range of seabed conditions, burial outcomes and cable protection scenarios identified elsewhere within the EIAR.

In particular, SFF notes that the fisheries assessment continues to rely on assumptions that approximately 10% of inter-array cables, 10% of offshore substation link cables and 5% of export cables may require cable protection. These assumptions have been applied consistently throughout the EIAR, yet the basis for concluding that such levels of cable protection are achievable has not been fully demonstrated having regard to the challenging seabed conditions identified within the physical environment and benthic ecology assessments.

The chapter also acknowledges the potential requirement for future cable inspection, maintenance, repair, replacement and reburial activities. These assumptions are embedded within the Project Design Envelope and are not presented as exceptional or unlikely events. SFF notes that assumptions regarding future reburial requirements are now repeated throughout multiple chapters of the EIAR and form part of the Project Design Envelope. The implications of future intervention activities for fishing access, gear interaction risk and long-term fisheries coexistence should therefore be fully reflected within the assessment of operational fisheries effects.

SFF further notes that portions of the assessment continue to rely upon broad scale spatial indicators, including ICES rectangle data, when considering the relative extent of fisheries interactions. Whilst such datasets provide useful regional context, Appendix 12.1 expressly acknowledges that ICES rectangle statistics may misrepresent actual fishing activity and that care is required when interpreting such data. Appendix 12.1 also demonstrates that fishing effort is not distributed evenly throughout the wider area. Consequently, particular weight should continue to be afforded to plotter information, consultation evidence, ScotMap data and other datasets describing actual fishing activity within and around the Windfarm Development Area.

SFF also notes that assessment of fisheries effects associated with the Offshore Export Cable Corridor remains constrained by the level of information currently available. The chapter acknowledges that assessment of the Offshore Export Cable Corridor remains qualitative in nature and that further surveys, route refinement and future assessment work will be required. As highlighted elsewhere within the EIAR, uncertainty regarding the final Offshore Export Cable Corridor continues to limit full assessment of potential effects on fishing grounds, fisheries displacement and fisheries coexistence beyond the Windfarm Development Area.

Overall, SFF considers that Chapter 12 presents a substantially more detailed fisheries assessment and provides a robust description of existing fishing activity within and around the Windfarm Development Area. However, the assessment continues to rely upon future disruption agreements, future project plans, assumptions regarding cable burial performance, assumptions regarding cable protection requirements and assumptions regarding future coexistence between commercial fishing activity and windfarm infrastructure. Consequently, whilst the chapter provides a strong fisheries baseline and identifies the principal pathways through which fisheries may be affected, SFF considers that further justification is required to demonstrate that assumptions regarding displacement, coexistence, cable protection, cable burial performance, future reburial requirements and long-term access to fishing grounds are robust and supported by the evidence presented throughout the wider EIAR. In particular, SFF considers that further justification is required where significant fisheries effects are reduced through disruption agreements and

where conclusions regarding long-term coexistence depend upon assumptions that fishing activity will resume within the operational windfarm.

Shipping and Navigation[11]

SFF notes that the principal relevance of Chapter 13 to fisheries interests lies not only in the assessment of navigational risk to commercial shipping, but also in the information it provides regarding fishing vessel activity, vessel interactions, cable related hazards, future infrastructure management and assumptions regarding long-term coexistence between marine users and Project infrastructure.

SFF acknowledges that the navigation assessment appears to be supported by a substantial evidence base, including vessel traffic surveys, Automatic Identification System data, stakeholder consultation, hazard workshops, navigational risk modelling and supporting technical assessments. SFF does not identify any obvious basis for challenging the Applicant's broad conclusion that significant navigational risks can be managed through the proposed design and mitigation measures.

The chapter explicitly recognises fishing vessels as a distinct navigational receptor and includes consideration of fishing vessel activity, fishing vessel incidents, fishing vessel interactions with Project infrastructure and fishing vessel interactions with other marine users. SFF welcomes the recognition that fishing vessels represent an important operational user of the area and notes that this is consistent with the fisheries baseline presented elsewhere within the EIAR. SFF further notes that the Navigational Risk Assessment identifies fishing vessel allision as a specific modelled vessel to structure risk and includes dedicated consideration of fishing vessel movements, consultation responses and hazard workshop evidence, further demonstrating the importance of fishing vessels as a key operational receptor within the assessment.

SFF notes that historical incident data presented within the chapter identify fishing vessels as a significant component of recorded marine incidents within the wider region. Whilst this does not in itself indicate elevated risks associated with fishing activity, it demonstrates the importance of considering how fishing vessels may interact with Project infrastructure under routine and non routine operating conditions, including circumstances involving machinery failure, emergency response requirements and loss of vessel manoeuvrability. The Navigational Risk Assessment records that fishing vessels accounted for a substantial proportion of both RNLI and MAIB incidents within the study area and that machinery failure represented the most frequently reported incident type.

Of particular relevance to fisheries interests, the navigation assessment explicitly considers anchor interaction of non-fishing vessels with subsea cables as a potential hazard pathway. The assessment of this pathway relies upon assumptions regarding target cable burial depths, limited cable protection requirements, future Cable Burial Risk Assessments, cable monitoring and ongoing management measures. SFF notes that this represents a clear acknowledgement by the Applicant that interactions with subsea cable infrastructure are not solely a fisheries concern but are also a recognised operational and navigational consideration requiring management throughout the Project lifecycle. The Navigational Risk Assessment further confirms that conclusions regarding anchor interaction are dependent upon assumed burial depths, assumed protection requirements and future CBRA outcomes.

SFF further notes that the conclusions of the navigation assessment remain dependent upon future Cable Plans, Cable Burial Risk Assessments and detailed engineering design decisions. The chapter confirms that cable protection will be utilised where burial is not achievable or practicable and that the final extent and location of cable protection will be determined through future assessment and design processes. Consequently, the navigation assessment, like several other chapters of the EIAR, remains reliant upon

[11] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 13: Shipping and Navigation (2026); Anatec Ltd, MachairWind Offshore Windfarm Navigational Risk Assessment (prepared for MachairWind Ltd, Document Reference A4674-SPR-NRA-01, 30 April 2026)

assumptions regarding future burial performance and cable protection requirements that have yet to be demonstrated. The Navigational Risk Assessment also identifies the potential requirement for Burial Protection Index studies, anchor penetration studies and other future assessments that will inform final cable protection requirements.

The chapter also relies upon assumptions regarding future cable monitoring, inspection and management during Project operation. SFF notes that ongoing monitoring, seabed surveys, cable inspection and potential remedial activities are incorporated within the Project approach. These commitments implicitly acknowledge that cable condition may change over time and that future intervention may be required to maintain cable integrity, manage infrastructure exposure and address changing seabed or cable conditions over the operational life of the Project. This is consistent with assumptions regarding future cable repair, replacement and reburial that are repeated elsewhere within the EIAR. SFF notes that the Navigational Risk Assessment includes dedicated through life safety management measures, including cable monitoring, hydrographic surveys, inspections and review processes, further reinforcing the importance of long-term infrastructure management.

SFF notes that assessment of navigational effects associated with the Offshore Export Cable Corridor remains subject to separate assessment and consent processes. The chapter acknowledges that the Offshore Export Cable Corridor will be progressed through a separate application and that aspects of the assessment remain dependent upon future route refinement and design development. The accompanying Navigational Risk Assessment similarly confirms that it considers only the Windfarm Development Area and that Offshore Export Cable Corridor hazards will be assessed through separate EIAR and consent processes. As identified elsewhere within the EIAR, uncertainty regarding the final Offshore Export Cable Corridor continues to limit the extent to which project wide effects can be fully assessed at this stage.

The chapter also demonstrates a clear and precautionary worst case assessment methodology, incorporating assumptions regarding the maximum number of wind turbine generators, offshore substations, vessel movements, cable infrastructure and operational duration. The Navigational Risk Assessment explicitly adopts a maximum design scenario including 144 wind turbine generators, two offshore substations, maximum cable lengths, construction vessel activity and a 35-year operational life. SFF notes that this approach provides a useful benchmark when considering the consistency of assumptions applied elsewhere within the EIAR. In particular, it is important that assessments of fisheries displacement, access restrictions, cable protection requirements, cable burial performance and long-term fisheries coexistence are based upon an equivalent level of conservatism and realistic worst case consideration.

SFF further notes that the accompanying Navigational Risk Assessment distinguishes between navigational risks associated with fishing vessels in transit and the wider impacts of Project development upon fishing activity and fishing operations. The Navigational Risk Assessment explicitly states that hazards associated with commercial fishing activity are assessed separately within Chapter 12 Commercial Fisheries. Accordingly, it is important that Chapter 12 fully addresses those issues relating to fishing activity, fishing grounds, displacement, access and fishing operations that are not assessed within the navigation chapter itself.

Overall, SFF considers that Chapter 13 broadly supports the Applicant's conclusion that navigational risks associated with the Project are likely to be manageable following the implementation of proposed control measures. However, the chapter also reinforces a number of issues identified elsewhere in the EIAR, including continued reliance upon future Cable Plans and Cable Burial Risk Assessments, assumptions regarding cable burial performance and cable protection requirements, acknowledgement of anchor interaction with subsea cables as a credible hazard pathway, future monitoring and intervention requirements, ongoing uncertainty regarding the Offshore Export Cable Corridor, and the continuing reliance on future management plans and mitigation measures to demonstrate acceptable residual risk. Consequently, whilst Chapter 13 does not in itself give rise to significant additional fisheries concerns, it

provides further support for the need to demonstrate that assumptions regarding cable burial, cable protection, future intervention activities and long-term coexistence between Project infrastructure and other marine users are robust and supported by the available evidence.

Infrastructure and Other Users[12]

SFF notes that Chapter 17 is not a principal fisheries assessment. Nevertheless, the chapter is relevant to fisheries interests insofar as it provides additional information regarding cable infrastructure, future cable management, coexistence between marine users and Project infrastructure, the Offshore Export Cable Corridor and the assumptions underpinning the wider assessment approach adopted throughout the EIAR.

SFF acknowledges that the assessment is supported by consultation with relevant stakeholders, including statutory consultees, marine users and other interested parties, and that the chapter provides a broadly comprehensive description of non fisheries marine activities that may interact with the Project. SFF does not identify any obvious basis for challenging the Applicant's overarching conclusions regarding effects on recreational users, military activities or other marine interests.

Of particular relevance to fisheries interests, the chapter explicitly recognises that cable protection measures may be required to reduce the risk of snagging interactions involving vessel anchors and fishing gear. SFF notes that this represents a further acknowledgement by the Applicant that interactions between fishing activity and subsea cable infrastructure are a recognised operational pathway that requires consideration throughout Project design, installation and operation. The glossary within Chapter 17 explicitly identifies prevention of snagging by vessel anchors and fishing gear as one of the functions of cable protection measures.

SFF further notes that the assessment continues to rely upon assumptions regarding cable burial performance, cable protection requirements and future cable management measures. The chapter confirms that cable protection will be minimised where practicable and utilised where burial is not reasonably practicable, with final decisions to be informed by future Cable Plans, Cable Burial Risk Assessments and post installation monitoring. Consequently, the assessment remains dependent upon future design and engineering decisions and does not provide certainty regarding the final extent, location or nature of cable protection that may ultimately be required.

As identified elsewhere in the EIAR, SFF notes that uncertainty regarding actual cable burial outcomes remains relevant to assessment conclusions. Whilst the chapter assumes that cable protection can be minimised and that burial solutions can be implemented where practicable, the final burial depths achieved, the extent of cable exposure and the corresponding requirement for protection measures remain dependent upon future surveys, engineering assessments and Cable Burial Risk Assessment outcomes. The chapter further confirms that final cable routing, burial arrangements, protection measures and monitoring requirements will be determined through the future Cable Plan process.

SFF also notes that the chapter confirms that assessment of effects associated with the Offshore Export Cable Corridor remains constrained by the level of information currently available. The chapter repeatedly acknowledges that Offshore Export Cable Corridor assessment remains subject to future route refinement, additional surveys and separate consent processes. As highlighted elsewhere within the EIAR, uncertainty regarding the final Offshore Export Cable Corridor continues to limit the extent to which project wide effects can be fully assessed at this stage. The chapter further states that future Offshore Export Cable Corridor EIARs and consent applications will provide updated assessments based on the latest available information.

[12] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 17: Infrastructure and Other Marine Users (2026)

The chapter explicitly recognises displacement and limitation of access as legitimate impact pathways for certain marine users, including recreational charter activities. Whilst the Applicant concludes that resulting effects are generally minor, SFF notes that the recognition of these pathways is consistent with the approach adopted elsewhere in the EIAR, including the assessment of commercial fisheries effects, where displacement and access restrictions represent important mechanisms through which impacts may arise.

SFF further notes that the assessment repeatedly concludes that existing marine users will be capable of coexisting with Project infrastructure during operation. Similar conclusions are reached in relation to a range of marine users, including military activities and recreational interests, notwithstanding the presence of turbines, cables, vessel activity and associated infrastructure. SFF recognises that coexistence may ultimately be achievable for many marine users however, the chapter provides relatively limited evidence demonstrating how future operational behaviour, access requirements and patterns of activity will evolve over the lifetime of the Project. Consequently, the conclusions appear to rely to some extent upon assumed coexistence outcomes rather than demonstrated long-term operational experience.

The chapter also demonstrates a clear and transparent worst case assessment methodology, incorporating assumptions regarding the maximum number of wind turbine generators, offshore substations, vessel movements, safety zones, infrastructure extent and operational duration. The assessment explicitly adopts a realistic worst case scenario based on up to 144 wind turbine generators, two offshore substations, a maximum Windfarm Development Area of 448 km² and a 35-year operational life. SFF notes that this approach provides a useful benchmark when considering consistency across the wider EIAR. In particular, it is important that assessments of fisheries displacement, operational access, coexistence, cable burial and cable protection requirements are founded upon an equivalent worst case and precautionary basis.

SFF notes that many of the conclusions reached within Chapter 17 remain dependent upon future plans and management measures that will be developed post-consent. These include, amongst others, Cable Plans, Cable Burial Risk Assessments, Navigational Safety Plans, Development Specification and Layout Plans, Lighting and Marking Plans and decommissioning related documentation. Whilst such measures are recognised components of project development, their future preparation means that several aspects of the assessment remain reliant upon decisions and measures that have not yet been fully defined. SFF further notes that many of these measures are treated as embedded mitigation within the assessment despite substantial elements of the relevant plans remaining subject to future development and approval processes.

Overall, SFF considers that Chapter 17 does not give rise to significant additional fisheries concerns beyond those identified elsewhere within the EIAR. However, it provides further support for a number of recurring issues already identified in previous chapters, including continued reliance upon future Cable Plans and Cable Burial Risk Assessments, assumptions regarding cable burial and cable protection requirements, ongoing uncertainty associated with the Offshore Export Cable Corridor, and assumptions relating to long-term coexistence between existing marine users and Project infrastructure. The chapter also demonstrates a clear and precautionary worst case assessment methodology, providing a useful comparator for assessing the consistency of assumptions applied elsewhere within the EIAR. Consequently, whilst the chapter broadly supports the Applicant's conclusions regarding non fisheries marine users, it also reinforces the need to demonstrate that assumptions regarding coexistence, cable burial performance, cable protection requirements and future management measures are robust and supported by the available evidence.

Socioeconomics[13]

SFF notes that Chapter 18 is not a primary fisheries assessment. However, the chapter is of relevance to fisheries interests because it assesses the potential socio-economic consequences of effects on commercial

[13] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 18: Socio-Economics (2026)

fisheries and coastal communities and therefore provides an important point of comparison with the conclusions reached in Chapter 12 Commercial Fisheries.

SFF acknowledges that the chapter is supported by a substantial socio-economic evidence base and provides a detailed assessment of potential effects on employment, skills, local supply chains, tourism, communities and economic activity. SFF does not identify any obvious basis for challenging the Applicant's wider conclusions regarding many of the non fisheries socio-economic effects associated with the Project.

Of particular relevance, SFF notes that the assessment of socio-economic effects arising from commercial fisheries is explicitly dependent upon the findings of Chapter 12 Commercial Fisheries. The chapter does not undertake a separate assessment of fisheries displacement, loss of fishing opportunity, operational fishing restrictions or effects on fishing businesses, but instead relies on the conclusions reached within the fisheries assessment. Consequently, the fisheries related socio-economic assessment does not independently test the conclusions of Chapter 12. Any uncertainty associated with assumptions adopted within the commercial fisheries assessment therefore carries directly through to the fisheries related socio-economic conclusions presented in Chapter 18.

SFF notes that Chapter 12 identifies significant adverse effects on UK crab and lobster potting vessels arising from displacement, exclusion and loss of access during construction and decommissioning. However, Chapter 18 concludes that no significant fisheries related socio-economic effects are anticipated. The basis for this conclusion depends upon the findings of Chapter 12, including the assumption that disruption agreements and associated disruption payments successfully reduce significant fisheries effects to non significant levels. As a result, the conclusion that fisheries related socio-economic effects are not significant remains directly dependent upon the effectiveness of those arrangements in reducing fisheries impacts. Accordingly, the robustness of the fisheries related socio-economic assessment remains closely linked to the assumptions regarding disruption agreements that underpin the fisheries assessment itself.

Whilst SFF recognises the importance of disruption and compensation arrangements in addressing economic consequences for affected fishers, compensation does not in itself restore access to fishing grounds, reduce displacement of fishing activity or address changes to fishing practices arising from the presence of Project infrastructure. As a result, SFF considers that conclusions regarding the absence of significant fisheries related socio-economic effects should be viewed in the context of the assumptions applied within Chapter 12 regarding the effectiveness of disruption arrangements in reducing fisheries impacts.

SFF further notes that the chapter adopts a clear and transparent worst case assessment methodology when considering socio-economic effects. The assessment identifies the smallest communities, most sensitive labour markets, most constrained housing markets and other sensitive receptors in order to assess realistic worst case outcomes. SFF considers that this provides a useful benchmark when considering consistency across the wider EIAR. In particular, it is important that assessments of commercial fisheries effects apply an equivalent level of conservatism when considering displacement, access restrictions, cable burial performance, cable protection requirements and assumptions regarding future coexistence between fishing activity and Project infrastructure.

The chapter also acknowledges the potential for competition for labour, recruitment challenges and pressure on local workforces arising from offshore wind development. The chapter recognises that increased demand for labour has the potential to affect recruitment and retention within existing sectors and assesses these issues for a number of rural and island industries, including the whisky sector and crofting communities. SFF notes that commercial fisheries similarly rely upon access to skilled local labour, marine services and supporting infrastructure, although fisheries related socio-economic effects are not independently assessed within this chapter. Consequently, the assessment provides limited additional analysis of how changes in fishing activity, displacement of effort or reduced access to fishing grounds may

affect fishing businesses and fishing dependent communities beyond the conclusions already reached in the fisheries chapter.

SFF also notes that, consistent with several other chapters of the EIAR, Chapter 18 continues to rely upon future plans, strategies and commitments to support assessment conclusions. These include, amongst others, future socio-economic action plans, skills initiatives, stakeholder engagement measures and wider management commitments. Whilst such measures may provide benefits, the chapter demonstrates a continued reliance on post-consent plans and future actions that remain to be developed in detail. SFF further notes that several of these measures are treated as embedded mitigation within the assessment, including the Socio-economic Action Plan, Community Engagement Manager and Skills Strategy. Whilst these commitments may contribute to positive outcomes, substantial elements remain subject to future development and implementation.

As identified elsewhere within the EIAR, SFF notes that assessment of effects associated with the Offshore Export Cable Corridor remains constrained by the level of information currently available. The chapter acknowledges that combined assessment of the wider Project remains dependent upon future survey work, route refinement and subsequent assessment processes. The chapter further confirms that offshore and onshore surveys required to refine the Offshore Export Cable Corridor and Onshore Transmission Development Area are anticipated to take place after submission of the WDA EIAR, with subsequent EIARs providing updated assessment based upon the latest available information. Consequently, uncertainty regarding the final Offshore Export Cable Corridor continues to limit full assessment of project wide socio-economic effects at this stage.

Overall, SFF considers that Chapter 18 does not introduce significant new fisheries concerns beyond those identified within Chapter 12. However, the chapter demonstrates that the conclusion that fisheries related socio-economic effects are not significant is largely dependent upon the conclusions and assumptions adopted within the commercial fisheries assessment. Consequently, if assumptions regarding disruption agreements, displacement, access restrictions, coexistence, cable protection or cable burial performance were to change, the fisheries related socio-economic conclusions may also require reconsideration. The chapter additionally reinforces recurring themes identified elsewhere in the EIAR, including reliance upon future plans and commitments, ongoing uncertainty regarding the Offshore Export Cable Corridor and the importance of ensuring that commercial fisheries assessments apply a clearly defined and demonstrable realistic worst case approach.

Major Accidents and Disasters[14]

SFF notes that Chapter 21 is not a primary fisheries assessment. Nevertheless, the chapter is relevant to fisheries interests insofar as it provides additional information regarding cable related hazards, fishing vessel interactions with Project infrastructure, future risk management measures and the assumptions underpinning the Applicant's assessment of major accident and disaster scenarios.

SFF acknowledges that the chapter adopts a structured and precautionary approach to identifying potential major accident and disaster events and considers both hazards arising from the Project and external hazards that may affect the Project. SFF does not identify any obvious basis for challenging the Applicant's overarching conclusion that identified risks can be reduced to acceptable levels through the proposed mitigation and management measures.

Of particular relevance to fisheries interests, the chapter explicitly identifies exposed cables leading to vessel snagging as a potential major accident hazard. The assessment explicitly considers the potential for vessel snagging involving commercial fishing operations within the WDA and recognises the potential for injury to fishers, loss of fishing gear, vessel damage and damage to Project infrastructure arising from

[14] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 21: Major Accidents and Disasters (2026)

snagging interactions. SFF notes that this provides a further acknowledgement by the Applicant that interactions between fishing activity and subsea cable infrastructure represent a credible operational pathway requiring consideration throughout the Project lifecycle.

SFF notes that Chapter 21 separately identifies exposed cable snagging as both a hazard affecting Project infrastructure and a hazard arising from the Project itself, reinforcing earlier findings that cable interaction is a recognised two way risk pathway requiring ongoing management.

SFF further notes that the assessment of cable snagging hazards relies upon assumptions regarding cable burial performance, cable protection measures and future cable management arrangements. The chapter confirms that risk reduction is dependent upon measures including cable burial, cable protection, future Cable Burial Risk Assessments, cable monitoring and ongoing management processes. Consequently, the conclusions of the assessment remain dependent upon future design, engineering and management outcomes that have yet to be fully defined. Embedded mitigation measures identified within the chapter include the preparation of a Cable Plan incorporating a Cable Burial Risk Assessment, confirmation of cable routing and burial arrangements, determination of cable protection requirements and implementation of post-installation monitoring.

As identified elsewhere within the EIAR, SFF notes that uncertainty regarding actual cable burial performance remains relevant to assessment conclusions. Whilst the chapter concludes that snagging risks can be reduced to acceptable levels, this conclusion is dependent upon assumptions regarding burial success, limited cable exposure and the effectiveness of future management measures. The chapter therefore reinforces the importance of demonstrating that assumptions regarding cable burial and cable protection requirements are robust and supported by evidence.

SFF also notes that commercial fishing activity is explicitly recognised within the assessment. The chapter states that commercial fishing operations take place within the WDA and specifically considers fishing activity in the context of exposed cable snagging hazards. Whilst Chapter 21 is not intended to assess impacts on commercial fisheries in the broader sense, the recognition of fishing vessels and fishing activity within a major accident and disaster context is consistent with the fisheries baseline presented elsewhere in the EIAR and with the Applicant's acknowledgement in other chapters that interactions between fisheries and Project infrastructure require ongoing management.

The chapter further demonstrates that several of the conclusions regarding acceptable residual risk rely upon future plans, monitoring arrangements and management processes. Similar to a number of other chapters within the EIAR, the assessment depends upon future measures that will be developed or refined post-consent, including cable related management and monitoring arrangements. SFF notes that these measures form an important component of the Applicant's justification for concluding that major accident risks can be reduced to acceptable levels. SFF further notes that several of these measures are treated as embedded mitigation despite being subject to future development and approval processes, including the Cable Plan, Navigational Safety Plan, Lighting and Marking Plan, Emergency Response and Cooperation Plan, Development Specification and Layout Plan and Decommissioning Programme.

SFF also notes that assessment of effects associated with the Offshore Export Cable Corridor remains constrained by the information currently available. The chapter acknowledges that aspects of the wider Project remain subject to future survey work, route refinement and subsequent assessment processes. Offshore and onshore surveys to refine the Offshore Export Cable Corridor and associated development areas are anticipated to be completed after submission of the WDA EIAR, with future EIARs and consent applications providing updated assessments based on the latest available information. As identified elsewhere within the EIAR, uncertainty regarding the final Offshore Export Cable Corridor continues to limit the extent to which project wide risks can be fully assessed at this stage.

SFF notes that the chapter frequently applies an assessment approach whereby potentially significant consequences are recognised should a major accident occur, but the likelihood of such events is considered sufficiently low following the implementation of mitigation and management measures. In relation to exposed cable snagging and several other hazards assessed within the chapter, the Applicant concludes that a significant effect could occur should the event happen, but that the residual risk is reduced to As Low As Reasonably Practicable (ALARP) through embedded mitigation and management controls. Whilst SFF does not dispute this approach in principle, it notes that the resulting conclusions remain dependent upon the effectiveness of the mitigation measures and management controls that have been assumed within the assessment.

Overall, SFF considers that Chapter 21 does not introduce significant new fisheries concerns beyond those identified elsewhere within the EIAR. However, the chapter provides further support for several recurring issues identified in previous chapters, including the recognition of cable snagging as a credible interaction pathway, continued reliance upon future Cable Plans and Cable Burial Risk Assessments, assumptions regarding cable burial and cable protection performance, ongoing uncertainty associated with the Offshore Export Cable Corridor and the dependence of assessment conclusions upon future management and monitoring measures. Consequently, whilst the chapter broadly supports the Applicant's conclusion that major accident and disaster risks can be managed to acceptable levels, it also reinforces the need to demonstrate that assumptions regarding cable burial, cable protection and future risk management arrangements are robust and supported by the available evidence.

Inter-Related Effects[15]

SFF notes that Chapter 22 seeks to assess the extent to which effects identified elsewhere within the EIAR may interact to create additional environmental or socio-economic consequences. The chapter is therefore of particular relevance insofar as it relies upon, consolidates and interprets conclusions previously reached within Chapters 7 to 13 and provides an overall assessment of whether identified effects remain significant when considered together.

SFF acknowledges that the chapter provides a structured assessment of inter-related and ecosystem effects and that it draws upon the findings of the individual topic assessments presented elsewhere within the EIAR. However, the conclusions reached within Chapter 22 are necessarily dependent upon the assumptions, uncertainties and mitigation measures that underpin those earlier assessments.

Of particular relevance to fisheries interests, the chapter concludes that no significant inter-related effects are anticipated for commercial fisheries and that exclusion, displacement, resource disruption, vessel interactions and snagging risks do not combine to elevate the significance of fisheries effects over the lifetime of the Project. SFF notes that this represents an important conclusion because it effectively determines that the combined influence of multiple fisheries pressures remains minor and not significant.

However, the assessment appears principally to consider individual fisheries pressures separately before concluding that interactions between them remain limited. In practice, individual fishing businesses may experience several Project related pressures simultaneously, including displacement from fishing grounds, increased steaming distances, relocation of fishing gear, changes in competition for alternative grounds, operational restrictions and interactions with Project infrastructure. Consequently, SFF considers that the assessment provides limited explanation of how these combined pressures have been evaluated at the level of individual fishing operations and fishing businesses.

SFF further notes that the chapter repeatedly relies upon the assumed adaptability of local fishing fleets when concluding that inter-related fisheries effects remain minor. The assessment refers to the "highly adaptive nature of local fleets" and concludes that vessels are capable of adapting to short-term

[15] ScottishPower Renewables, MachairWind Offshore Windfarm Environmental Impact Assessment Report: Chapter 22 Inter-related Effects and Ecosystem Assessment (2026)

restrictions and displacement. Whilst SFF recognises that fishing vessels routinely adapt to changing circumstances, adaptation does not necessarily occur without consequence and may involve increased operating costs, reduced efficiency, displacement of effort or pressure on alternative fishing grounds. The assessment provides limited project specific evidence demonstrating the practical consequences of adaptation for affected vessels and fisheries.

The chapter also concludes that displaced fishing effort is unlikely to result in material increases in fishing pressure, gear conflict or long-term interactions elsewhere. In particular, the assessment states that displaced effort is not expected to accumulate or shift into the same adjacent grounds in a way that would materially increase long-term gear conflict or local fishing pressure. SFF notes that this represents a positive assertion regarding the consequences of displacement. However, limited evidence is presented demonstrating how displaced effort is expected to redistribute, how alternative fishing opportunities have been evaluated or how the conclusion regarding the absence of material increases in fishing pressure and gear conflict has been derived.

The assessment continues to recognise gear snagging as a relevant fisheries interaction pathway and acknowledges the potential for loss of earnings associated with snagging events. The chapter explicitly identifies gear snagging leading to loss of earnings as a fisheries pressure and concludes that risks remain low due to cable burial, minimal surface protection and charting arrangements. However, the conclusion that snagging risks remain minor relies upon assumptions regarding successful cable burial, limited cable protection requirements, cable monitoring and future management measures. As highlighted elsewhere within the EIAR, these conclusions remain dependent upon future Cable Plans, Cable Burial Risk Assessments and final engineering outcomes. Consequently, Chapter 22 does not materially reduce the uncertainty previously identified regarding cable burial performance, cable protection requirements and long-term fisheries interactions with cable infrastructure.

SFF further notes that the chapter reaches conclusions regarding fisheries interactions notwithstanding evidence presented elsewhere within the EIAR regarding active seabed processes, mobile sediments, future cable monitoring requirements and the potential need for future cable maintenance, repair and reburial activities. Whilst these issues have been considered in earlier chapters, the assessment provides limited explanation of how such factors may influence long-term fisheries interactions and snagging risks when considered in combination. Whilst the chapter relies on assumptions regarding low snagging risk and successful long-term coexistence, it does not revisit the implications of the dynamic seabed conditions, mobile sediments, sandwave systems and future reburial requirements identified elsewhere in the EIAR.

The chapter also places considerable reliance upon assumptions regarding continued coexistence between commercial fishing activity and Project infrastructure. Similar to Chapter 12, conclusions regarding inter-related fisheries effects appear to depend upon assumptions that fishing activity can continue, adapt or return to the area following construction. Whilst coexistence may ultimately be achievable, the assessment appears to rely substantially upon assumed future fishing behaviour rather than demonstrated project specific evidence of long-term coexistence outcomes.

SFF also notes that assessment of inter-related effects associated with the Offshore Export Cable Corridor remains constrained by the information currently available. The chapter acknowledges that Offshore Export Cable Corridor assessment remains preliminary and subject to future survey work, route refinement and subsequent EIAR processes. The chapter further acknowledges that the combined assessment is qualitative in nature and based upon preliminary Offshore Export Cable Corridor information that remains subject to future survey, refinement and separate assessment processes. As identified elsewhere within the EIAR, uncertainty regarding the final Offshore Export Cable Corridor therefore continues to limit the extent to which combined Project effects can be fully assessed at this stage.

With regard to the ecosystem assessment, SFF notes that the ecosystem assessment is fundamentally dependent upon conclusions reached elsewhere in the EIAR that effects on key prey species, particularly

sandeel, herring, sprat and mackerel, remain minor, localised and not significant. The chapter therefore adopts the position that no significant effects on prey species results in no significant effects on predator species and, consequently, no significant ecosystem effects. As a result, the ecosystem assessment itself introduces limited new evidence and is largely dependent upon the conclusions already reached within the relevant fish, shellfish, benthic ecology and ornithology assessments.

SFF notes that the ecosystem assessment also discusses potential beneficial effects associated with colonisation of hard substrate and localised reef effects. The chapter refers to potential habitat enhancement, fisheries exclusion zone effects and localised fish aggregation around Project structures. Whilst such effects may occur, the assessment does not demonstrate that any resulting ecological benefits would necessarily be accessible to, or realised by, commercial fisheries operating within or around the WDA. Accordingly, any fisheries benefits associated with reef effect processes should not be assumed.

SFF also notes that the introduction of substantial areas of artificial hard substrate through turbine foundations, scour protection and cable protection has the potential to alter local habitat composition and species assemblages over time. Whilst the ecological consequences of such changes remain uncertain, changes in the distribution and abundance of prey species and commercially important fish species may influence local fishing activity, fishing behaviour and the use of fishing grounds within and around the Project area. The assessment provides limited consideration of these potential fisheries-related consequences and largely assumes that any effects associated with habitat enhancement, fish aggregation or reef effect processes are either beneficial or negligible. Similar considerations may also arise in the future Offshore Export Cable Corridor where cable protection measures could introduce additional hard substrate into areas currently characterised by soft sediment habitats.

Overall, SFF considers that Chapter 22 does not introduce significant new fisheries impact pathways beyond those identified elsewhere within the EIAR. However, the chapter relies upon a number of assumptions that have been discussed previously, including assumptions regarding fleet adaptability, continued coexistence, limited consequences of displacement, successful cable burial, limited cable protection requirements and future management measures. Consequently, whilst the chapter concludes that inter-related fisheries effects remain minor and not significant, SFF considers that further justification would be beneficial to demonstrate that the combined influence of displacement, exclusion, operational restrictions, gear relocation, snagging risk and long-term infrastructure interactions has been fully assessed at the level of affected fishing businesses and fishing operations. In addition, uncertainty regarding the Offshore Export Cable Corridor and future cable related design outcomes continues to limit confidence in the assessment of combined Project effects.

Fisheries Mitigation, Monitoring and Communication Plan (FMMCP)[16]

SFF acknowledges the substantial revisions made to the Fisheries Mitigation, Monitoring and Communication Plan following stakeholder engagement. In particular, SFF notes that the Applicant has amended a number of provisions in response to concerns raised by fisheries stakeholders, including clarification regarding the status of FLOWW guidance, recognition that coexistence cannot be assumed for all gear types, commitments relating to HorizonWatch participation, provision of plotter compatible spatial information, clarification regarding OFLO deployment and the inclusion of independent Alternative Dispute Resolution within the disruption agreement process.

SFF recognises that the FMMCP may provide a useful framework for fisheries liaison, communication, monitoring and management of fisheries interactions throughout the Project lifecycle. The continued appointment of fisheries liaison personnel, establishment of a Commercial Fisheries Working Group,

[16] MachairWind Ltd, Appendix 10 Fisheries Mitigation, Monitoring and Communication Plan (MachairWind Offshore Windfarm Environmental Impact Assessment Report, May 2026)

commitments to ongoing engagement and provision of operational information represent positive procedural mechanisms for maintaining dialogue between the Applicant and the fishing industry.

However, SFF notes that the FMMCP is primarily procedural in nature and does not in itself remove, avoid or materially reduce many of the fisheries impacts identified within Chapter 12 Commercial Fisheries. Rather, the effectiveness of the plan is dependent upon the future implementation of a range of processes, plans and management arrangements that remain to be developed, refined, agreed or approved.

In particular, many of the fisheries conclusions presented within the EIAR remain dependent upon:

- future Cable Plans
- future Cable Burial Risk Assessments
- future cable routing, burial and protection decisions
- future cable monitoring and exposure management measures
- future Development Specification and Layout Plans
- future Navigational Safety Plans
- future operational monitoring programmes
- future disruption agreement processes and
- future stakeholder engagement and approval processes.

SFF notes that cable burial and cable protection remain among the most important fisheries related mitigation measures relied upon throughout the EIAR. However, the FMMCP confirms that the final cable burial depths, cable protection requirements, burial performance expectations and monitoring arrangements will be determined through future Cable Plans and Cable Burial Risk Assessments informed by further surveys and assessments. Consequently, important assumptions regarding interactions between fishing activity and cable infrastructure remain dependent upon future decision making processes. This is particularly relevant to the Applicant's assessment of gear snagging and long-term fisheries interactions, which rely upon assumptions regarding successful cable burial, minimisation of external cable protection and future cable monitoring arrangements.

SFF further notes that the FMMCP continues to rely upon assumptions regarding future coexistence between fishing activity and Project infrastructure. Whilst the Applicant has amended the document to recognise that coexistence cannot be assumed or guaranteed for all gear types, the plan remains fundamentally directed towards facilitating coexistence where reasonably practicable. SFF welcomes the acknowledgement that coexistence outcomes are uncertain and gear specific, but notes that the FMMCP does not provide additional evidence demonstrating how different fishing methods will safely and practically operate alongside turbines, cable infrastructure, cable protection, scour protection and associated operational activities over the lifetime of the Project.

SFF also notes that the monitoring objectives within the FMMCP continue to be linked to assessing whether fishing activity resumes within or adjacent to the Windfarm Development Area following construction. Whilst the Applicant has clarified that this is intended to monitor actual outcomes rather than assume future fishing behaviour, the monitoring proposals remain largely focused on understanding changes in fishing activity rather than preventing or reducing the underlying impacts that may give rise to those changes.

SFF also notes that fisheries liaison measures, including the appointment of Fisheries Liaison Officers, operation of fisheries liaison groups and dissemination of project information through mechanisms such as Notices to Mariners, are treated as embedded mitigation within Chapter 12. Whilst SFF recognises the value of effective communication and engagement, such measures principally facilitate management of effects rather than directly avoiding or reducing the underlying fisheries impacts that have been identified in the assessment.

Of particular relevance, SFF notes that disruption agreements remain the principal additional mitigation relied upon to reduce significant construction and decommissioning effects on UK crab and lobster potting vessels identified within Chapter 12. The commercial fisheries assessment concludes that significant adverse effects associated with exclusion from fishing grounds and displacement of fishing effort can be reduced from Moderate Adverse to Minor Adverse significance through disruption agreements secured via the FMMCP. Whilst the FMMCP now provides greater detail regarding evidence requirements, indicative timelines and Alternative Dispute Resolution procedures, disruption agreements remain a form of compensation rather than a measure that directly reduces displacement, restores access to fishing grounds or avoids disruption to fishing activity. Consequently, the Applicant's conclusion that significant fisheries effects can be reduced to non significant levels remains dependent upon assumptions regarding the effectiveness of disruption arrangements.

SFF further notes that the FMMCP applies only to the Windfarm Development Area and does not extend to the Offshore Export Cable Corridor, which will be the subject of a separate consent process and separate FMMCP. As identified elsewhere within the EIAR, this limits the extent to which fisheries mitigation measures can currently be considered on a project wide basis.

Overall, SFF considers that the FMMCP represents a potentially useful framework for communication, liaison and management. However, it should not be regarded as primary mitigation in its own right. Many of the measures relied upon throughout the EIAR remain dependent upon future surveys, future cable assessments, future management arrangements, future stakeholder engagement, future agreement processes and future approval of post-consent plans. Consequently, SFF does not consider that reliance on future plans and procedural mechanisms alone provides a sufficient basis for reducing the significance of fisheries impacts at the point of determination. The effectiveness of the FMMCP will ultimately depend upon the future delivery of the measures it describes and the extent to which key assumptions regarding cable burial, cable protection, displacement, coexistence and disruption management are borne out in practice.

Decommissioning and Financial Security

SFF notes that the final decommissioning methodology for the Project will be subject to future regulatory approvals and that the extent of infrastructure removal will ultimately be determined at the time of decommissioning. Given the long operational lifetime of the Project, there remains uncertainty regarding the future technical, environmental and economic circumstances under which decommissioning decisions will be taken.

SFF further notes that the Project includes substantial offshore infrastructure, including foundations, inter-array cables, offshore substation infrastructure, export cable infrastructure and associated cable protection and scour protection measures. Depending on future regulatory requirements and decommissioning methodologies, some infrastructure or protection materials may remain on the seabed following decommissioning.

From a fisheries perspective, partial removal or the retention of infrastructure has the potential to result in:

- long-term seabed obstruction
- continued constraints on fishing activity
- gear snagging and safety hazards
- loss of access to fishing grounds
- reduced recovery of seabed functionality following cessation of operations.

SFF therefore considers it important that decommissioning arrangements seek, wherever practicable, to restore seabed conditions and fishing access to a state that is as close as reasonably achievable to that which existed prior to development. SFF proposes that the Applicant should have a responsibility to explore

and implement technical innovations that could enable the full removal of infrastructure and installations associated with the development from the seabed at the decommissioning stage.

Given the scale and anticipated operational lifetime of the Project, SFF also considers that robust financial security arrangements should be maintained throughout the life of the development to ensure that decommissioning obligations can be delivered in full when required. Such arrangements should provide confidence that sufficient funds will be available to undertake decommissioning, seabed clearance and any associated remedial works, and that future liabilities are not transferred to other marine users or the public purse.

SFF supports the use of periodic review mechanisms to ensure that decommissioning cost estimates remain realistic over time and continue to reflect evolving technical requirements, inflationary pressures and actual decommissioning costs observed elsewhere within the offshore energy sector.

Conclusion
SFF recognises the considerable assessment work undertaken by the Applicant and acknowledges that the application is supported by a substantial fisheries evidence base, extensive stakeholder engagement and a range of proposed management and mitigation measures. SFF also acknowledges that a number of concerns raised through consultation have influenced project development and have resulted in revisions to both the Project design and associated fisheries documentation.

Nevertheless, several of the central conclusions of the commercial fisheries assessment remain dependent upon a relatively small number of recurring assumptions that appear consistently throughout the EIAR. These include assumptions regarding:

- successful cable burial and long-term cable stability
- limited cable protection requirements
- future fishing activity returning to or coexisting with Project infrastructure
- the effectiveness of disruption agreements in reducing significant fisheries impacts
- the ability of displaced fishing effort to be accommodated elsewhere without material consequences
- future management measures that remain subject to post-consent development and approval.

SFF remains particularly concerned that uncertainty regarding cable burial performance, cable protection requirements and future cable intervention activities is not fully reflected in the significance conclusions presented elsewhere in the EIAR. Similar concerns arise in relation to assumptions regarding coexistence, fleet adaptability and the redistribution of fishing activity following displacement. These issues are repeatedly recognised throughout the application but are frequently resolved through assumptions regarding future management and future outcomes rather than evidence currently available.

SFF further notes that assessment of whole-project fisheries effects remains constrained by the proposed separate consenting approach for the Offshore Export Cable Corridor. As a result, significant elements of export cable routing, associated fisheries interactions and future mitigation arrangements remain subject to future assessment and consultation processes.

Accordingly, SFF does not consider that the conclusion that residual effects on commercial fisheries will be predominantly minor adverse and not significant has been fully substantiated. SFF therefore considers that greater certainty is required regarding cable burial performance, cable protection requirements, future fisheries access, displacement outcomes and long-term coexistence before the impacts of the Proposed Development on commercial fisheries can be robustly evaluated. In particular, the Applicant's conclusions remain heavily dependent upon future Cable Plans, Cable Burial Risk Assessments, disruption agreement arrangements and other post-consent processes that have yet to be finalised. The Marine Licence

applications similarly confirm that substantial offshore infrastructure and seabed deposits are proposed, whilst important fisheries related outcomes remain subject to future design and approval processes.

SFF therefore recommends that Marine Directorate – Licensing Operations Team give particular consideration to the unresolved issues relating to cable burial, cable protection, displacement, coexistence, Offshore Export Cable Corridor uncertainty and the reliance placed upon future plans and management processes when determining the applications.

For and on behalf of the Scottish Fishermen's Federation

[Redacted]

[Redacted]
Offshore Consents Assessments Manager
Scottish Fishermen’s Federation

Scottish Water

Tuesday, 30 June 2026

Marine Licensing
375 Victoria Road

Aberdeen

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Customer,

Machair Wind Offshore Wind Farm, North west of Islay, West of Colonsay, PA66 6BN
Planning Ref: MD-00012385/ MD-00012386
Our Ref: DSCAS-0158068-YDQ
Proposal: Construction and Operation of Transmission Infrastructure

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this proposal. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Next Steps:

All developments that propose a connection to the public water or waste water infrastructure are required to submit a Pre-Development Enquiry (PDE) Form via our Customer Portal prior to any formal technical application being submitted, allowing us to fully appraise the proposals

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

[Redacted]
Development Services Analyst
PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Supplementary Guidance

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
    - Site Investigation Services (UK) Ltd
    - Tel: 0333 123 1223
    - Email: sw@sisplan.co.uk
    - www.sisplan.co.uk

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Development Operations department at the above address.

- If a connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or a Sustainable Drainage System (SUDS) proposed to vest in Scottish Water is constructed.

- Please find information on how to submit application to Scottish Water at our Customer Portal.

Tiree Community Council

Tiree Community Council

Convenor: [Redacted]

Representing the community on the island of Tiree

27 July 2026

MD-00012385 / MD-00012386

MachairWind Limited

MachairWind Offshore Wind Farm

This is the response of Tiree Community Council (TCC) to the above application.

TCC has discussed this application as an agenda item at two public meetings. We agreed to reflect the full range of community views in our submission to the consultation.

We published links from the developer's website and the community group site hebrideanhorizon.co.uk on the TCC Facebook page, which has 1400 followers. We did this three times. We also contacted island marine tourism businesses and fishermen.

Tiree has its own experience with wind farm applications. Scottish Power Renewables' Argyll Array stimulated a community campaign against the proposal from 2010 to 2013.

A few islanders did support the MachairWind proposal because it represented an expansion of green energy.

By far the largest number of responses we received, however, were hostile. I have summarised the main points that have been raised:

1. **Visual and Landscape Impact:**

   This response from one islander was typical: 'The scale of the proposal—involving up to 91 turbines standing 340 metres high—is industrialisation on an unprecedented scale. These structures will dominate the horizon, irreversibly damaging the character, tranquillity, and natural beauty of our coastlines, which are vital to our local community and tourism-based economy. The historical and heritage implications are also huge.'

   Several respondents suspected that the visualisations of the turbines from Tiree presented by the applicant did not represent the true scale of the project.

1. **Dark Sky Degradation**:

   This response summed the matter up well: 'The requirement for aviation and maritime safety lighting on these turbines will cause severe light pollution, destroying the dark-sky environment that is a precious and cherished asset of our islands.'

2. **Historic and Cultural:**

   The island's seascape has important historical and cultural significance. Tiree has connections to the other islands of the Inner Hebrides going back to the arrival of St Columba on Iona in the 6th century AD, including the Lords of the Isles on Islay and the MacLeans of Duart on Mull.

   Hynish is at the southwestern tip of the island, and will be the most affected by the development. Skerryvore Lighthouse, said by many to be the most beautiful in the world, was built from a workyard in Hynish. The trustees of the Hynish Trust, a charitable community body that owns the Skerryvore Lighthouse Shore Station, have made this point: 'Hynish is one of Scotland's most important industrial heritage sites. A defining aspect of Hynish's significance is its relationship with the surrounding seascape … The introduction of a major industrial development on the horizon risks undermining these qualities and could have long-term consequences for tourism and the local economy.'

3. **Economic:**

   Many correspondents made the point that the landscape industrialisation caused by MachairWind will harm the tourist economy, one of the largest

sectors on Tiree. This comment was typical: 'Tourism is one of the principal economic drivers for Tiree, Iona, Mull and the wider Hebridean islands. Hotels, restaurants, guest houses, self-catering businesses, wildlife tour operators, boat trips, retail businesses and many other small enterprises depend upon the area's reputation for spectacular scenery, abundant wildlife and an unspoilt environment. 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.'

The island's fixed gear fishing fleet of six boats occasionally uses the waters within the projected footprint of the wind farm. It has also been shown that brown crabs are 'mesmerised' by undersea power cables, inhibiting their movement. This subject is poorly understood. But since it is known that female crustaceans migrate hundreds of miles, it is possible that Tiree fishermen on their traditional grounds will be impacted both during the construction phase and throughout the life of the wind farm.

4. **Wildlife:**

Concern was expressed about the impact of the wind farm on birds flying through the development. Of particular importance is Tiree's corncrake population, currently one-third of the UK's total, and economically important to the island's crofters and visitors. Corncrake migration is nocturnal, and birds are be likely to pass through the projected wind farm. These birds have poor in-flight manoeuvrability, making them more likely to suffer impacts from the rotor blades. Corncrake migration is still poorly understood, and the precautionary principle should apply in this instance.

5. **Lack of Local Benefit:**

Tiree has not been designated a host community—the nearest turbine would be 18 miles from Hynish. There is currently no proposed community benefit to Tiree in the application. As one of our correspondents wrote: 'Tiree, Iona, Mull and the surrounding Hebridean islands would bear many of the consequences of this proposal through changes to their landscape, seascape, dark skies and visitor experience, yet there is little evidence that the development will deliver significant long-term employment, meaningful investment in local infrastructure or reduced electricity costs for our island communities. Most construction activity and specialist maintenance are likely to be undertaken by

contractors based elsewhere, with only a limited number of permanent operational roles remaining locally.'

Conclusion

It is therefore fair to say that the overwhelming majority of opinion on MachairWind Offshore Wind Farm submitted to Tiree Community Council is strongly against the proposal.

Yours sincerely,

[Redacted] Secretary, Tiree Community Council

Balephuil
Isle of Tiree
PA77 6UE

[Redacted]

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Tiree Community Council (2)

Marine Directorate
Licensing Operations Team
375 Victoria Road
Aberdeen
AB11 9DB

[Redacted]
Sliabh
Balephuil
Isle of Tiree
PA77 6UE
[Redacted]

27/07/2026

Re: MachairWind Offshore Wind Farm

Reference: 00012385 / 00012386

Dear Sir/Madam,

I hereby submit a formal objection to the MachairWind Offshore Wind Farm proposals, referenced by application numbers 00012385 for consent under section 36 of the Electricity Act 1989, and 00012386 for a marine licence under Part 4 of the Marine (Scotland) Act 2010. These applications have been lodged by MachairWind Limited, a subsidiary of ScottishPower Renewables. I request that this objection be officially recorded, that I be registered as an objector, and that I receive notification of the outcome of these applications.

The project under consideration seeks approval for an offshore wind farm with an installed capacity of approximately 2 gigawatts. The development entails the installation of between 91 and 144 turbines, each reaching a maximum blade tip height of up to 335 metres. The proposed site encompasses a Windfarm Development Area spanning around 448 square kilometres of marine environment situated to the north-west of Islay and west of Colonsay. This location lies approximately 21 kilometres from the island of Iona and is in close proximity to the islands and coastal communities of the southern Hebrides.

The grounds for objection are detailed below, structured in accordance with the pertinent statutory and policy framework that governs the determination of these applications. It is

important to emphasise that the onus lies with the applicant to convincingly demonstrate, supported by robust evidence, that all relevant statutory and policy tests are satisfied. Objectors bear no obligation to prove contrary positions. Based on the deficiencies identified herein, it is evident that the applicant has failed to meet this evidential burden, and therefore, consent should be refused.

Legislative and Policy Framework

The section 36 application must be determined in accordance with the Electricity Act 1989, under which Schedule 9 imposes specific duties on the applicant. It requires careful regard to be given to the desirability of preserving natural beauty, conserving flora, fauna, and geological or physiographical features of special interest, and protecting sites, buildings, and objects of architectural, historic, or archaeological significance. Additionally, the applicant is obliged to take all reasonable measures to mitigate any adverse effects their proposals might have on these matters. Equally, the Scottish Ministers are mandated to consider these factors when reaching their decision. This statutory framework ensures that the environmental and heritage implications of the proposal are thoroughly assessed and appropriately addressed, safeguarding the integrity of these valued assets throughout the decision-making process.

The determination of the marine licence application must adhere to Part 4 of the Marine (Scotland) Act 2010, requiring that authorisation decisions align with Scotland's National Marine Plan unless other relevant considerations arise. This legal framework ensures that the application is assessed against a comprehensive set of policies designed to manage marine activities sustainably and responsibly.

Specifically, the National Marine Plan's General Policies provide critical guidance pertinent to this proposal. These include GEN 4, which addresses the need for coexistence between marine users; GEN 6 and accompanying paragraphs 4.22 to 4.23, which focus on protecting the historic environment; GEN 7 alongside paragraph 4.28, which safeguard landscape and National Scenic Areas; GEN 9 concerning natural heritage; GEN 13 and GEN 18 relating to engagement processes; GEN 19 and paragraph 4.81, which set standards for sound evidence; and finally, GEN

21 with paragraph 4.85, which emphasise consideration of cumulative impacts. Compliance with these policies is essential to ensure that the marine licence application is thoroughly evaluated in a manner consistent with statutory marine planning obligations.

In assessing the proposal against the requirements of National Planning Framework 4 and associated environmental regulations, it is important to consider the mitigation measures alongside the identified potential impacts. The framework highlights several key policies relevant to the proposal, including Policy 3 on Biodiversity, Policy 4 on Natural Places, Policy 7 concerning Historic Assets and Places, and Policy 11 addressing Energy. The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, as well as the marine works equivalent, mandate a thorough identification and assessment of likely significant effects prior to determination. These requirements ensure that environmental impacts are systematically evaluated, and mitigation measures are designed to minimise harm to biodiversity, heritage, and natural environments.

Furthermore, the proposal must comply with the Habitats Regulations, which govern effects on European protected sites. This adds an additional layer of protection for sensitive ecological areas, requiring any adverse effects to be avoided or appropriately mitigated. The Islands (Scotland) Act 2018 also plays a crucial role by obliging decision-makers to assess and give due weight to the interests of island communities potentially affected by the development. This ensures that social and community considerations are integrated into the planning process alongside environmental and heritage concerns, promoting a balanced approach to sustainable development.

Overall, compliance with these national policies and legislative requirements demonstrates a commitment to a holistic planning approach. While the proposal must be scrutinised for its environmental and community impacts, the presence of established mitigation frameworks and statutory protections provides confidence that significant adverse effects can be appropriately managed. Continued careful assessment and adherence to these standards will support a decision that aligns with national priorities for biodiversity, heritage conservation, energy development, and community wellbeing.

The framework governing renewable energy development explicitly requires that each statutory and policy protective criterion be met before support can be granted. As affirmed in the evidence, there is no unconditional endorsement of renewable energy; rather, proposals must be rigorously assessed against all relevant tests to ensure compliance and appropriateness. This established requirement forms the basis upon which this representation is made.

Consequently, any renewable energy proposal that fails to satisfy these protective tests, as demonstrated by the evidence on record, warrants objection. It is imperative that planning decisions maintain fidelity to these criteria to balance the imperative for renewable energy with the necessary safeguards, thereby justifying opposition where proposals do not fully comply.

Conflict with National Planning Framework 4 and the Development Plan

The practical consequence of the proposal's failure to meet the impact criteria set out in NPF4 Policy 11 is that it cannot receive the policy's intended support for renewable energy development. While Policy 11 endorses such development, this support is conditional upon compliance with specific impact tests designed to protect communities, landscapes, seascapes, and other sensitive receptors. The proposal, however, does not satisfy these conditions, thereby undermining its eligibility for policy backing.

In particular, the proposal would result in significant adverse effects on nationally designated landscapes and seascapes, contrary to the requirements of Policy 11(d) and 11(e). Furthermore, there is insufficient evidence to demonstrate that the cultural significance of scheduled monuments and their settings would be preserved, as required by the policy. The safeguarding of island communities, a concern addressed under Policy 11(c), has also not been convincingly assured. These shortcomings collectively indicate a clear conflict with the policy's impact criteria.

Moreover, the ecological tests integral to Policy 11 have not been shown to be met based on the evidence submitted. This lack of assurance regarding ecological impact further weakens the proposal's alignment with the policy framework. In summary, the proposal's failure to satisfy these critical impact requirements means it cannot legitimately benefit from the support that

NPF4 Policy 11 offers for renewable energy projects.

In considering the proposal, it is important first to assess the mitigation measures in relation to the relevant policies within the National Planning Framework 4 (NPF4) that are designed to protect nationally important assets. Policy 11 must be read in conjunction with Policies 4(c) and 4(d), which safeguard National Scenic Areas and nationally important landscapes from significant adverse effects on the qualities for which they have been designated. Additionally, Policy 7, particularly Policy 7(h) concerning scheduled monuments and Policies 7(c) and 7(d) on the setting of historic assets, alongside Policy 3 relating to biodiversity, collectively establish a robust framework to ensure the preservation of designated assets.

Upon detailed examination, the proposal fails to satisfy these interconnected policies. It would result in significant adverse effects on nationally designated landscapes and seascapes, contravening the protections envisaged under Policies 4(c) and 4(d). Furthermore, the evidence submitted does not demonstrate that the cultural significance of scheduled monuments and their settings would be adequately safeguarded, thus conflicting with the requirements of Policy 7. The protection of island communities, an important consideration within these policies, has also not been assured. Finally, the ecological assessments provided fail to meet the necessary tests stipulated under Policy 3, leaving uncertainty as to whether biodiversity interests can be effectively protected.

In conclusion, the proposal does not comply with multiple relevant NPF4 policies intended to protect designated landscapes, heritage assets, and biodiversity, resulting in significant adverse impacts that cannot be satisfactorily mitigated on the basis of the current evidence.

There remains uncertainty as to how the proposal aligns with the terrestrial development plan framework, particularly the Argyll and Bute Local Development Plan 2. On land, the proposal would adversely affect landscape, heritage, and community interests that these policies are specifically designed to protect. Consequently, it is evident that the proposal conflicts with both the local development plan and the National Planning Framework 4 when considered in its entirety. The applicant has not provided sufficient evidence to dispel these conflicts, and therefore the proposal cannot be regarded as compliant with the relevant development plan policies.

Seascape, Landscape and Visual Effects

The applicant's assessment methodology lacks a clearly defined distance threshold beyond which major effects are considered to cease, undermining the reliability of the predicted impacts. Analysis of the applicant's Chapter 16 and Appendices 16.1 to 16.3 reveals a consistent pattern across all assessment streams: no highly sensitive receptor beyond approximately 20 kilometres from the development area is attributed the highest magnitude of change, regardless of receptor sensitivity or visibility extent. Furthermore, the applicant's own documents acknowledge the influence of distance in their judgements. For example, a coastal area situated over 30 kilometres away is assessed as experiencing only a small scale of change due to the viewing distance. The Landscape Character synthesis delineates High magnitude effects within roughly 20 kilometres, Medium effects between 20 and 30 kilometres, and Low effects beyond 30 kilometres for certain landscape types. This systematic moderation of magnitude at distances corresponding to the locations of the most sensitive designated landscapes results in understated inputs to the protective assessments. Consequently, the conclusions drawn do not provide a reliable description of the effects on these landscapes, calling into question the adequacy of the evidence on which Scottish Ministers are being asked to base their consent decision.

The visual materials submitted in support of the assessment inherently limit the ability to accurately convey the scale and impact of the proposed development as experienced on site. NatureScot's visualisation guidance, which the applicant follows, explicitly acknowledges that printed visualisations cannot fully replicate the scale a viewer perceives in the field. Furthermore, the wireline drawings included within the same panoramic projections are constrained by the same technical limitations as the accompanying photography; they serve as a technical rendering within the visualisation rather than functioning as an independent means of correcting or enhancing perceptual accuracy. Consequently, reliance on these visual materials may result in an underestimation of the true visual effects, and their limitations should be given due consideration when assessing the overall impact.

The proposed development would introduce aviation and navigation lighting to a sea horizon that is currently unlit, resulting in a permanent alteration of the night-time seascape character for the

duration of its 35-year operational life. This change would be significant, as the existing darkness of the seascape contributes to its natural character and visual amenity. The introduction of artificial lighting in this previously unlit environment would fundamentally transform the experience of the seascape during night-time hours.

Moreover, it is important to note that the 35-year operational period does not limit the extent of harm in policy terms. Granting consent for this development effectively signifies that the seascape is deemed suitable for wind farm use, with all the consequent impacts on its character and qualities. This policy implication underscores the weight of the decision, as it would set a precedent for the acceptability of such developments in this seascape.

In conclusion, the introduction of permanent lighting would cause a lasting and material change to the night-time seascape character, and consenting to the development would represent a policy judgment that this change is acceptable. This consideration should be central to the assessment of the proposal's compliance with seascape and visual impact policies.

The proposal's acknowledged effects on landscape and seascape interests are significant and engage multiple key policies, specifically NPF4 Policies 4(c), 4(d), 11(d), 11(e), as well as GEN 7 and paragraph 4.28 of the National Marine Plan. These policies collectively serve to safeguard nationally important landscapes and seascapes, establishing a clear framework against which the proposal must be assessed.

However, the applicant has failed to substantiate that its conclusions regarding the scale of these effects align with its own established methodology. This lack of methodological consistency undermines the reliability of the impact assessment and calls into question the robustness of the evidence presented in support of the proposal. Consequently, there is a failure to demonstrate that the development would comply with the stringent protections afforded by the relevant policies.

In light of this, the proposal does not meet the necessary planning policy requirements designed to protect landscape and seascape interests of national importance. Therefore, on the basis of non-compliance with these fundamental policies, the application should not be supported.

Cultural Landscape, Archaeology and Historic Environment

The applicant's assessment of heritage impacts fails to comply with the required methodology, thereby undermining the reliability of its conclusions regarding the integrity of setting. Although the applicant adopted Historic Environment Scotland's recognised methodology—which mandates evaluating whether changes affect the contribution setting makes to cultural significance and whether the integrity of setting is adequately retained—it stops short of fulfilling these requirements in practice. The applicant's assessment primarily describes visual changes, focusing on visibility, distance, monument prominence, retained views, screening, and skyline occupation. However, as demonstrated by the Methodological Audit prepared in support of community objections, these descriptive elements do not amount to the critical evaluative step the methodology demands. The Audit, working solely from the applicant's Appendix 14.3, highlights that the assessment does not explicitly demonstrate how the integrity of setting has been assessed in accordance with the methodology. Without this essential evaluation, the conclusion that the integrity of setting is adequately retained lacks evidential foundation. Consequently, the assessment's failure to apply the methodology properly calls into question the validity of its heritage impact conclusions.

The practical consequence of overlooking the broader cultural landscape and experiential qualities in the applicant's assessment is that the true impact on the heritage assets may be underestimated. The applicant's own baseline acknowledges that the cultural significance of the affected heritage assets is deeply rooted in dynamic qualities such as pilgrimage, arrival by sea, movement through a living cultural landscape, and the interrelationships between monuments, spirituality, and the encompassing landscape and seascape. These attributes are fundamentally experienced through movement rather than from static viewpoints, indicating that any assessment focusing solely on fixed perspectives risks missing critical elements of the heritage value.

Furthermore, Historic Environment Scotland's consultation responses, as recorded within the application, explicitly requested additional viewpoints to ensure these wider experiential qualities were adequately captured. This highlights that the current assessment does not fully represent the complexity of the cultural significance identified. A more comprehensive approach is therefore

necessary to properly evaluate the heritage impacts in a manner consistent with the qualities that underpin the significance of these assets. Without this, the assessment may fail to safeguard the holistic values that contribute to the heritage assets' importance.

The practical consequence of deficiencies in the landscape assessment is a corresponding undermining of the credibility of the heritage impact conclusions. As the heritage conclusions rely directly on the findings of the landscape assessment, any understatement of landscape effects necessarily transfers to the heritage analysis. This interdependence means that if landscape effects are not fully or accurately recognised, the subsequent heritage impact conclusions will similarly underestimate the true extent of harm. Therefore, the validity of the heritage conclusions is compromised by the initial shortcomings in the landscape evaluation, calling into question the robustness of the overall impact assessment.

The applicant's submission engages directly with the requirements of NPF4 Policy 7, specifically subsection (h) concerning scheduled monuments and subsections (c) and (d) relating to their setting, as well as Policy GEN 6 and paragraphs 4.22 to 4.23 of the National Marine Plan. These policies collectively mandate the protection of the cultural significance of heritage assets, particularly those of international and national importance, alongside careful consideration of their surrounding context.

However, the applicant has failed to demonstrate that the cultural significance of these heritage assets and their settings will be adequately safeguarded. Moreover, the Scottish Ministers have not been provided with the necessary assessment to support any such conclusion. This absence of critical evidence undermines the application's compliance with key heritage protection policies and calls into question its overall acceptability.

Effects on Island Communities, Tourism and the Local Economy

While mitigation measures may seek to address certain impacts, they cannot fully compensate for the fundamental harm posed by the proposal to the qualities that attract visitors to the island communities in question. The applicant's own baseline assessments identify key attributes such as landscape, seascape, cultural heritage, tranquillity and remoteness as the primary reasons

visitors are drawn to these areas. These qualities form the essential foundation upon which the local economies depend, and any alteration or degradation of these attributes would have profound consequences.

The exceptional reliance of these island communities on visitor-generated income means that changes undermining their appeal strike directly at their economic base. This, in turn, jeopardises the provision of local services, threatens population retention, and undermines the overall social and economic sustainability of these communities. It is therefore clear that the proposal, by impacting the very qualities that attract visitors, poses a serious risk to the continuing viability of the islands. Such fundamental effects cannot be adequately mitigated and must be given significant weight in the planning decision.

The applicant's socio-economic assessment fails to provide an adequate understanding of the impacts on island communities, particularly when compared to the detailed evaluation of port communities. While the assessment recognises habitability as a potentially significant pathway affecting island communities, no subsequent place-based analysis of the islands' habitability was undertaken. Instead, Chapter 18 confines its detailed scrutiny to regional and port community impacts, ultimately concluding that island communities exhibit low sensitivity to tourism-related effects. This inconsistent approach undermines the robustness of the assessment and weakens any mitigation strategies proposed for these vulnerable communities.

Island economies are distinctive and cannot be accurately represented by regional averages. Their economic structure is heavily concentrated in sectors that are directly reliant on the attributes attracting visitors, making them inherently more sensitive to any changes affecting those qualities. Indeed, dependence on increasing visitor numbers intensifies, rather than diminishes, their vulnerability. Therefore, the applicant's conclusion of low sensitivity—arrived at without a proper place-specific analysis—is not supported by evidence but rests on an unfounded assumption. This methodological shortcoming calls into question the validity of the socio-economic assessment and the adequacy of proposed mitigations for the island communities concerned.

The applicant acknowledges that island communities require particular scrutiny in the planning process but has failed to undertake the necessary assessment to understand the proposal's effects

on these communities. Despite this recognition, the evidence provided does not demonstrate that the proposal is compatible with the principles of sustainable island communities. Consequently, the applicant has not discharged the statutory duties owed to these communities, as required by the relevant policy and legislative framework.

This omission directly conflicts with the requirements set out in GEN 19 and paragraph 4.81 of the National Marine Plan, which mandate that decisions be based on sound socio-economic evidence and adopt a precautionary approach where such evidence is lacking. Furthermore, NPF4 Policy 11(c) and the Islands (Scotland) Act 2018 require that the interests of island communities be assessed and given appropriate weight through meaningful engagement from the inception to the conclusion of any proposal. The absence of such assessment and engagement means the proposal fails to meet required planning and statutory standards, thereby undermining the protection and sustainability of island communities.

Ecology, Biodiversity and Habitats Regulations

The development area encompasses Priority Marine Features and Annex I habitats, placing highly sensitive ecological assets directly within the zone of proposed activity. Surrounding waters are also known to support a range of protected species, including seabirds, marine mammals, and basking sharks, which rely on these habitats for feeding, breeding, and migratory pathways. The scale of the proposal is substantial, involving construction, operation, and eventual decommissioning phases extending over several decades, thereby introducing prolonged and potentially cumulative pressures on these environmentally critical components.

Given the ecological significance of the site and adjacent marine environment, the introduction of large-scale industrial activity raises serious concerns regarding adverse environmental effects. The presence of Priority Marine Features within the development footprint, coupled with the usage of surrounding waters by protected species, underscores the need for rigorous assessment and mitigation strategies. Without such measures, the proposal risks causing substantial harm to habitats and species of national and international importance, undermining biodiversity objectives and statutory conservation priorities.

The applicant has submitted a Without Prejudice Derogation Case alongside a Without Prejudice Guillemot Compensation Plan specifically targeting the guillemot population within the North Colonsay and Western Cliffs Special Protection Area. Such documents are characteristically prepared in circumstances where an adverse effect on the integrity of the protected site cannot be definitively excluded. The inclusion of these submissions is a notable aspect of the application, as it acknowledges the potential for significant impacts on protected habitats. Importantly, the applicant's approach indicates that Scottish Ministers may ultimately reach a different conclusion regarding the presence or extent of any adverse effects. These documents are therefore intended to address and mitigate potential impacts under derogation provisions, demonstrating the applicant's recognition of ecological sensitivities and the need for compensatory measures.

In practice, this means that any development proposal affecting protected habitats or species must meet an exceptionally high evidential threshold before consent can be granted. The competent authority is legally required to ensure that the proposal will not adversely affect the integrity of the protected site, and this must be established beyond reasonable scientific doubt. It is not sufficient for applicants simply to propose mitigation, compensation, or future monitoring measures; these alone do not satisfy the statutory tests under the Habitats Regulations.

This legal framework is reinforced by relevant planning policies, including GEN 9 and GEN 13 of the National Marine Plan as well as Policies 3, 4(b), 4(e), and 4(f) of the National Planning Framework 4. Together, these regulations and policies establish a stringent consent regime that places the burden of proof firmly on the applicant to demonstrate compliance. Consequently, decision-makers must be satisfied on robust scientific grounds before any approval is considered.

The applicant has failed to demonstrate compliance with the statutory tests designed to protect internationally important habitats and species, as evidenced by their own derogation documents. These documents reveal significant uncertainty regarding the ability to meet the legal requirements essential for safeguarding these ecological features. Without clear satisfaction of these tests, the application inherently risks causing harm to protected environmental assets.

This lack of demonstrable compliance undermines the fundamental basis for granting consent. The statutory framework exists to ensure that developments do not adversely affect internationally important ecological interests unless strict criteria are met. The evidence before

the decision-maker does not provide the necessary assurance that these criteria have been fulfilled, meaning the application falls short of the legal standards required for approval.

In conclusion, the failure to satisfy the statutory protection tests for internationally important habitats and species decisively weighs against this proposal. On the evidence submitted, consent should not be granted as doing so would conflict with statutory obligations and the overarching duty to conserve critical ecological assets.

Cumulative and In-Combination Effects

There is significant uncertainty arising from the current approach to assessing the project, as only a portion of it is presently before the Scottish Ministers. Critical components, namely the export cable corridor and the onshore transmission works, are excluded from this application and deferred to subsequent proposals. Without these elements, the wind farm cannot function, yet their impacts are not considered alongside the main project in a single, comprehensive assessment.

This fragmented approach results in an incomplete evaluation of the project's overall effects. By deferring important parts to later consenting processes, the cumulative and interrelated impacts cannot be properly understood or weighed at the principal decision stage. Such segmentation raises concerns about the adequacy and legality of the environmental and planning assessments undertaken to date.

Importantly, this method is contrary to established legal principles. The courts, in the Raeshaw Farms case, have affirmed that a project must be assessed in its entirety and not artificially divided into smaller parts whose individual impacts might appear less significant. Therefore, the current assessment process undermines these principles by effectively salami-slicing the project, which calls into question the validity of the consent decision based on incomplete information.

The practical consequence of relying on the cumulative assessments as presented is that the true combined effects of the proposed development, alongside other existing, consented, and foreseeable projects, are significantly underestimated. This underestimation arises directly from

the baseline conditions established in the Environmental Impact Assessment, which have been shown to understate the effects on landscape, heritage, and socio-economic factors. As the cumulative assessment depends on these initial conclusions, any reduction in baseline impact assessments inevitably leads to a diminished understanding of overall cumulative effects.

Analytically, this means that the cumulative assessment does not provide a reliable or comprehensive evaluation of the development's total impact. By adopting a reduced baseline, the combined consequences fail to capture the full extent of change that would occur in the environment and community. This flaw undermines the robustness of the cumulative impact conclusions and suggests that decision-makers may not be fully informed about the scale and severity of the combined developments. Consequently, the assessment should be revisited with more accurate baseline data to ensure that cumulative effects are properly understood and addressed.

The assessment finds that the proposal does not comply with key planning policies and environmental regulations concerning project splitting and the evaluation of cumulative effects. Specifically, it fails to meet the standards set out in GEN 21 and paragraph 4.85 of the National Marine Plan, as well as NPF4 Policy 11(e). Furthermore, the requirements of the Environmental Impact Assessment Regulations have not been satisfactorily addressed, resulting in an incomplete appraisal of the environmental implications.

It is evident that the applicant has not demonstrated a reliable identification and assessment of the cumulative and in-combination effects of the proposal. In particular, there is a lack of clarity regarding the overall impact of the project as a whole, with deferred works not having been adequately considered within the environmental evaluation. This omission undermines the integrity of the assessment and leaves a significant gap in understanding the full consequences of the development.

In conclusion, given these shortcomings, it is essential that the decision-making process explicitly addresses the treatment of the deferred works and ensures a comprehensive evaluation of cumulative effects is conducted. Without this, the proposal remains inconsistent with the relevant policy and regulatory framework, and approval would be premature. It is therefore requested that these matters be fully resolved before any determination is made.

Public Engagement, Site Selection and Environmental Information

When comparing the consultation process for this application with the standards embodied in GEN 18 of the National Marine Plan and the principles of effective public participation as set out in the Aarhus Convention, it is clear that the affected communities have not been afforded a realistic opportunity to engage meaningfully with decisions of this scale. While the applicant has had years to prepare their case, supported by substantial professional and financial resources, the public has faced significant constraints. The consultation period coincided with the busiest months of the year for island communities, a time when residents are engaged continuously in the visitor season and when access to specialist advice is most limited. This imbalance undermines the effectiveness and fairness of the participation process.

The deficiencies observed at both the plan and site-selection stages have persisted into the application phase, further diminishing the legitimacy of the site-selection process. The application documentation runs to many thousands of pages of technical material, creating a formidable barrier for meaningful public involvement under the conditions imposed. Given the weight the applicant seeks the Scottish Ministers to place on the site-selection process, the shortcomings in public participation are directly material and must be taken into account. It is imperative that Ministers bear these factors firmly in mind when considering the representations made, as the integrity of the decision-making process depends on adherence to established standards of consultation and public engagement.

The environmental information presented within the application falls short of the standards required for a thorough Environmental Impact Assessment (EIA), particularly when compared to the robust evidence necessary to inform Scottish Ministers' decisions effectively. While the application does identify potential pathways to significant effects across various topics, it either fails to investigate these pathways comprehensively or relies upon methodologies that lack the rigor to substantiate the conclusions reached. For example, the landscape assessment produces outcomes based on a distance pattern absent from its own methodology, the heritage assessment does not evidence the application of its prescribed integrity test, and the socio-economic assessment omits a place-based analysis of the affected islands. Such deficiencies undermine the

reliability of the environmental evidence and distinguish it unfavourably from the standards of sufficiency required by the EIA Regulations.

Furthermore, the application frequently depends on future assessments, post-consent plans, ongoing monitoring, and subsequent approvals to address outstanding environmental concerns. This approach is incompatible with the fundamental requirement that likely significant effects must be understood before determination, as prescribed by the EIA Regulations. Scottish Ministers are obliged to base their decisions on the evidence currently before them rather than on speculative assurances that unresolved matters will be satisfactorily addressed in the future. Given that the applicant has not demonstrated that the environmental information submitted is adequate for this purpose, it follows that the EIA as presented is insufficient to support an informed and lawful determination of the application.

Effects on Local Area

The applicant's assessment that the South Tiree coastal area, situated approximately 35 kilometres from the proposed development, would experience only a Low magnitude of change fails to acknowledge the practical consequences for the island's landscape character. Given the High sensitivity attributed to this receptor, this conclusion significantly understates the actual impact, leading to an unreliable evaluation of effects.

Tiree's landscape is uniquely defined by its exceptionally low-lying topography and the dominance of sea and sky. With its highest elevation at Ben Hynish reaching merely 141 metres, the island's character depends heavily on an uninterrupted open oceanic horizon. The introduction of turbines up to 335 metres tall would create vertical structures unprecedented in this seascape, fundamentally altering the visual experience and character of Tiree's environment.

This marked contrast between the island's natural landscape and the scale of the proposed turbines demonstrates that the assessment's Low magnitude rating is inappropriate. A more robust evaluation is necessary to accurately reflect the significance of the change and to ensure that the distinctive qualities of Tiree's landscape are properly considered in decision-making.

Planning Balance

There remains some uncertainty regarding the extent to which the benefits claimed by the applicant will materialise. On one side of the balance stand the benefits the applicant claims: renewable energy generation and associated economic activity, asserted at national and regional level. These benefits merit careful consideration as part of the overall planning balance, yet their precise impact and distribution require thorough scrutiny before definitive conclusions can be reached.

While the applicant proposes mitigation measures to address potential impacts, these do not sufficiently counterbalance the significant harms identified. Notably, there are substantial adverse effects on nationally designated landscapes and seascapes, impacts that the applicant itself acknowledges. Furthermore, the proposal fails to demonstrate adequate protection for heritage assets of international importance. The concerns extend to island communities, whose specific effects were recognised by the applicant's own consultants yet remain unassessed. Ecological considerations also present unresolved issues; the applicant's derogation documents reveal that the necessary ecological tests cannot currently be satisfied. Additionally, the cumulative effects have been evaluated against an understated baseline, and the assessment pertains only to a portion of the project under consideration by the Ministers. Taken together, these factors constitute significant and demonstrable harm that weighs heavily against the proposal in the planning balance.

The planning balance cannot be favourably struck for the applicant given the statutory and policy framework constraints identified. Unlike mitigation measures that might offset certain impacts, the statutory requirements impose clear thresholds that the proposal has failed to meet. Schedule 9 to the Electricity Act 1989 mandates weighing the preservation of natural beauty and protection of historic interest—criteria the applicant has not demonstrated compliance with. Additionally, the National Marine Plan enforces protective policies which the proposal must satisfy but has not. Furthermore, while NPF4's Policy 11 supports renewable energy, this support is conditional on meeting specific impact criteria that remain unfulfilled in this case. Throughout, the responsibility to prove adherence to these statutory and policy obligations lies firmly with the

applicant, who has not discharged this burden. Therefore, the proposal stands contrary to the essential legal and policy tests that govern planning decisions.

The evidence demonstrates that the planning balance has been conducted on the basis of understated effects, rendering it inherently unreliable. The permanence of the harms inflicted upon the affected communities and places cannot be justifiably outweighed by benefits that remain asserted rather than conclusively demonstrated. Such a balance fails to meet the rigorous standards required for informed decision-making in the planning process.

Consequently, the weight of the evidence compels the conclusion that the planning balance must fall against the grant of consent. Given the irreversible nature of the adverse impacts and the lack of substantiated benefits, it is both reasonable and necessary to withhold approval in this instance.

Personal Observations

In addition to the planning matters above, Tiree Community Council (TCC) would like to make these particular points:

TCC has discussed this application as an agenda item at two public meetings. We agreed to reflect the full range of community views in our submission to the consultation.
We published links from the developer's website and the community group site hebrideanhorizon.co.uk on the TCC Facebook page, which has 1400 followers. We did this three times. We also contacted island marine tourism businesses and fishermen.

Tiree has its own experience with wind farm applications. Scottish Power Renewables' Argyll Array stimulated a community campaign against the proposal from 2010 to 2013.
A few islanders did support the MachairWind proposal because it represented an expansion of green energy.

By far the largest number of responses we received, however, were hostile. I have summarised

the main points that have been raised:

1. Visual and Landscape Impact:
This response from one islander was typical: ‘The scale of the proposal—involving up to 91 turbines standing 340 metres high—is industrialisation on an unprecedented scale. These structures will dominate the horizon, irreversibly damaging the character, tranquillity, and natural beauty of our coastlines, which are vital to our local community and tourism-based economy. The historical and heritage implications are also huge.’

Several respondents suspected that the visualisations of the turbines from Tiree presented by the applicant did not represent the true scale of the project.

1. Dark Sky Degradation:

This response summed the matter up well: ‘The requirement for aviation and maritime safety lighting on these turbines will cause severe light pollution, destroying the dark-sky environment that is a precious and cherished asset of our islands.’

2. Historic and Cultural:

The island’s seascape has important historical and cultural significance. Tiree has connections to the other islands of the Inner Hebrides going back to the arrival of St Columba on Iona in the 6th century AD, including the Lords of the Isles on Islay and the MacLeans of Duart on Mull.

Hynish is at the southwestern tip of the island, and will be the most affected by the development. Skerryvore Lighthouse, said by many to be the most beautiful in the world, was built from a workyard in Hynish. The trustees of the Hynish Trust, a charitable community body that owns the Skerryvore Lighthouse Shore Station, have made this point: ‘Hynish is one of Scotland's most important industrial heritage sites. A defining aspect of Hynish's significance is its relationship with the surrounding seascape … The introduction of a major industrial development on the horizon risks undermining these qualities and could have long-term consequences for tourism and the local economy.’

3. Economic:

Many correspondents made the point that the landscape industrialisation caused by MachairWind will harm the tourist economy, one of the largest sectors on Tiree. This comment was typical: ‘Tourism is one of the principal economic drivers for Tiree, Iona, Mull and the wider Hebridean islands. Hotels, restaurants, guest houses, self-catering businesses, wildlife tour operators, boat trips, retail businesses and many other small enterprises depend upon the area's reputation for spectacular scenery, abundant wildlife and an unspoilt environment. 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.’

The island’s fixed gear fishing fleet of six boats occasionally uses the waters within the projected footprint of the wind farm. It has also been shown that brown crabs are ‘mesmerised’ by undersea power cables, inhibiting their movement. This subject is poorly understood. But since it is known that female crustaceans migrate hundreds of miles, it is possible that Tiree fishermen on their traditional grounds will be impacted both during the construction phase and throughout the life of the wind farm.

4. Wildlife:

Concern was expressed about the impact of the wind farm on birds flying through the development. Of particular importance is Tiree’s corncrake population, currently one-third of the UK’s total, and economically important to the island’s crofters and visitors. Corncrake migration is nocturnal, and birds are be likely to pass through the projected wind farm. These birds have poor in-flight manoeuvrability, making them more likely to suffer impacts from the rotor blades. Corncrake migration is still poorly understood, and the precautionary principle should apply in this instance.

5. Lack of Local Benefit:

Tiree has not been designated a host community—the nearest turbine would be 18 miles from Hynish. There is currently no proposed community benefit to Tiree in the application. As one of our correspondents wrote: ‘Tiree, Iona, Mull and the surrounding Hebridean islands would bear many of the consequences of this proposal through changes to their landscape, seascape, dark

skies and visitor experience, yet there is little evidence that the development will deliver significant long-term employment, meaningful investment in local infrastructure or reduced electricity costs for our island communities. Most construction activity and specialist maintenance are likely to be undertaken by contractors based elsewhere, with only a limited number of permanent operational roles remaining locally.'

Conclusion

It is therefore fair to say that the overwhelming weight of opinion on MachairWind Offshore Wind Farm submitted to Tiree Community Council is strongly against the proposal.

Summary

The proposal for the MachairWind Offshore Wind Farm fails to meet the requisite statutory and policy standards governing its determination. The applicant's own evaluation acknowledges substantial impacts on nationally designated landscapes, as well as on the heritage and communities along this coastal region. Independent analysis of the submitted documents reveals that these impacts have been consistently underestimated. Notably, a comprehensive heritage assessment, mandated by policy, has not been conducted. Additionally, while the potential effects on the island communities have been identified, no formal assessment of these impacts has been undertaken. The applicant has also not demonstrated compliance with the necessary ecological criteria. Furthermore, the application before the Scottish Ministers is incomplete, as it only addresses a portion of the overall project.

Given these deficiencies, I respectfully urge the Scottish Ministers to refuse consent for the MachairWind Offshore Wind Farm and to deny the associated marine licence. Should the Ministers be inclined not to refuse the application outright, I request that they require the submission of further environmental information alongside enhanced visualisations. I also propose that the applications be adjudicated only following a public inquiry, enabling a thorough examination of the issues raised in this objection. Regardless of the final determination, I ask that the Ministers explicitly articulate their conclusions on the impacts to cultural heritage and the island communities in their decision statement.

Yours faithfully,

[Redacted]

UK Chamber of Shipping

From:	**[Redacted]**
To:	MD Marine Renewables
Subject:	RE: MD-00012385/ MD-00012386 - MachairWind Limited – MachairWind Offshore Wind Farm – Windfarm Development Area - EIA Section 36 consent and Marine Licence Applications - Consultation – Response Required by 15 August 2026
Date:	18 August 2026 16:15:28
Attachments:	image004.png image006.png

Dear Marine Directorate.

Thank you for the email follow up. A draft response was written but not submitted. Please find that below.

The UK Chamber of Shipping's has been actively engaged with the Applicant throughout the consultation process for the proposed MachairWind Offshore Windfarm. As the primary trade association representing the UK shipping industry, our priority is ensuring the continued safety and efficiency of the commercial shipping industry.

Based on our evaluation of the technical evidence, vessel traffic data, and collision/allision modelling presented within the Navigational Risk Assessment (NRA), we have no overall objection to the Section 36 consent application, subject to the mandatory consent conditions.

Iterative refinements to the Windfarm Development Area (WDA), specifically eastern boundary refinements and northern setbacks, have materially addressed several primary objections regarding route squeezing and light interaction. Provided that the developer adheres to all embedded mitigations, MGN 654 layout principles, and mandatory consent conditions detailed herein, the residual navigational risks to commercial shipping are considered As Low As Reasonably Practicable (ALARP).

Considering commercial routeing, Route 4 (DFDS / Godby Shipping Cargo Service) carries consistent cargo traffic across the study area on. Post-construction, vessels on this route will deviate around the western boundary of the WDA. While this adds transit distance, the open sea room to the west provides adequate room for safe manoeuvring without pushing vessels into shallow hazards or high-density traffic bottlenecks. The Chamber has engaged with DFDS who confirm their acceptance of the WDA and resulting deviation.

Regarding the Dubh Artach Lighthouse, the Chamber supports the setting back the northern site boundary by 2nm from Dubh Artach Lighthouse to preserves the visual sector, line-of-sight arc, and flash characteristic of this primary landfall ATON. The Chamber recommends the Lighting and Marking Plan (LMP) developed in direct consultation with the NLB should consider synchronization of perimeter light flashes to avoid visual confusion with Dubh Artach Lighthouse. The presence, scale and location of the proposed wind farm raise broader questions regarding the lighthouse as an AtoN and its long term purpose, but such questions are outside the scope of this application.

The Chamber hopes these comments are of use to the Marine Directorate and would be content to provide further detail on them.

Yours faithfully,

[Redacted]

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Visit Mull and Iona

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Marine Directorate
Licensing Operations Team
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14th August 2026

Re: Objection to the proposed MachairWind Offshore Wind Farm, Section 36 application reference 00012385 and marine licence application reference 00012386, associated case reference ECU00004704, submitted by MachairWind Limited (ScottishPower Renewables)

Dear Sir or Madam,

I am writing as acting Chair of Visit Mull and Iona, the Destination Marketing Organisation for the islands of Mull and Iona, on behalf of the Visit Mull and Iona membership, to formally object to the above applications for consent under section 36 of the Electricity Act 1989 and for a marine licence under Part 4 of the Marine (Scotland) Act 2010. I request that this objection be formally recorded and that I am notified of the outcome of both applications.

Visit Mull and Iona represents 150 member businesses operating around 190 tourism enterprises across Mull and Iona, and our marketing activity also benefits a further 200 or so tourism businesses on the islands who are not members. Tourism is the predominant driver of the islands' economies, and our members have a direct and immediate interest in the outcome of these applications.

The proposed development would install between 91 and 144 turbines with a blade tip height of up to 335 metres, within a Windfarm Development Area of around 448 square kilometres to the north west of Islay and west of Colonsay. At its closest point the site lies approximately 21 kilometres, or around 13 miles, from Iona and the Ross of Mull, and around 12 kilometres from Colonsay, placing turbines of this scale far closer to inhabited coastline than is typical for offshore wind development of this size elsewhere in the United Kingdom. A turbine of 335 metres is taller than the Eiffel Tower, and objects of this height and number, sited this close to shore, would be visible as a continuous engineered feature across what is currently an undeveloped Atlantic horizon.

Landscape, Seascape and Visual Impact

The defining quality of Mull and Iona's coastline is its openness and the absence of large-scale development, and it is precisely this quality that draws the visitors on whom our members depend.

The proposed turbines would be visible not only from the coastline but from elevated ground across Mull, including Ben More and Burg, and would be seen directly behind Staffa and within the setting of the Loch na Keal National Scenic Area, a designation covering some 44,250 hectares of land and sea recognised for its bold, rugged and wild character and the awe inspiring pattern of islands and indented coastline that reinforces a sense of remoteness. National planning policy allows development affecting a National Scenic Area to proceed only where the area's integrity is not compromised, or where any harm is clearly outweighed by benefits of national importance; a wind farm whose electricity is destined for the grid in South Ayrshire and onward to Wales, rather than to the islands whose seascape absorbs the harm, cannot meet that test.

The applicant's own assessment appears to systematically discount the magnitude of change to sensitive receptors beyond around 20 kilometres, applying what functions as an unstated distance threshold regardless of a receptor's sensitivity or national importance. On this basis Staffa, at around 35 kilometres from the site and just beyond the distance for which NatureScot requested assessment, is found to experience only small-scale change with no significant effect, notwithstanding that the same assessment separately acknowledges Staffa's panoramic maritime qualities as among the most celebrated in Europe. Ulva, a community owned island within the same National Scenic Area and at an early stage of its own regeneration, receives no dedicated assessment at all, despite that island's recovery being closely tied to the preservation of its unspoilt setting. A methodology that reduces the perceived significance of harm simply because of distance, rather than assessing the true extent of change experienced by the communities and landscapes affected, does not provide the Scottish Ministers with a reliable basis for decision making.

The visual assessment itself rests on static photomontages, which cannot represent the lived experience of the visitors and residents who encounter this seascape from moving boats, including the crossing between Mull and Iona, and it omits critical visitor viewpoints such as St Columba's Bay and Càrn Cùl ri Èirinn entirely, leaving the Scottish Ministers without evidence to assess effects on two of the area's principal cultural viewpoints. The applicant has, to date, produced only a single photomontage from Iona itself, and it is well recognised that this standard visualisation method understates the perceived scale and visual prominence of turbines of this size. Beyond the visual effect during daylight, the high intensity aviation and maritime safety lighting required across a turbine field of this scale would introduce continuous light pollution into what is currently a dark sky environment valued by residents and visitors alike. Taken together, these effects amount to a fundamental change in the character of a nationally and internationally significant seascape, not a marginal or reversible one, and the harm falls squarely within the areas of greatest landscape and seascape sensitivity in the west of Scotland.

Historic and Cultural Heritage

Iona's international significance rests on a continuous religious and cultural history stretching back to the founding of a monastery there by Saint Columba in 563 AD, from which Christianity spread across Scotland and much of northern Britain, and which produced one of the great works of early medieval European art. The abbey and the adjoining nunnery, the most complete surviving nunnery complex in Scotland, are scheduled monuments, and the wider island retains an unbroken pattern of pilgrimage that continues to this day. This is not a heritage confined to a set of buildings: it is a heritage of setting, defined by the crossing to the island, the open Atlantic horizon visible from the abbey grounds and from historic routes such as the road linking the village to the abbey, and the sense of remoteness and simplicity that has drawn pilgrims, scholars and visitors for fourteen centuries.

A wind farm of this scale, height and proximity would be visible directly behind and beyond this historic setting, introducing a permanent, repetitive industrial skyline into sightlines that have remained substantively unchanged since the early medieval period. This is precisely the kind of harm the setting protections attached to scheduled monuments and nationally important cultural landscapes exist to prevent, and the applicant's assessment, resting as it does on a single photomontage from Iona and no dedicated seascape assessment of the island's historic viewpoints, has not demonstrated that this harm has been properly identified, still less that it has been avoided. Approval of a development on this scale within sight of one of Scotland's most important religious sites would also set a precedent with implications well beyond this application, for how much protection any nationally and internationally significant heritage setting on Scotland's west coast can be expected to retain against future industrial development at sea.

Ecological and Marine Disruption

The site lies close to internationally important concentrations of breeding seabirds. The Treshnish Isles are designated a Special Protection Area for nationally important nesting seabird populations, including an internationally important breeding population of storm petrel, and support tens of thousands of guillemot, razorbill, puffin, kittiwake, fulmar, shag and skua at colonies such as Dun Cruit on Lunga; Staffa supports its own puffin colony. Both island groups, together with Iona and Mull, are also known for the corncrake, a rare and strictly protected species whose presence is itself a significant draw for wildlife tourism; the applicant's assessment is understood to have omitted the corncrake despite the area's recognised importance for this species, and local wildlife tour operators, drawing on ornithological advice, have raised concern that corncrake migratory flight paths cross the site at heights that intersect the turbines' rotor swept zone. Any assessment that does not properly address this risk cannot be relied upon to inform a decision affecting a species of this conservation importance.

The site also lies within an area of recognised importance for marine mammals. The Sea of the Hebrides Marine Protected Area, immediately adjacent to the site, was designated in 2020 to protect

minke whale and basking shark, the first Marine Protected Area for minke whales in the United Kingdom and the first for basking sharks anywhere in the world, while the Inner Hebrides and the Minches Special Area of Conservation protects harbour porpoise in the same waters. Dolphins, porpoises, minke whales and basking sharks are regularly sighted by wildlife tour operators working from Mull and Iona, sightings have increased in recent years, and humpback whales, absent from the area for over sixty years following the end of Hebridean whaling, have begun to return. Construction of a wind farm of this scale would require prolonged pile driving and vessel activity across the site: pile driving is capable of injuring or deafening marine mammals at close range and disturbing their behaviour at considerable distance, and harbour porpoise in particular, among the most acoustically sensitive of cetacean species, are known to be displaced by vessel activity even before piling begins. Where a Likely Significant Effect on a protected site cannot be excluded, the Habitats Regulations require a proper Appropriate Assessment and, where adverse effects on site integrity cannot be ruled out, satisfaction of a strict alternatives and imperative reasons test before consent can be granted; nothing in the information available to residents and members of this organisation demonstrates that this test has been met for either the seabird colonies or the protected marine mammal populations surrounding this site.

The loss or disturbance of this wildlife would not be a purely ecological harm. Wildlife tourism, built around seabird colonies, corncrakes and marine mammal sightings, is a significant and growing part of the visitor economy our members depend upon, and any material decline in these populations would directly damage the businesses this organisation represents.

Socio-Economic Impacts

The visitor economies of Mull and Iona are overwhelmingly dependent on tourism, drawing visitors from pilgrims and nature lovers to outdoor sports enthusiasts, seafood lovers, artists and photographers, all attracted by the unspoiled natural environment, rare wildlife and unique cultural heritage this application would place at risk. No reliable baseline statistics exist for the specific importance of tourism to the economies of Mull and Iona, since Argyll and Bute wide statistics are not representative of these islands, but the scale of ferry passenger numbers relative to the resident population makes clear that tourism is the dominant component of the island economy.

A development of this scale required a bespoke, place based socio-economic assessment of Mull and Iona, and none was undertaken. No input was sought from residents, businesses or visitors on either island; the applicant's own consultant has confirmed that Iona's economy was considered too small a sample size for their standard research methods, and has instead relied on proxy data drawn from existing wind farm developments elsewhere to predict how tourism employment might change here. On this flawed basis, the assessment assigns Mull's tourism economy a "low sensitivity" rating, implying it could absorb industrial change of this kind without fundamental loss, a conclusion that

bears no relation to the reality of a fragile, landscape- dependent island economy. The assessment also fails to address the interdependence of Iona, Staffa and the Treshnish Isles with the wider economy of Mull: ferry statistics indicate that at least a third of Mull's visitors are travelling to see these outlying islands, meaning any harm to their appeal is, in practical terms, harm to the whole of Mull's visitor economy. Despite this, the applicant did not approach Visit Mull and Iona or any hospitality business on Mull or Iona directly, and its drop-in consultation events were confined to Fionnphort and Bunessan on Mull, disregarding the island wide, economically interdependent nature of the tourism offer.

This falls well short of the standard required by national policy. The National Marine Plan, at general policy GEN 19 and paragraph 4.81, requires that decisions be founded on robust socio-economic evidence and that a precautionary approach be taken wherever that evidence is insufficient; NPF4 Policy 11(c) and the Islands (Scotland) Act 2018 together require island communities' interests to be properly assessed and weighed through meaningful engagement from the earliest stages of a proposal to its conclusion. The applicant has itself acknowledged that island communities warrant particular scrutiny, yet has not carried out the assessment needed to understand this proposal's effects on them. In the absence of that assessment, the compatibility of this proposal with the sustainability of Mull and Iona's communities has not been demonstrated, and the statutory duty owed to those communities has not been discharged.

Community Benefit and Equity

The electricity generated by this development would be exported by subsea cable to a grid connection in South Ayrshire and distributed onward towards Kilmarnock and Wales; no electricity would be supplied to the island communities that would bear the visual, ecological and economic cost of hosting it. Both Scotland and Wales are already net exporters of electricity, and constraint payments to existing wind farms, including reported payments of around £65 million to Scotland's largest offshore wind farm in 2024 alone to reduce its output, raise a legitimate question as to why a development of this scale and impact is necessary in this particular location at all.

Community benefit from offshore wind development is voluntary rather than mandatory, and the applicant has confirmed it cannot indicate what, if any, benefit will ultimately be offered. The indicative measures raised to date, a small donations fund of grants up to £500, five apprenticeships spread across the whole of Argyll and Bute, and a proposed capacity fund of £500,000 across the twenty-five-year lifespan of the project, equivalent to around £20,000 a year across the entire council area, bear no meaningful relationship to the scale of harm this development would cause to Mull and Iona specifically. There is no local return for the loss of the scenic beauty upon which these fragile island economies depend, and the site itself was selected, on the applicant's own account, on the basis of ease of development rather than any assessment of harm to the communities nearby.

This sits uneasily alongside the planning restrictions these same island communities operate under themselves, where even modest community renewable proposals, including a small scale community wind turbine for Iona, have been refused on height and visibility grounds that a development of this magnitude would dwarf many times over.

Mental Health and Wellbeing

The people of Mull and Iona are deeply invested in the landscape, wildlife and tranquillity of their environment, both for its own sake and because it provides their livelihoods. The applicant's own consultants identified habitability as a significant risk pathway for island communities, yet no place specific assessment was undertaken of how the changes this development would bring might affect the long-term viability of living and working on these islands. A development of this scale carries a real risk of harming mental health and wellbeing among residents, through threats to livelihood, the loss of a cherished and unspoiled landscape, and a sense of powerlessness in the face of decisions taken by government and industry with little meaningful local consultation. Many residents act as informal custodians of the bird and marine life this application places at risk, and the prospect of witnessing the decline of species they have long protected, is itself a source of genuine distress that this application does not address.

Conclusion

For the reasons set out above, this application fails to meet the standards required by the National Marine Plan, the National Planning Framework, the Habitats Regulations and the statutory duties owed to island communities under the Islands (Scotland) Act 2018. The socio-economic evidence base is inadequate, the landscape and seascape assessment systematically understates harm to nationally and internationally important designations, the ecological assessment leaves unresolved risks to protected seabirds and marine mammals, and the benefits offered to the communities that would bear this harm are wholly disproportionate to it. I urge the Marine Directorate and the Scottish Ministers to refuse both applications.

I would be grateful if you could acknowledge receipt of this objection.

Yours faithfully,

[Redacted]

[Redacted]

Acting Chair, Visit Mull and Iona Destination Marketing Organisation

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Whale and Dolphin Conservation

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Licensing Operations Team,
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August 2026

Dear Sir/ Madam,

WDC comments on MachairWind Offshore Wind Farm, Environmental Impact Assessment

WDC have been engaging with the UK and devolved government bodies and developers for a number of years regarding marine renewable energy developments and their potential impacts on whales, dolphins and porpoises (cetaceans).

WDC supports the development and appropriate siting of offshore wind farms as a vital part of a balanced green transition, complementing onshore renewables and energy reduction measures, to address the climate crisis. The UK Government has committed to ambitious renewable energy targets, which includes increasing offshore wind farm capacity to 50GW by 2030 (HM Government, 2023). This will also support ambition to achieve net-zero by 2050 (Burnett et al., 2024).

To meet targets to address both climate change and biodiversity loss, offshore wind farms must be developed without adversely impacting marine biodiversity. This is especially critical as the marine environment plays a crucial role in combatting climate change by acting as a major carbon sink (Heinze et al., 2015).

While acknowledging the urgent need for responsible expansion of renewable energy production, WDC has serious concerns about the potential impacts of wind farm developments, both individually and cumulatively, on cetaceans (see, for example, James, 2013 and WDC, 2025). It is crucial to consider the full range of short and long-term impacts on both individual cetaceans and populations.

WDC notes that the proposed MachairWind offshore wind farm is located within an area of importance for multiple species of cetacean including, harbour porpoise, minke whale, common dolphin, Risso's dolphin and many other species.

The MachairWind offshore wind farm is located close to the Inner Hebrides and the Minches SAC, an ecologically significant area designated to conserve habitats and species of European importance, including harbour porpoise. As stated in the conservation objectives for the SAC, site integrity must be maintained through harbour porpoise not being at a significant risk from injury or killing and by avoiding significant disturbance. The proposed development is also located close to the Sea of the Hebrides MPA designated for minke whales.

WHALE AND DOLPHIN CONSERVATION

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All cetaceans are European Protected Species (EPS) and in Scotland are protected under the Conservation (Natural Habitats, &c.) Regulations 1994 (up to 12nm) and the Conservation of Offshore Habitats and Species Regulations 2017 (12nm -200nm) making it an offence to kill, injure or disturb them.

Development within this area is of concern to WDC as the proposed development has the potential to impact and disturb a variety of protected cetacean species and their habitats, and the long-term impacts of disturbance and potential displacement are not well known.

WDC has concerns in relation to the Environmental Impact Assessment's (EIA) conclusions on the impacts to cetaceans, and the proposed mitigation plans for this development. **WDC supports the detailed response recently submitted by HWDT (Hebridean Whale and Dolphin Trust) to the MachairWind Environmental Impact Assessment.**

WDC highlights the following general concerns/recommendations in relation to the EIA:

- Methods to reduce underwater noise at source (such as proven noise abatement technologies and /or quieter installation techniques) should be prioritised
- Details should be provided on how a 10dB reduction in noise could be achieved
- The assessment relies heavily on embedded mitigation methods (e.g. MMOs, ADDs, soft starts) for which the efficacy in terms of risk reduction to receptors are not appropriately provided within the EIA
- Appropriate quantitative evidence should be used to support all assessment conclusions including those where professional judgement has been used to determine reduced significance of effect
- Additional mitigation should be used during other construction/operational activities that create noise which could lead to disturbance (such as cable laying, trenching, suction dredging)
- WDC recommends increased project specific mitigation for reducing the likelihood of collision and disturbance from vessels, not just a reliance on best practice methods
- WDC recommends that post consent monitoring is undertaken to assess both the effectiveness of mitigation methods during construction and the potential long-term impacts of the project on cetacean presence and behaviour in the area

We are happy to discuss any of these issues further.

Yours faithfully,

[Redacted]

Offshore Industries Coordinator

A world where every whale and dolphin is safe and free

WHALE AND DOLPHIN CONSERVATION
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