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 km^2** [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 km^2 is equivalent to approximately **51% of the land area of the Isle of Mull** (875 km^2), 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

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