



Shetland Islands Council

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Director: Neil Grant

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If calling please ask for:
Richard MacNeill
Planning Officer
richard.macneill@shetland.gov.uk
Direct Dial: 01595 744803

Our Ref: **2021/029/SCO**

Date: 03 March 2021

Dear Sir/Madam

Town and Country Planning (Scotland) Act 1997 (as amended)
Town and Country Planning (Environmental Impact Assessment) (Scotland)
Regulations 2017 as amended

Development	Submission of EIA Scoping Report as preparing an application for the proposed installation and operation of two wind turbines
Location	Luggies Knowe, Gremista, Shetland,
Applicant Name	Sarah Tullie

Thank you for the submission of the Scoping Report received on the 27th January 2021.

The Scoping Report is considered to be an appropriate basis to inform the preparation of and Environmental Report.

Scoping Questions

The Planning Policies identified are considered appropriate. At the time of writing I am not aware on any material considerations other than the national guidance quoted.

The list of cumulative schemes appropriate. In order to exclude the consented turbines it may be necessary to enter into a legal agreement that the erection of these turbines will not to ahead.

Shetland Islands Council have consulted with statutory consultation bodies and others and would offer the following advice based on comments received which should also inform the Environmental Report. Please note that we have not received a response from SEPA.

Scottish Water

Have raised no objections

Historic Environment Scotland (HES)

They have advised that they are largely content that the methodology proposed is appropriate with the Scoping Report and have added the following advice.

Category A Listed Buildings will be subject to individual settings assessment. Given the high number of Listed Buildings within the Lerwick Conservation Areas, it is proposed to assess the settings of Category B and C Listed Buildings within the Conservation Areas designations as part of the wider Conservation Area setting assessments. Are consultees happy with this approach?

We are content that category A listed buildings will be subject to individual settings assessment. We do not have any comments to make on the approach to be taken in relation to category B and C listed buildings.

Are there any assets beyond the proposed study areas that consultees would like to see scoped into the assessment?

We have not identified any heritage assets beyond the proposed study areas that we would wish to recommend for further assessment.

General comments

We welcome that cultural heritage effects are scoped into the assessment. We welcome that the operational effects of the proposal on the setting of cultural heritage assets as well as direct impacts from construction will be assessed. We note and welcome that where significant impacts are identified they are to be mitigated in line with the mitigation hierarchy.

The designated historic environment assets identified below are in the vicinity of the development and have the potential to be impacted by it. This list is not considered to be exhaustive, and we would recommend that a wider search is undertaken of the surrounding area for potential impacts in the first instance; any impacts to the settings of assets should be assessed appropriately to determine whether these will be significant.

Scheduled Monuments

- Teind barn, 120m N of Kebister (Index no. 11262), located less than 1km away from the proposed turbines

Category A Listed Buildings

Gardie House, Including Garden and Boundary Walls, Pavilions, Gates and Gatepiers (HB no. 5880)

NatureScot

Our key issues concerning the proposal;
Landscape and visual impact

Ornithological impacts, in particular red-throated diver
Impacts on peatland habitat.

Advice

The guidance for onshore wind farms is available on our website, and should be referred to by the developer. Where this is not followed in the EIA process, we would expect explanations to be given as to why this is the case in the EIA Report accompanying the application.

Landscape and Visual Impacts

The current proposed viewpoints are satisfactory, however NatureScot recommend adding further viewpoints. The indicative Zone of Theoretical Visibility shows visibility of the turbines from within the Shetland National Scenic Area (NSA) from West Burra, also the Skeld and Reawick areas. It is likely that visualisations from viewpoints in these areas will be necessary in order to assess the potential impact of the proposal on the NSA.

Ornithology

The proposed survey methodology is acceptable in principle for the more common species, provided that the 2008/2009 survey covered the full area of the current proposal and that the data collected are compatible with the increased size of turbine now proposed. However, potential impact on red-throated divers connected with East Mainland Coast, Shetland Special Protected Area will need to be addressed, and this approach may not be sufficient to assess the likely impact on divers. The 2008/2009 surveys found only one nest site in the vicinity, whereas the more recent surveys for the Mossy Hill wind farm recorded two sites and a significant number of flights in the area of the proposed Luggie's Knowe turbine 3.

Peatland habitat

An assessment of peatland habitat quality should also be carried out, given the greater emphasis on peatland in National Planning Framework 3 to protecting areas of high quality peatland. Information on peatland assessment can be found in the Peatland Survey Guidance.

Notes

Table 6.1

- East Mainland Coast, Shetland SPA is only designated for great northern diver, red-throated diver, Slavonian grebe. All other species have been removed from this designated site.
- Mousa is also a designated SPA, for features; Arctic tern and storm petrel.

Scottish Environment Protection Agency

Due to ongoing issues with cyber security SEPA have been unable to give a response. However they have advised that standard advice is still available on their website.

Archaeology

The Regional Archaeologist is broadly in agreement with the "Archaeology and Cultural Heritage" chapter, but has a few comments to add.

Table 7.1 Criteria for Establishing Importance

The Low category includes "Locally Listed Assets" as if all locally listed assets belong in this group. I feel that it should be clearer that the "Non-designated assets" which fall into higher categories may well include some Locally Listed Assets. (In practical terms, this is a matter of professional judgement and potentially discussion between the contracting archaeologists and the Regional Archaeology Service.)

At 7.4.2 Please note that the SMR is outsourced and therefore is correctly referred to as the Shetland Sites and Monuments Record held at Shetland Amenity Trust (not the SIC SMR).

Table 7.3 "Loss of a small percentage of the area of an asset's peripheral deposits" would be a low impact, not a negligible one.

7.4.21 Impacts on settings on non-designated assets and features should not be automatically scoped out as it has already been recognised in the Table of Importance that such features could be of schedulable quality and may even have Outstanding Universal Value. Whether or not non-designated assets are scoped out of settings impact should be a matter of professional judgement and potentially discussion between the contracting archaeologists and the Regional Archaeology Service.

Scoping Questions:

1. Subject to the foregoing comments, I am broadly in agreement with the assessment methodology, recognising that the results reported in the EIA are likely to lead to the subsequent requirement for a Written Scheme of Investigation which may include a requirement for geophysics/ coring/palaeoenvironmental work/additional mitigation etc.
2. Yes
3. Clickhimin Broch

Shetland Islands Council Natural Heritage Officer

In general the scoping report has covered the main issues, although I would fully support the comments made by SAT and NatureScot in relation to peatland and ornithology.

In table 2.2 the Viking scheme is now under construction.

The proposed scope of Chapter 5 of chapter 5 is okay.

Common frog were introduced to the Lerwick area around 100 years ago, so the comment in section 5.4.8 is not completely correct, however, no survey for this species would be required.

The applicant should ensure that the surveys include an assessment of peatland habitat quality and condition (as set out in my response to the EIA screening application) and that should important /valuable habitat be identified the EIA Report clearly shows how impacts have been avoided or mitigated as far as possible.

The Nature Conservation (Scotland) Act 2004 places a duty on the Council to further the conservation of biodiversity so far as is consistent with the proper exercise of its functions. Wildlife and their habitats are increasingly under threat. Ideally the applicants should look to provide new benefits for wildlife within their development proposals in order to help reverse the decline in wildlife.

Scottish Planning Policy (SPP) 2014 states that “The planning system should...seek benefits for biodiversity from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats.” With respect to new development and land use change the guiding principles for the conservation of Shetland’s biodiversity are:-

- i) There is no net loss of biodiversity
- ii) All development should actively seek to enhance the biodiversity of the area
- iii) Any adverse effects should be avoided, minimised and/ or compensated, and every opportunity should be taken to create improvements for biodiversity

The planning authority should consider these principles as part of its duty to further the conservation of biodiversity. The developer should consider how to ensure the development results in no net loss of biodiversity and, if possible, provide options for biodiversity net gain. This could include onsite or off site peatland restoration.

While Mousa is an RSPB reserve this is not really a designation and as NatureScot have highlighted it is designated as a SPA.

As highlighted in my screening response NatureScot recommends that ornithological surveys should be carried out for a minimum of two years, therefore the applicant will need to provide strong justification if they consider that a single years survey will be sufficient. The data previously collected to support the original application is out of date and at this time the applicant has not confirmed that it fully covers the area of the new application. Given the presence of red-throated diver and the adjacent SPA for which red-throated diver is an interest feature it is considered extremely doubtful that a single years survey information for this species will be sufficient. The consideration of gulls and corvids moving between the waste management facility and the Loch of Kebister will also be required as part of the ornithological assessment. Should golden plover be identified on site it is important to note that there is limited information on the size of the golden plover population in Shetland, however, a figure of 5195 pairs (from Wilson et al., 2015) is often used in EIA Reports. This is based on estimates derived from habitat models and is significantly higher than the figure of 1450 pairs in Pennington et al., 2004 which is the only other Shetland estimate available. It is important to note that the figures from Wilson et al are derived from Massimino et al. (2011) which contained the following caveat “Estimates for these two regions are likely to be significant over-estimates of true abundance, due to the limited data from these regions which mean that the spatial smooth fitted to the GAM is fitted with considerable uncertainty (see text for more details)”. Shetland is one of the two regions to which this caveat refers. In view of this it is considered that the 2015 golden plover population number is likely to be an over estimate and that any assessment of impacts should not use this as the regional population estimate.

Shetland Amenity Trust

These comments relate only to Sections 5 (Ecology) 6 (Ornithology) and 10 (Geology, Hydrology and Soils) of the scoping report.

In general the report sets out all of the key issues that need to be addressed. I have a few relevant comments.

Section 5

5.2 There are areas of blanket bog within the site boundary and it seems likely that some of these are active, hence constituting an European Priority Habitat. A thorough assessment of the blanket bog should be made assessing its quality and importance in a Shetland context.

5.6.1 suggests that blanket bog is possibly present. Having walked the site and looked at aerial photographs it is clear that some blanket bog habitat is indeed present within the site boundary. The proposed NVC survey will reveal just how much.

Section 6

The Gremista Landfill and Recycling Plant lies just to the east of the site. Very large numbers of gulls (sometimes numbering several hundred) and large numbers of nonbreeding Ravens (numbering tens) are often present at the landfill site. The gulls often leave here with large numbers then going to bathe on Loch of Kebister. Many of these will cross the proposed turbine site 3 on a regular basis. I assume that the collision risk for these species will also be calculated as part of the EA. As well as the risk to the birds I wonder if a large volume of large gulls on a day of poor visibility could present a threat to the turbine should a mass collision occur.

6.4.11 I can confirm that Red-throated Divers have certainly bred within, or very close to the proposed site boundary in recent years, with a third pair several hundred metres further afield. In 2015 the last year for which we have survey data, two pairs bred successfully within 200-300 m of the proposed location of turbine 3

The impact of the proposed development on Red-throated Divers crossing the area to forage in the East Mainland SPA for which the divers are one of the qualifying species, is indeed an important component of the EA. It will also be important to undertake a robust assessment of the cumulative impacts on ornithological interests of all windfarms that have been consented or are in the planning process in Shetland, as indicated in the scoping report. Prime among these will be Red-throated Divers.

Section 10

10.2.6 details that a peat survey in 2020 found peat depths across the site of between 0.3m and >3m. This suggests that a sizeable amount of peat will require to be disposed of if this project goes ahead. It appears that most civil engineering projects in Shetland substantially under-estimate the volumes of peat that are removed when development occurs, so a robust Peat Management Plan should be in place along with appropriate contingency plans should predicted volumes be under-estimated.

Roads Service

The existing site access, whilst established, has poor emerging visibility. The available visibility is 115 metres to the west and 100 metres to the east when around 160 metres would be looked for in both directions. However, this access is only used on a very limited basis for specific operations. As such a suitable operational procedure was agreed previously. Therefore, in line with that previous agreement in order that the junction may be used for access, either to maintain the existing turbine or to construct the new turbines, the junction will require to be signed as a temporary construction access.

In terms of this application to construct 2 additional turbines we would require that the source points of construction materials being carried to site are identified along with any haulage routes. If any material is taken off site, such as peat, we would need to be informed as to where it is to be disposed of at. This would establish the road network extents that the development could be considered to be impacting.

This, along with project details relating to material volumes, tonnages, and associated vehicle movements will allow us to determine which road sections may need to be monitored for damage.

In terms of transportation of materials to this site via the public road we have some concerns over the condition of the public road between the junctions to the SBS Base at Greenhead and the Shetland Islands Council landfill site near Rova Head. The condition of this section of public road will likely need to be monitored throughout the construction period.

In the event of serious damage to the roads and verges occurring, or if it appears likely to occur, then Section 14 of the Road Traffic Regulation Act 1984 will be invoked. Further, under Section 96 of the Roads (Scotland) Act 1984 the applicant may become liable for the cost of the repair of such damage. In order to protect both the developer and the Council I would require suitable road condition surveys pre- and post-construction to be carried out. These will need to be agreed with the Roads Service. These would be used to fairly apportion any liability that may fall to the developer for increased maintenance costs.

In considering the construction operations I would expect a wheel wash facility to be provided on the site to eliminate the transfer of materials from vehicles onto the public road.

In response to section 9.7 Scoping Questions to Consultees I would agree that the impact of vehicle movements associated with this project are not significant in respect of the general level of movements on most of the access route. For the quieter section of route nearer to the development site I have no concerns over the anticipated level of construction traffic as the road infrastructure in this area was designed for a much higher level of use than current occurs.

For the question posed under 9.7.2 *Do you agree it appropriate to scope out operational and decommissioning impacts?* I would agree that operational traffic movements are so low that they can be discounted. The applicant should however note my comments above on signage of the access for maintenance operations. Unfortunately, as I have no information to hand regarding the required scope of any decommissioning works I cannot confirm how to address them at this time.

However, as it is likely that works required to decommission the site will be less than those undertaken to establish the site, it should be possible to scope out these works as well by way of a simple submission of additional information.

Yours faithfully



Richard MacNeill
Planning Officer

Monday, 01 February 2021



Local Planner
Planning, Development Services Department
Shetland Islands Council
Lerwick
ZE1 0LZ

Development Operations
The Bridge
Buchanan Gate Business Park
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Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - [REDACTED]
E-Mail - [REDACTED]
www.scottishwater.co.uk

Dear Sir/Madam

SITE: Luggies Knowe, Gremista, Shetland, ZE1 0PU
PLANNING REF: 2021/029/SCO
OUR REF: DSCAS-0031647-N95
PROPOSAL: Submission of EIA Scoping Report as preparing an application for the proposed installation and operation of two wind turbines

Please quote our reference in all future correspondence

[Audit of Proposal](#)

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

[Drinking Water Protected Areas](#)

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

[Surface Water](#)

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.



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In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: [REDACTED]
 - ▶ Email: [REDACTED]
 - ▶ www.sisplan.co.uk
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.



▶ **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ **Trade Effluent Discharge from Non Dom Property:**

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on [REDACTED] or email [REDACTED] using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on [REDACTED] or via the e-mail address below or at [REDACTED]

Yours sincerely,

Planning Application Team
Development Operations Analyst



To find out more about connecting your
SW Public
Published the water and waste water supply visit:



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doing well or could do better.
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Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."



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Published the water and waste water supply visit:



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From: Turner Val@Shetland Amenity Trust
Sent: 04 February 2021 11:58
To: Development Management@Development
Subject: Re: PLANNING CONSULTATION Ref 2021/029/SCO Luggies Knowe

2021/029/SCO Luggies Knowe
Response from the Regional Archaeologist

Thank you for consulting me on this Scoping Report.
I am broadly in agreement with the "Archaeology and Cultural Heritage" chapter, however I have a few comments to add.

Table 7.1 Criteria for Establishing Importance

The Low category includes "Locally Listed Assets" as if all locally listed assets belong in this group. I feel that it should be clearer that the "Non-designated assets" which fall into higher categories may well include some Locally Listed Assets. (In practical terms, this is a matter of professional judgement and potentially discussion between the contracting archaeologists and the Regional Archaeology Service.)

At 7.4.2 Please note that the SMR is outsourced and therefore is correctly referred to as the Shetland Sites and Monuments Record held at Shetland Amenity Trust (not the SIC SMR).

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1. Subject to the foregoing comments, I am broadly in agreement with the assessment methodology, recognising that the results reported in the EIA are likely to lead to the subsequent requirement for a Written Scheme of Investigation which may include a requirement for geophysics/ coring/palaeoenvironmental work/additional mitigation etc.
2. Yes
3. Clickhimin Broch

Thank you
Val

Dr Val Turner
Regional Archaeologist
Shetland Amenity Trust
Garthspool

Lerwick
Shetland
ZE2 9LL

From: Development Management@Development

Sent: 28 January 2021 15:31

To: Turner Val@Shetland Amenity Trust; Harvey Paul@Shetland Amenity Trust; Shetland Amenity Info

Subject: PLANNING CONSULTATION Ref 2021/029/SCO

Please find attached Consultation Request for 2021/029/SCO

At Luggies Knowe
Gremista
Shetland



By email to:
development.management@shetland.gov.uk

Iain McDiarmid
Shetland Islands Council
Planning Service
North Ness Business Park
Lerwick
ZE1 0LZ

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: [REDACTED]

Our case ID: 300048744

11 February 2021

Dear Iain McDiarmid

[Luggie's Knowe, Gremista, Shetland - Installation and operation of two wind turbines Scoping Report](#)

Thank you for your consultation which we received on 28 January 2021 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

Your local authority archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings.

Proposed Development

We understand that the proposed development comprises 2 wind turbines of up to 149.9m blade tip height to be erected on land at Luggie's Knowe, Gremista, Shetland.

Background

We understand that consent was granted for the construction and operation of three wind turbines at Luggie's Knowe, each up to 121 m height to blade tip. We note that one of these turbines was constructed and has been operational since 2015. However, the remaining two consented turbines and associated infrastructure have not been constructed, and due to works at the neighbouring Dales Voe Decommissioning Base. The Proposed Development includes revised locations for the 2 unbuilt consented turbines, with the increased height of up to 149.9m to blade tip. We understand that it is proposed to utilise the existing junction, access track and infrastructure of the operational turbine, with a new access track extending from there to the new proposed turbine locations.

Scope of assessment

We note that the applicant is seeking advice on the following key issues that are most relevant to our historic environment interests (Chapter 7: Archaeology and Cultural Heritage):



- Is the proposed assessment methodology, including proposed study areas, accepted?

We are largely content that the methodology proposed for the cultural heritage assessment is appropriate.

- Category A Listed Buildings will be subject to individual settings assessment. Given the high number of Listed Buildings within the Lerwick Conservation Areas, it is proposed to assess the settings of Category B and C Listed Buildings within the Conservation Areas designations as part of the wider Conservation Area setting assessments. Are consultees happy with this approach?

We are content that category A listed buildings will be subject to individual settings assessment. We do not have any comments to make on the approach to be taken in relation to category B and C listed buildings.

- Are there any assets beyond the proposed study areas that consultees would like to see scoped into the assessment?

We have not identified any heritage assets beyond the proposed study areas that we would wish to recommend for further assessment.

General comments

We welcome that cultural heritage effects are scoped into the assessment. We welcome that the operational effects of the proposal on the setting of cultural heritage assets as well as direct impacts from construction will be assessed. We note and welcome that where significant impacts are identified they are to be mitigated in line with the mitigation hierarchy.

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Scheduled Monuments

- Teind barn, 120m N of Kebister (Index no. 11262), located less than 1km away from the proposed turbines

Category A Listed Buildings

Gardie House, Including Garden and Boundary Walls, Pavilions, Gates and Gatepiers (HB no. 5880)



Gardens and Designed Landscapes

- Gardie House

Teind barn, 120m N of Kebister (Index no. 11262) is one of only three surviving examples identified in Scotland and is one of the very few high-status late medieval or early modern structures to survive on Shetland. The teind barn was excavated in the 1980's in advance of the construction of an oil rig supply base which now encloses it to the W, N, and E. Measuring approximately 17m by 7.2m, and with walls surviving up to 1.5m high, the teind barn was built overlying the remains of earlier medieval structures (probably a chapel and enclosure) and enclosed by a dyke, and it is thus situated within a complex multi-period landscape.

The setting of the teind barn is likely to be focussed on the contemporary agricultural landscape and settlement which surrounded it, as well as Dales Voe. The existing oil rig supply base has compromised this setting somewhat, but the monument still retains (at present) relatively open views uphill to the S and SE.

We would recommend that visualisations are produced from the above heritage assets to support the written assessment.

Further information

The Historic Environment Policy for Scotland (HEPS 2019) was adopted on the 01 May 2019 and replaced the Historic Environment Scotland Policy Statement (HESPS 2016). The Historic Environment Policy for Scotland is a strategic policy document for the whole of the historic environment and is underpinned by detailed policy and guidance. This includes our Managing Change in the Historic Environment Guidance Notes. All of these documents are available online at www.historicenvironment.scot/heps.

Practical guidance and information about the EIA process can also be found in the [EIA Handbook \(2018\)](#). Technical advice is available on our Technical Conservation website at <http://conservation.historic-scotland.gov.uk/>.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Urszula Szupczynska and they can be contacted by phone on [REDACTED] or by email on [REDACTED]

Yours sincerely

Historic Environment Scotland

Shetland Islands Council
Planning - Development Services
8 North Ness Business Park
Lerwick, Shetland
ZE1 0LZ

11 February 2021

Our ref: CEA161917

Development.management@shetland.gov.uk

2021/029/SCO - SUBMISSION OF EIA SCOPING REPORT - TWO WIND TURBINES - LUGGIE'S KNOWE, GREMISTA.

Thank you for consulting us by email dated 28 January about the above proposal.

1. Summary

Our key issues concerning the proposal;

- Landscape and visual impact
- Ornithological impacts, in particular red-throated diver
- Impacts on peatland habitat.

2. NatureScot Advice

The guidance for onshore wind farms is available on our website, and should be referred to by the developer. Where this is not followed in the EIA process, we would expect explanations to be given as to why this is the case in the EIA Report accompanying the application.

2.1 Landscape and Visual Impacts

The current proposed viewpoints are satisfactory, however NatureScot recommend adding further viewpoints. The indicative Zone of Theoretical Visibility shows visibility of the turbines from within the Shetland National Scenic Area (NSA) from West Burra, also the Skeld and Reawick areas. It is likely that visualisations from viewpoints in these areas will be necessary in order to assess the potential impact of the proposal on the NSA.

2.2 Ornithology

The proposed survey methodology is acceptable in principle for the more common species, provided that the 2008/2009 survey covered the full area of the current proposal and that the data collected are compatible with the increased size of turbine now proposed. However, potential

impact on red-throated divers connected with East Mainland Coast, Shetland Special Protected Area will need to be addressed, and this approach may not be sufficient to assess the likely impact on divers. The 2008/2009 surveys found only one nest site in the vicinity, whereas the more recent surveys for the Mossy Hill wind farm recorded two sites and a significant number of flights in the area of the proposed Luggie's Knowe turbine 3.

2.3 Peatland habitat

An assessment of peatland habitat quality should also be carried out, given the greater emphasis on peatland in National Planning Framework 3 to protecting areas of high quality peatland. Information on peatland assessment can be found in the [Peatland Survey Guidance](#).

2.4 Notes

Table 6.1

- East Mainland Coast, Shetland SPA is only designated for great northern diver, red-throated diver, Slavonian grebe. All other species have been removed from this designated site.
- Mousa is also a designated SPA, for features; Arctic tern and storm petrel.

Yours sincerely,

Rach Cartwright
Operations Officer
Northern Isles and North Highland

MEMO

To: Development Control

From: Roads

If calling please ask for Brian Halcrow

Direct Dial: 4883

Medium: email

Date: 12th February 2021

Our Ref: BH/ R/G2/LB

Your Ref:

Application: 2021/029/SCO

Address: Luggies Knowe Gremista Shetland

Proposal: Submission of EIA Scoping Report as preparing an application for the proposed installation and operation of two wind turbines

Date of Consultation: 28th January 2021

Recommended Action: SIGN ACCESS JUNCTION WHEN IN USE

Road Authority Comments:

The existing site access, whilst established, has poor emerging visibility. The available visibility is 115 metres to the west and 100 metres to the east when around 160 metres would be looked for in both directions. However, this access is only used on a very limited basis for specific operations. As such a suitable operational procedure was agreed previously. Therefore, in line with that previous agreement in order that the junction may be used for access, either to maintain the existing turbine or to construct the new turbines, the junction will require to be signed as a temporary construction access.

In terms of this application to construct 2 additional turbines we would require that the source points of constructions materials being carried to site are identified along with any haulage routes. If any material is taken off site, such as peat, we would need to be informed as to where it is to be disposed of at. This would establish the road network extents that the development could be considered to be impacting.

This, along with project details relating to material volumes, tonnages, and associated vehicle movements will allow us to determine which road sections may need to be monitored for damage.

In terms of transportation of materials to this site via the public road we have some concerns over the condition of the public road between the junctions to the SBS Base at Greenhead and the Shetland Islands Council landfill site near Rova Head. The condition of this section of public road will likely need to be monitored throughout the construction period.

In the event of serious damage to the roads and verges occurring, or if it appears likely to occur, then Section 14 of the Road Traffic Regulation Act 1984 will be invoked. Further, under Section 96 of the Roads (Scotland) Act 1984 the applicant may become liable for the cost of the repair of such damage. In order to protect both the developer and the Council I would

require suitable road condition surveys pre- and post-construction to be carried out. These will need to be agreed with the Roads Service. These would be used to fairly apportion any liability that may fall to the developer for increased maintenance costs.

In considering the construction operations I would expect a wheel wash facility to be provided on the site to eliminate the transfer of materials from vehicles onto the public road.

In response to section 9.7 Scoping Questions to Consultees I would agree that the impact of vehicle movements associated with this project are not significant in respect of the general level of movements on most of the access route. For the quieter section of route nearer to the development site I have no concerns over the anticipated level of construction traffic as the road infrastructure in this area was designed for a much higher level of use than current occurs.

For the question posed under 9.7.2 *Do you agree it appropriate to scope out operational and decommissioning impacts?* I would agree that operational traffic movements are so low that they can be discounted. The applicant should however note my comments above on signage of the access for maintenance operations. Unfortunately, as I have no information to hand regarding the required scope of any decommissioning works I cannot confirm how to address them at this time.

However, as it is likely that works required to decommission the site will be less than those undertaken to establish the site, it should be possible to scope out these works as well by way of a simple submission of additional information.

Executive Manager, Roads

From: MacNeill Richard@Development Management
Sent: Thu, 25 Feb 2021 09:07:18 +0000
To: Development Management@Development
Subject: FW: 2021/029/SCO - Luggies Knowe Scoping

Hi response from NHO for uploading please,

Thanks

From: Schofield Martin@Development Plans and Heritage
Sent: 25 February 2021 08:53
To: MacNeill Richard@Development Management <richard.macneill@shetland.gov.uk>
Subject: 2021/029/SCO - Luggies Knowe Scoping

Hello Richard

Apologies for the delay in getting back to you on this. This email will deal with the natural heritage issues that need to be considered as part of the EIA, I will provide separate comments on the landscape issues. I trust that this will be sufficient but please let me know if you require formal comments, there is a lot of detail of what would be expected in the screening response dated 17th November 2020.

In general the scoping report has covered the main issues, although I would fully support the comments made by SAT and NatureScot in relation to peatland and ornithology.

In table 2.2 the Viking scheme is now under construction.

The proposed scope of Chapter 5 of chapter 5 is okay.

Common frog were introduced to the Lerwick area around 100 years ago, so the comment in section 5.4.8 is not completely correct, however, no survey for this species would be required.

The applicant should ensure that the surveys include an assessment of peatland habitat quality and condition (as set out in my response to the EIA screening application) and that should important /

valuable habitat be identified the EIA Report clearly shows how impacts have been avoided or mitigated as far as possible.

The Nature Conservation (Scotland) Act 2004 places a duty on the Council to further the conservation of biodiversity so far as is consistent with the proper exercise of its functions. Wildlife and their habitats are increasingly under threat. Ideally the applicants should look to provide new benefits for wildlife within their development proposals in order to help reverse the decline in wildlife.

Scottish Planning Policy (SPP) 2014 states that “The planning system should...seek benefits for biodiversity from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats.”

With respect to new development and land use change the guiding principles for the conservation of Shetland’s biodiversity are:-

- i) There is no net loss of biodiversity
- ii) All development should actively seek to enhance the biodiversity of the area
- iii) Any adverse effects should be avoided, minimised and/ or compensated, and every opportunity should be taken to create improvements for biodiversity

The planning authority should consider these principles as part of its duty to further the conservation of biodiversity. The developer should consider how to ensure the development results in no net loss of biodiversity and, if possible, provide options for biodiversity net gain. This could include onsite or off site peatland restoration.

While Mousa is an RSPB reserve this is not really a designation and as NatureScot have highlighted it is designated as a SPA.

As highlighted in my screening response NatureScot recommends that ornithological surveys should be carried out for a minimum of two years, therefore the applicant will need to provide strong justification if they consider that a single years survey will be sufficient. The data previously collected to support the original application is out of date and at this time the applicant has not confirmed that it fully covers the area of the new application. Given the presence of red-throated diver and the adjacent SPA for which

red-throated diver is an interest feature it is considered extremely doubtful that a single years survey information for this species will be sufficient. The consideration of gulls and corvids moving between the waste management facility and the Loch of Kebister will also be required as part of the ornithological assessment.

Should golden plover be identified on site it is important to note that there is limited information on the size of the golden plover population in Shetland, however, a figure of 5195 pairs (from Wilson et al., 2015) is often used in EIA Reports. This is based on estimates derived from habitat models and is significantly higher than the figure of 1450 pairs in Pennington et al., 2004 which is the only other Shetland estimate available. It is important to note that the figures from Wilson et al are derived from Massimino et al. (2011) which contained the following caveat "Estimates for these two regions are likely to be significant over-estimates of true abundance, due to the limited data from these regions which mean that the spatial smooth fitted to the GAM is fitted with considerable uncertainty (see text for more details)". Shetland is one of the two regions to which this caveat refers. In view of this it is considered that the 2015 golden plover population number is likely to be an over estimate and that any assessment of impacts should not use this as the regional population estimate.

Please let me know if you need any further information or comment.

Kind regards

Martin

Martin Schofield | Natural Heritage Officer | Development Services

8 North Ness Business Park | Lerwick | Shetland | ZE1 0LZ

Tel: 01595 745927



WE'RE STILL HERE
WORKING FOR YOU
WE ARE TOGETHER

