

From: [REDACTED]
Sent: 26 May 2015 09:30
To: [REDACTED]
Cc: Holden John@Development Service
Subject: SCOPING OPINION FOR THE PROPOSED BEAW FIELD WIND FARM
Attachments: Beaw Field - Scoping - Scoping Opinion - 26 May 2015.pdf

Dear Ms Barry

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2000: RESPONSE TO A REQUEST FOR A SCOPING OPINION FOR THE PROPOSED BEAW FIELD WIND FARM ON YELL

I attach the response to your request made under Regulation 7 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000, ("the Regulations") to the Scottish Ministers on 13 April 2015 for a scoping opinion on the proposed Beaw Field Wind Farm

The Scottish Ministers have consulted with the appropriate bodies and other persons who were likely to be concerned by the proposed development by reason of their environmental responsibilities. Having regard to the responses received from all parties, it is the Scottish Ministers opinion that in accordance with Part 1 of Schedule 4 of the Regulations, in addition to your submitted proposal, your environmental statement should address these further concerns.

Our response has been structured in accordance with Part 1 of Schedule 4 of the Regulations.

Regulation 10(1) of the Regulations requires that a copy of this response is forwarded to the planning authority/authorities within whose area the land which is subject to the proposed application is situated. For the purposes of this request, a copy of this response has been duly copied to Shetland Council.

Shetland Council shall take steps to ensure that this document is made available for public inspection at all reasonable hours at the place where its Register is kept. If an application is subsequently made, the opinion and related documents should be transferred to Part 1 of the Register together with the application.

You should note that this opinion is based on the information available to the Scottish Ministers as at 26 May 2015. I would like to advise you to have regard to subsequent proposals which are submitted to Planning Authorities or the Scottish Ministers prior to the determination of any future application. To this end, I would recommend that you approach both the Planning Authority and the Scottish Ministers at the point of application to ascertain if further proposals have come forward which may have a bearing on the information you have been asked to provide.

If you have any queries please do not hesitate to contact me.

Regards

Gillian Whyte

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Scottish Government

Energy Consents and Deployment Unit

Scoping Opinion on behalf of the Scottish Ministers under Part III of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000

Peel Wind Farms (Yell) Ltd

Beaw Field Wind Farm

26 May 2015

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1. Introduction

This scoping opinion is issued on behalf of the Scottish Ministers to Peel Wind Farms (Yell) Ltd in relation to the proposed Beaw Field Wind Farm development on Yell in the Shetland Islands. It is based upon information contained in the written request for a scoping opinion dated 13 April 2015 and discussion at the meetings chaired by Scottish Government officials on 1 April 2015.

Beaw Field Wind Farm would be located on land approximately 4km northeast of Ulsta and 1km northwest of Burravoe. The proposed development is for 28 turbines with a maximum height to blade tip of 145m and a total generation capacity of up to 70MW. The land within the Study Area is wholly owned by the Burravoe Estate and is tenanted by approximately 35 crofters, with the predominant land use being agricultural used for permanent pasture. In the past, peat cutting and drainage have taken place within the Study Area. The Study Area is characterised by undulating hilly terrain. The topography ranges from approximately 200 m AOD at the Hill of Arisdale in the north, to less than 10 m AOD in the south, however, the majority of the Study Area lies between 80 to 150 m AOD, with the summit of Beaw Field at 120 m AOD. The majority of the Study Area is heather moorland, which has been heavily grazed to habitats that are characterised by degraded blanket bog habitat and moorland pastures. In-bye crofting land is typically found on lowering lying land close to settlements. The Study Area includes a number of watercourses, waterbodies and associated catchments.

In preparing this scoping opinion, the Scottish Ministers have consulted with the applicant, the planning authority for the area in which the proposed development would be situated, Scottish Natural Heritage, the Scottish Environment Protection Agency and other bodies whom the Scottish Ministers consider are likely to have an interest in the proposed application.

The Scottish Ministers are satisfied that the requirements for consultation set out in the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 have been met and have considered all representations received by them pursuant to that consultation.

In providing this scoping opinion, the Scottish Ministers have had regard to current knowledge and methods of assessment, have taken into account the specific characteristics of the proposed development, the specific characteristics of that type of development and the environmental features likely to be affected.

2. Site specific issues of interest to the Scottish Ministers

This scoping opinion is a written statement of opinion of the Scottish Ministers as to the information to be provided in the environmental statement to accompany the application for the proposed development. [Subject to specific comments below] the Scottish Ministers expect the environmental statement to include matters raised by consultees in the correspondence appended to this opinion.

The consultation closed on 8 May 2015. 19 responses were received. Full consultation responses are attached in Annexes A to S. Consultation responses should be read in full for detailed requirements from individual consultees and for comprehensive guidance, advice and templates for preparation of the Environmental Statement. All requirements highlighted in these consultation responses should be addressed in the Environmental Statement.

Methodological Issues

Historic Scotland have raised some concerns about the detail of the methodology, and particularly the criteria given in a number of tables. They have stated in their response that "methodology appears at times unclear, and focuses on some factors which we do not consider primary issues in assessing the significance of impacts." See Annex I for further details. Please clarify this section for the Environmental Statement.

3. Duration of scoping opinion

This scoping opinion is based on information contained in the applicant's written request for a scoping opinion and information available at today's date. Nothing in this written scoping opinion will prevent the Scottish Ministers from seeking additional information at application stage, for example to include cumulative impacts of additional developments which enter the planning process after the date of this opinion.

Without prejudice to that generality, it is recommended that an additional scoping opinion be sought from Scottish Ministers in the event that no application has been submitted within six months of the date of this opinion.

4. Process Going Forward

It is acknowledged that the environmental impact assessment process is iterative and should inform the final layout and design of proposed developments. All applicants are encouraged to engage with officials at the Scottish Government Energy Consents and Deployment Unit before proposals reach design freeze. This will afford an opportunity for additional comments to be provided on the final proposals at pre-application stage.

Applicants are reminded that there will be limited opportunity to materially vary the form and content of proposed development post submission.

When finalising the environmental statement, applicants are asked to provide a summary in tabular form of where within the environmental statement each of the specific matters raised in this scoping opinion has been addressed.

5. Consultation Responses

No Responses were received from the John Muir Trust, Mountaineering Council of Scotland and Association of Salmon Fishery Board.

See Annexes A to S for full consultation responses.

Our ref: PCS/139717
Your ref: None

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If telephoning ask for:
Alison Wilson

8 May 2015

By email only to: Gillian.Whyte@scotland.gsi.gov.uk

Dear Ms Whyte

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT)
(SCOTLAND) REGULATIONS 2000
SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR
THE BEAW FIELD WIND FARM ON YELL**

Thank you for consulting SEPA on the scoping opinion for the above development proposal by way of your e-mail which we received on 16 April 2015. We would welcome engagement with the applicant at an early stage to discuss any of the issues raised in this letter. In general we are satisfied with the proposed scope of the Environmental Impact Assessment (EIA) and have provided further advice on this below.

Windfarm developments can make a valuable contribution to achieving Scotland's renewable targets and help fulfil public sector duties under the Climate Change (Scotland) Act 2009. However, even small windfarms can potentially have an adverse environmental impact. While all of the issues below should be addressed in the Environmental Statement (ES), there may be opportunities for several of these to be scoped out of detailed consideration. The justification for this approach in relation to specific issues should be set out within the ES. We would welcome the opportunity to comment on the draft ES. Please note that we can process files only of a maximum size of 25MB and therefore, when the ES is submitted, it should be divided into appropriately sized and named sections.

1. Carbon balance

- 1.1 We welcome the reference to Carbon Balance in Section 7.8 of the submitted Scoping Report, dated April 2015. Scottish Planning Policy (SPP) states (Paragraph 205) that "Where peat and other carbon rich soils are present, applicants should assess the likely effects of development on carbon dioxide (CO₂) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO₂ to the atmosphere. Developments should aim to minimise this release." The ES or planning submission should include a) a summary demonstrating how the development has been designed with regards to layout and mitigation to minimise release of CO₂ and b) preventative/mitigation

measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, drainage channels, cable trenches, or the storage and re-use of excavated peat. A detailed peat management scheme setting out these measures may be required through a planning condition to ensure that the carbon balance benefits of the scheme are maximised. We do not validate carbon balance assessments, but our advice on peat management options may need to be taken into consideration when you consider such assessments.

2. Disruption to wetlands including peatlands and Groundwater Dependant Terrestrial Ecosystems (GWDTE)

- 2.1 SEPA has a responsibility to protect GWDTE, which are types of wetland protected under the Water Framework Directive. Foundations, borrow pits and linear infrastructure such as roads, tracks and trenches can disrupt groundwater flow and impact upon these sensitive receptors.
- 2.2 Mapping and subsequent avoidance of GWDTE in development proposals will avoid delay and expense to the developer both during the project and after construction. Avoidance removes the need for further assessment, mitigation, monitoring and potential remediation.
- 2.3 Please refer to Appendix 3 of guidance note Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for the minimum mapping information we require to be submitted. Unless the overlaid maps identified in Appendix 3 are submitted it is likely that the scheme will be subject to an objection.
- 2.4 We welcome the commitment within Section 7.5.9 of the Scoping Report to carry out an extended Phase 1 Habitat Survey. In order to assess the potential risk to GWDTE a Phase 1 habitat survey must be carried out within the following distances of development as a minimum:
- a) within 100m radius of all excavations shallower than 1m
 - b) within 250m of all excavations deeper than 1m

If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it. The guidance SNIFFER (2009) WFD95 - A Functional Wetland Typology for Scotland can be used to help identify wetland types.

- 2.5 A National Vegetation Classification (NVC) survey should be completed for any wetlands identified (it may be that an NVC survey has been requested by, for example, SNH). A list of NVC communities that may be dependent on groundwater can be found in Appendix 4 of the guidance note Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems.
- 2.6 A detailed site specific qualitative and/or quantitative risk assessment will be required within the ES or supporting information in the following higher risk situations:-
- a) for proposed infrastructure within 250 m of GWDTE, where the infrastructure will require excavation deeper than 1m. Typically, this includes borrow pits and turbine foundations but may include access roads and other infrastructure.

- b) for excavations within 100 m of GWDTE but shallower than 1m if the applicant will not accept a detailed long term monitoring planning condition.

Refer to guidance note Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further information on carrying out a detailed risk assessment and the requirements of the detailed long term monitoring condition.

- 2.7 The checklist form provided in Appendix 2 of this letter must be completed and submitted with the above information.

3. Disturbance and re-use of excavated peat

- 3.1 We note that a preliminary peat survey across the Study Area was carried out in January 2015 by Blairbeg Consulting Ltd. Where the proposed infrastructure will impact upon peatlands it is important to limit the volume of peat being disturbed so that commonly experienced difficulties in dealing with extracted surplus peat are reduced. The submission must include:
 - a) A detailed map of peat depths (this must be to full depth) with all the built elements (including peat storage areas) overlain so it can clearly be seen how the development avoids areas of deep peat and other sensitive receptors such as GWDTE.
 - b) A table which details the quantities of acrotelmic, catotelmic and amorphous peat which will be excavated for each element and where it will be re-used during reinstatement. Details of the proposed widths and depths of any peat to be re-used and how it will be kept wet must be included.
- 3.2 To avoid delay and potential objection proposals must be in accordance with Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste and our Regulatory Position Statement – Developments on Peat.
- 3.3 Dependant upon the volumes of peat likely to be encountered and the scale of the development, applicants must consider whether a full Peat Management Plan (as detailed in the above guidance) is required or whether the above information would be best submitted as part of the schedule of mitigation identified below.

4. Existing groundwater abstractions

- 4.1 SEPA has a responsibility to protect groundwater abstractions. Foundations, borrow pits and linear infrastructure such as roads, tracks and trenches can disrupt groundwater flow. As such we welcome the commitment within Section 7.9 of the Scoping Report to assess the potential impacts on Private Water Supplies, other water abstractions and discharges.
- 4.2 Mapping and subsequent avoidance of groundwater abstractions in development proposals will avoid delay and expense to the developer both during the project and after construction. Avoidance removes the need for further assessment, mitigation, monitoring and potential remediation.
- 4.3 All groundwater abstractions within the following distances of development need to be identified, in order to assess potential risk:
 - a) within 100m radius of all excavations shallower than 1m

- b) within 250m of all excavations deeper than 1m

4.4 Please refer to Sections 2.6-2.9 and Appendix 3 of guidance note Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for the minimum mapping information we require to be submitted. Unless the overlaid maps identified in Appendix 3 are submitted it is likely that the scheme will be subject to an objection.

4.5 A detailed site specific qualitative and/or quantitative risk assessment will be required within the ES or supporting information in the following higher risk situations:-

- a) for proposed infrastructure within 250 m of groundwater abstractions, where the infrastructure will require excavation deeper than 1m. Typically, this includes borrow pits and turbine foundations but may include access roads and other infrastructure.
- b) for excavations within 100 m of groundwater abstractions but shallower than 1m if the applicant will not accept a detailed long term monitoring planning condition.

Refer to guidance note Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further information on carrying out a detailed risk assessment and the requirements of the detailed long term monitoring condition.

4.6 The checklist form provided in Appendix 2 of this letter must be completed and submitted with the above information.

5. Engineering activities in the water environment

5.1 In order to meet the objectives of the Water Framework Directive of preventing any deterioration and improving the water environment, developments should be designed to avoid engineering activities in the water environment wherever possible. The water environment includes burns, rivers, lochs, wetlands, groundwater and reservoirs. We require it to be demonstrated that every effort has been made to leave the water environment in its natural state. Engineering activities such as culverts, bridges, watercourse diversions, bank modifications or dams should be avoided unless there is no practicable alternative. Paragraph 255 of SPP deters unnecessary culverting. Where a watercourse crossing cannot be avoided, bridging solutions or bottomless or arched culverts which do not affect the bed and banks of the watercourse should be used. Further guidance on the design and implementation of crossings can be found in our Construction of River Crossings Good Practice Guide. Other best practice guidance is also available within the water engineering section of our website.

5.2 If the engineering works proposed are likely to result in increased flood risk to people or property then a flood risk assessment should be submitted in support of the planning application and we should be consulted as detailed below.

5.3 A site survey of existing water features and a map of the location of all proposed engineering activities in the water environment should be included in the ES or planning submission. A systematic table detailing the justification for the activity and how any adverse impact will be mitigated should also be included. The table should be accompanied by a photograph of each affected water body along with its dimensions. Justification for the location of any proposed activity is a key issue for us to assess at the planning stage.

- 5.4 Where developments cover a large area, there will usually be opportunities to incorporate improvements in the water environment required by the Water Framework Directive within and/or immediately adjacent to the site either as part of mitigation measures for proposed works or as compensation for environmental impact. We encourage applicants to seek such opportunities to avoid or offset environmental impacts. Improvements which might be considered could include the removal of redundant weirs, the creation of buffer strips and provision of fencing along watercourses. Fencing off watercourses and creating buffer strips both helps reduce the risk of diffuse water pollution and affords protection to the riparian habitat.

6. Water abstraction

- 6.1 Where water abstraction is proposed we request that the ES, or planning submission, details if a public or private source will be used. If a private source is to be used the information below should be included. Whilst we regulate water abstractions under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended), the following information is required at the planning stage to advise on the acceptability of the abstraction at this location:
- Source e.g. ground water or surface water;
 - Location e.g. grid reference and description of site;
 - Volume e.g. quantity of water to be extracted;
 - Timing of abstraction e.g. will there be a continuous abstraction;
 - Nature of abstraction e.g. sump or impoundment;
 - Proposed operating regime e.g. details of abstraction limits and hands off flow;
 - Survey of existing water environment including any existing water features;
 - Impacts of the proposed abstraction upon the surrounding water environment.
- 6.2 If other development projects are present or proposed within the same water catchment then we advise that the applicant considers whether the cumulative impact upon the water environment needs to be assessed. The ES or planning submission should also contain a justification for the approach taken.

7. Pollution prevention and environmental management

- 7.1 One of our key interests in relation to major developments is pollution prevention measures during the periods of construction, operation, maintenance, demolition and restoration. The construction phase includes construction of access roads, borrow pits and any other site infrastructure.
- 7.2 We advise that the applicant should, through the EIA process or planning submission, systematically identify all aspects of site work that might impact upon the environment, potential pollution risks associated with the proposals and identify the principles of preventative measures and mitigation. This will establish a robust environmental management process for the development. A draft Schedule of Mitigation should be produced as part of this process. This should cover all the environmental sensitivities, pollution prevention and mitigation measures identified to avoid or minimise environmental effects. Please refer to the [Pollution prevention guidelines](#).
- 7.3 A Construction Environmental Management Document is a key management tool to implement the Schedule of Mitigation. We recommend that the principles of this document are set out in the ES outlining how the draft Schedule of Mitigation will be implemented. This document should form the basis of more detailed site specific Construction

Environmental Management Plans which, along with detailed method statements, may be required by planning condition or, in certain cases, through environmental regulation. This approach provides a useful link between the principles of development which need to be outlined at the early stages of the project and the method statements which are usually produced following award of contract (just before development commences).

- 7.4 We would refer you to best practice advice prepared by SNH, SEPA and the windfarm industry Good Practice During Windfarm Construction. Additionally, the Highland Council (in conjunction with industry and other key agencies) has developed a guidance note Construction Environmental Management Process for Large Scale Projects.

8. Borrow pits

- 8.1 We note from Section 7.7.5 of the Scoping Report that "The areas identified as borrow pits for extraction of aggregate will be assessed for the potential impacts associated minerals operations and these assessments will be included in relevant Chapters of the ES". Scottish Planning Policy (SPP) states (Paragraph 243) that "Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries, they are time-limited; tied to a particular project and appropriate reclamation measures are in place." The ES or planning submission should provide sufficient information to address this policy statement.
- 8.2 Additionally, a map of all proposed borrow pits must be submitted along with a site specific plan of each borrow pit detailing the:
- a) Location, size, depths and dimensions of each borrow pit;
 - b) Existing water table and volumes of all dewatering;
 - c) Proposed drainage and settlement traps, turf and overburden removal and storage areas;
 - d) Restoration profile, nature and volume of infill materials, and, if wetland features form part of the restoration, 25 year management proposals.
- 8.3 The impact of such facilities (including dust, blasting and impact on water) must be assessed in accordance with Planning Advice Note PAN 50 Controlling the Environmental Effects of Surface Mineral Workings (Paragraph 53). In relation to groundwater, information (Paragraph 52 of PAN 50) only needs to be provided where there is an existing abstraction or GWDTE within 250 m of the borrow pit.

9. Air quality

- 9.1 The local authority is the responsible authority for local air quality management under the Environment Act 1995 and therefore we recommend that Environmental Health within the local authority be consulted.
- 9.2 They can advise on the need for this development proposal to be assessed alongside other developments that could contribute to an increase in road traffic. They can also advise on potential impacts such as exacerbation of local air pollution, noise and nuisance issues and cumulative impacts of all development in the local area. Further guidance regarding these issues is provided in Scottish Planning Specific Advice (2004) available on the Scottish Government's Planning website entitled Air Quality and Land Use Planning.

10. Flood risk

- 10.1 The site should be assessed for flood risk from all sources in line with Scottish Planning Policy (Paragraphs 254-268). The Flood Maps for Scotland are available to view online and further information and advice can be sought from your local authority technical or engineering services department and from our website.
- 10.2 If a flood risk is identified then a Flood Risk Assessment should be carried out following the guidance set out in the document Technical flood risk guidance for stakeholders.
- 10.3 If formally consulted through the planning process on the proposed development we would be unlikely to object on flood risk grounds based on the information supplied with this consultation. Notwithstanding this we would expect Shetland Islands Council to undertake their responsibilities as the Flood Prevention Authority. Please note our more detailed advice below.
- 10.4 We have reviewed the information provided in this consultation and it is noted that the application site lies out with the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map*, however there are several small watercourses and waterbodies in close vicinity.
- 10.5 From OS Maps it appears that the location of the turbines is likely to be on high ground well elevated above the functional flood plain however we welcome the suggestion in 7.9.28 of the Scoping Report that a Level 1 Flood Risk Assessment will be undertaken.
- 10.6 We would note that any associated access tracks and laydown areas should also be situated out with the functional flood plain. In line with SEPA's Standing Advice, access tracks should ensure that they do not result in an elevation of the land within the functional flood plain. If this is not possible, this element of the development should be moved out with the area thought to be at risk of flooding.
- 10.7 We would advise that any watercourse crossings follow good practice guidelines and should be adequately sized to enable them to convey the 1 in 200 year design flow at each point without causing constriction of flow or exacerbation to flood risk elsewhere.
- 10.8 Our pre-application advice relies on the accuracy and completeness of the information supplied with this consultation. Should finalised development proposals differ in any future planning application we reserve the right to alter our position if we are of the opinion that such proposals would not meet with the principles of Scottish Planning Policy.

* The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit http://www.sepa.org.uk/flooding/flood_maps.aspx.

11. Decommissioning / Repowering

- 11.1 SEPA is currently considering the waste regulatory position of material such as rubble, foundations and cabling which may be reused or abandoned on site during decommissioning or repowering. Any proposal to discard materials that are likely to be classed as waste would be unacceptable under current waste management licensing and

under waste management licensing at time of decommissioning if a similar regulatory framework exists at that time. Further guidance on this may be found in the document Is it waste - Understanding the definition of waste.

- 11.2 The EIA process should take this waste regulatory position, and the need to demonstrate waste minimisation, into account from the outset in designing the layout and in developing the general principles for the site of decommissioning or repowering.

12. Regulatory advice for the applicant

- 12.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office at: The Esplanade, Lerwick, Shetland, ZE1 0LL, Tel: 01595 696926

If you have any queries relating to this letter, please contact me by telephone on 01224 266656 or e-mail at planning.aberdeen@sepa.org.uk.

Yours sincerely

Alison Wilson
Senior Planning Officer
Planning Service

ECopy to: econsentsadmin@scotland.gsi.gov.uk

ECopy to: Bernadette Barry, Peel Energy Limited at BBarry@peel.co.uk

ECopy to: John Holden, Shetland Islands Council at development.management@shetland.gov.uk

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at the planning stage. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. If you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found in How and when to consult SEPA, and on flood risk specifically in the SEPA-Planning Authority Protocol.

Appendix 1: Example Peat Balance Table Example

		Upgraded access tracks	New 'cut' access tracks	Turbine bases	Hardstandings	Borrow pit	Substation	Construction compound	Cabling	Total
Excavation	Plan area									
	Depth of acrotelm excavated									
	Depth of catotelm excavated									
	Volume of Acrotelm excavated									
	Volume of Catotelm excavated									
	Total excavation/ volume									
Re-Use Requirement	Length or depth									
	X-area or plan area									
	Vol									
Construction Re- use/Reinstatement	Acrotelm re- used inc width and depth									
	Catotelm re- used inc width and depth									
	Total initial re-use									
Temporary storage	Acrotelm stored									
	Catotelm stored									
	Total stored									
Final re-use	Acrotelm re- used inc width and depth									
	Catotelm re- used inc width and depth									
	Total initial re-use									
Balance	Acrotelm balance									
	Catotelm balance									
	Overall balance									

Appendix 2: Checklist for Submitted Information - Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems (GWDTE)

	Information Requirements	Circle to confirm	ES reference: Figure / Section	SEPA Actions
1	Plans showing <u>all</u> proposed infrastructure, including temporary works	Yes		If not provided – SEPA will object due to lack of information and request the required plans
2	Plans overlain with details of the extent and depths of all proposed excavations	Yes		If not provided – SEPA will object due to lack of information and request the required plans
3	Plans show the relevant specified buffer zones (100m and 250m)	Yes		If not provided – SEPA will object due to lack of information and request the required plans
4	Plans overlain with source of groundwater abstractions: - all groundwater abstractions within 100m radius of all excavations shallower than 1m - all groundwater abstractions within 250m of all excavations deeper than 1m Or statement provided to confirm none	Yes		If not provided - SEPA will object due to lack of information and request the required plans
5	Plans overlain with GWDTE (Phase 1 habitat survey) data: - within 100m radius of all excavations shallower than 1 m; - within 250m of all excavations deeper than 1m. Or statement provided to confirm none	Yes		If not provided – SEPA will object due to lack of information and request the required plans
6	Applicant confirmation of one of following (as shown on above plans): i) no groundwater abstractions and GWDTE on site; ii) groundwater abstractions and/or GWDTE identified and 250m buffer zones implemented iii) confirmation that the groundwater abstraction owners have agreed contingency plans including temporary or permanent replacement of a groundwater supply.	Yes		If confirmed SEPA will request condition A (maintenance of buffer zones) as specified in SEPA guidance note <u>Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems</u>
7	Applicant can confirm above plans show excavations or intrusions within 100m buffer zone are shallower than 1m	Yes		If confirmed SEPA will request condition B (monitoring) as set out in above guidance
8	Applicant can confirm above plans show excavations or intrusions are on/in a groundwater abstraction or GWDTE	Yes		If confirmed SEPA will require a bespoke risk assessment
9	Applicant can confirm infrastructure involves excavations deeper than 1m within 250m of sensitive receptors or unable to comply with monitoring	Yes		If confirmed SEPA will require a bespoke risk assessment

Annex A - SEPA Response

	requirements of Condition B			
10	Bespoke risk assessment provided	Yes		SEPA will provide a bespoke response
Signature:		Organisation:		Date:



Shetland Islands Council

Executive Manager: Iain S McDiarmid
Director: Neil Grant

Gillian Whyte
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G2 8LU

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

Our Ref: 2015/133/SCO36

Date: 7 May 2015

Dear Madam,

**RESPONSE TO CONSULTATION ON SCOPING OPINION REQUEST FOR THE
PROPOSED BEAW FIELD WIND FARM, SOUTH YELL, SHETLAND
(SIC File Ref: 2015/133/SCO36)**

**Electricity Act 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations
2000**

1. INTRODUCTION

- 1.1 The following is Shetland Islands Council's Planning Service's response to a scoping opinion consultation request received from Scottish Ministers on 16 April 2015. The request is received in accordance with regulation 7 of the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000, seeking the views of the Local Planning Authority on the information which ought to be provided in the Environmental Statement (ES).
- 1.2 A copy of the scoping report, being submitted directly to the Scottish Government by Peel Energy Ltd, was made available to the Planning Authority on 14 April 2015. The report is intended to provide a structure for consultation on the approach to the EIA and the proposed content of the ES.

- 1.3 The report relates to a proposed onshore wind farm to be known as Beaw Field. The proposed development site lies north of the settlements of Hamnavoe and Burravoe in South Yell. The proposed site would contain infrastructure, including wind turbines, access tracks, met mast(s), transformers and cables and a substation building. The development would comprise of up to 28 wind turbines being up to 100 metres to hub height and having up to 110 metres rotor diameter, giving a maximum height to blade tip of up to 145 metres, the total wind farm generating a capacity of up to 70 MW. It is accepted that the indicative layout and largest prospective wind turbine dimensions are to be assessed as the selected option.
- 1.4 This scoping consultation response will provide comment on the report. Please note that the response is given without sight of specialist advice or comments provided by other agencies such as SNH, and SEPA. As such, the comments are given without prejudice to the full consideration and assessment of the ES as part of the formal consultation exercise under the appropriate regulations and taking due account of specialist advice and feedback at that time.

2. POLICY CONTEXT

- 2.1 The report lists various National, Local Strategic and Local Detailed Planning Policies. A full and comprehensive review of the pertinent Land Use Planning Policies will inform the Local Planning Authority's response at the time of the application.
- 2.2 The Shetland Local Development Plan (2014) is current and this will guide the consultation response from the Council.
- 2.3 Supplementary Guidance (SG) on Wind Farm Development in Shetland is currently being prepared and on adoption, will provide specific guidance which any ES submitted should take account of.
- 2.4 Reference should also be made to Scottish Historic Environment Policy (December 2011), which sets out Scottish Minister's policies for the historic environment, Planning Advice Note (PAN) 2/2011 on Planning and Archaeology and Historic Scotland's Guidance Note Managing Change in the Historic Environment: Setting.

3. LANDSCAPE AND VISUAL

- 3.1 The Planning Authority welcomes the applicant's intention to adhere to the best practice guidance issued by Scottish Natural Heritage (SNH). The landscape and visual assessment must be undertaken with due account of all the relevant and contemporary best practice. Furthermore, whilst cited, the developer is advised to closely refer to the report "Landscape Sensitivity and Capacity Study for Wind Farm Developments on the Shetland Islands". This report was commissioned by Shetland Islands Council and prepared by Land Use Consultants (March 2009). The LUC report will be used as a tool by officers when undertaking formal assessment at the consultation stage.
- 3.2 Reference should also be made to Scottish Historic Environment Policy (December 2011), which sets out Scottish Minister's policies for the historic environment, Planning Advice Note (PAN) 2/2011 on Planning and Archaeology and Historic Scotland's Guidance Note Managing Change in the Historic Environment: Setting.

4. ECOLOGY

- 4.1 The Planning Authority is satisfied that the Scoping Report submitted by the applicant covers the potential issues that should be addressed in the Environmental Statement. These issues are primarily the potential impact upon the Otterswick and Graveland SPA, as well as other designated sites in the area, potential impacts upon the ornithology of the area, the likely presence of otters on site (as a primary feature of the Yell Sound Coast SAC), and the presence of the blanket bog as the pre-dominant habitat within the boundary of the site. The Planning Authority is also satisfied that the methodologies suggested for assessing the nature of these potential impacts are satisfactory, but would like to add that the applicant should pay regard to the comments provided by other nature conservation organisations.

5. ORNITHOLOGY

- 5.1 The Planning Authority is satisfied that appropriate steps are being taken to ensure that the desk study information gathering exercise is thorough. The applicant should also take account of local information and knowledge that may be imparted during the public consultation period.
- 5.2 The Planning Authority is pleased to see that the applicant has engaged in early discussions with SNH.
- 5.3 The RSPB has concerns about the proposal due to:

The proximity of the Otterswick and Graveland SPA;

The presence of a number of important species of birds in the area;

The presence of blanket bog, some of which is likely to be active;

The potential for the release of stored carbon from the blanket bog during construction works and storage and disposal of excavated peat.

Consequently, the Environmental Statement should consider potential impacts of the development on all of these issues.

5.4 Otterwick and Graveland SPA

The ES will have to demonstrate that the application will not affect the integrity of the site or undermine its conservation objectives. The ES will need to address the project's potential for impacts on the SPA's red-throated diver population. In particular, as a consequence of collision with turbines, as well as disturbance-displacement from breeding lochs, and from the effects of increased energetic demands arising from turbines acting as a barrier between marine foraging areas and freshwater breeding sites during the chick-rearing period. The ES will need to include sufficient information for a full Habitats Regulations Appraisal, either to demonstrate that there is no likely significant effect on the SPA, or (more probably in the Planning Authority's view) to allow the Scottish Ministers to carry out an Appropriate Assessment.

5.5 Birds

Breeding populations of several important birds are found in the area. Red-throated diver, merlin, golden plover and dunlin are listed in Annex 1 of EU Directive 79/409/EEC on the Conservation of Wild Birds. Red-throated diver and merlin are included in Schedule 1 of the Wildlife and Countryside Act 1981, which affords them special protection whilst breeding. Dunlin, Arctic skua and skylark are of high conservation concern as their populations have undergone declines of at least 50% over the past 25 years and accordingly, are on the Red List of Birds of Conservation Concern (BOCC). Shetland holds over 40% of the world population of great skuas and this species is also on the Amber list of the BOCC. In addition, curlew, Arctic skua and skylark are UK Biodiversity Action Plan (BAP) species, recognised as requiring conservation action to ensure the survival of healthy populations.

- 5.6 For those species on Annex 1 and the regularly occurring migratory species, Article 4 of the 'Birds' Directive requires "special conservation measures" to be taken "to ensure their survival and reproduction in their area of distribution". Such measures include, *inter alia*, due regard to their conservation in the taking of development control decisions. For all species, especially those of conservation concern, such decisions also contribute to the "requisite measures" taken by Member States to secure the objectives of Articles 2 and 3.
- 5.7 For many of these species, operational disturbance, displacement, barrier effects and risk of collision with turbines could all have significant adverse effects on their Shetland populations. The ES must address mitigation, including the removal of turbines from particularly sensitive locations, in an attempt to reduce any potential damage to key species from the proposal.
- 5.8 Blanket Bog
- Much of the application area is covered by blanket bog, some of which is likely to be active (i.e. still peat-forming), which is a priority habitat on Annex 1 of the EU Habitats Directive and therefore of international importance. Blanket bog is also a priority habitat for both the UK BAP and the Scottish Biodiversity Strategy.
- 5.9 The Planning Authority recommends that the hydromorphological approach as endorsed by JNCC should be used to assess the existing blanket bog habitat resource and impacts upon it. This system, employed since the early 1980s in many parts of the world, now forms the basis of official guidance from JNCC to the UK conservation agencies and features in Ramsar Convention Guidance for Peatlands (Lindsay and Freeman 2008).
- 5.10 Aspects of the proposed development, in particular, the construction of turbine bases, hardstandings and tracks and the disposal of excavated peat, could seriously damage blanket bog. Such damage could adversely impact upon the important bird species listed above. RSPB Scotland is seriously concerned about the excavation of large quantities of peat and its re-use or disposal.
- 5.11 It is essential that excavated acrotelm peat is carefully stored and re-used for reinstatement of disturbed areas. Conversely, the spreading of excavated catotelm peat on track verges and other areas should be avoided. This must be clearly addressed in the Environmental Statement (ES).

- 5.12 The Planning Authority welcomes the mention of a Habitat Management Plan. This should be provided as an appendix to the ES and should include detailed descriptions of measures to conserve the blanket bog habitat and peat-forming vegetation and the important bird species in Yell. The issue of excavated catotelm peat in ways that may further damage blanket bog and other semi-natural habitats should be avoided.

5.13 Carbon Emissions

It is essential that excavated peat is dealt with in a sensitive way to both prevent further damage to blanket bog and other semi-natural habitats in the area and to prevent a situation where the development could result in the release of more carbon than it would save over its operational lifetime. This must be clearly addressed in the ES.

6. HYDROLOGY AND HYDROGEOLOGY

- 6.1 In respect of hydrology, should a potential environmental impact be identified, the applicant should clearly demonstrate in the ES that the water quality will be safeguarded during the construction phase, operational phase and future decommissioning of the development.
- 6.2 The views of SEPA should be sought in respect of the methodologies being proposed in relation to peat management.

7. MARINE PLANNING

- 7.1 The Coastal Zone Management Service within the Planning Authority has the following comments:
- 7.2 Detail on borrow pits (number, location, size etc.) must be included in the ES and should include information on how any rock material would be acquired. It is not stated whether these pits would be within the site or at some off-site location – clearly further planning applications would be required if the latter is the case. If blasting is proposed and the borrow pits are within the development boundary, consideration should be given to impacts on marine mammals given the close proximity of the Yell Sound Coast SAC designated for its otter and common seal interest. There may also be some impacts from blasting on the bird interests of the Fetlar – Haroldswick Nature Conservation Marine Protected Area which is located some 2.1km to the north east of the site. If the pits are off-site, these and other considerations will be required.
- 7.3 Yell Sound Coast is a SAC not a SPA as stated.

- 7.4 It is Hamnavoe, not Hamnvøe and Burra Voe, not Burra Vøe.
- 7.5 The aquaculture operations that could be affected by siltation issues from burns running off the development site have changed since the previous scoping report was produced. They now consist of a mussel farm in the inner part of Hamnavoe and a salmon farm in the outer area. The inner part of Hamnavoe is designated as a Shellfish Protected Area under the Water Environment (Shellfish Waters Protected Areas : Designation) (Scotland) Order 2013. The Arisdale Hatchery is currently mothballed but has the potential to re-open if industry continues its desire to produce smolts as close to ongoing sites as is possible and it should still be considered as a viable operation that could be affected by the proposed development

8. OUTDOOR ACCESS

- 8.1 The Planning Authority's Outdoor Access Officer has noted the following. The development would not appear to directly affect any formal routes that the Council maintain, nor any public rights of way.
- 8.2 However, the report notes that, potentially significant effects are likely to arise from the introduction of new large engineered structures. Views of these structures from the surrounding area, including from receptors such as residential properties, settlements, public rights of way and other routes with public access and from public open spaces.
- 8.3 The potential influence of these structures upon the character of the surrounding landscape and upon the special qualities of designated landscapes and wild land are a concern.
- 8.4 The development borders Access Route ARY06. The Catalina Memorial walk and also The Hill of Arisdale (listed as a Marilyn to be ticked off) and The Ward of Otterswick, which all attract walkers to the area. Additionally, under the Land Reform (Scotland) Act 2003, the public have a general right to responsible non-motorised access over that hillside.
- 8.5 The report states that Wind Farm infrastructure including access roads, substation and all other components have not been shown yet as they have not been designed in detail. It will be desirable that when access roads and other infrastructure are designed, consideration is given to suitable interconnection to enable their use for non-motorised outdoor recreation in the area.

- 8.6 Finally, the applicant should include within the ES a Access Route Plan to show how provision for both formal and informal access in the area has been considered and will be catered for.

9. AIRPORT MANAGER – SCATSTA

- 9.1 Due to the proximity to Scatsta Airport and the instrument flight procedures or navigational aids that may be affected, the ES will need to address the conducting of a scoping study to assess the impact of the proposed development on these interests.
- 9.2 It is understood that a similar study was conducted for the same development by a previous company back in 2012, however there has been significant changes from both the airport and the prospective new developers since that time.

10. CULTURAL HERITAGE AND ARCHAEOLOGY

- 10.1 In respect of cultural heritage and archaeology, the applicant is asked to consider the following in their preparation of the ES.

10.2 Archaeology Service

The Shetland Amenity Trust's Archaeology Service that advises the Planning Authority on archaeological matters is pleased that its comments made in 2012 have been taken onboard to a large extent. However, on p.42, 7.3.21, reference is made to the state that "The site will be surveyed along transects spaced at 20m intervals (dependent on topography) as advised by the Regional Archaeology Service." Please note that 20 m is an absolute maximum and it will be more usual to require transects to be much closer together.

The same paragraph also states that "Hand held GPS will be used to note and confirm the position of each asset". This is insufficiently accurate for these purposes unless results are rectified since handheld GPS results in Shetland have been shown to be up to 30m different on consecutive days, and two separate instruments may give up to 10m difference in results when held next to each other. If results are to be rectified, this should be stated and details provided in any given methodology statement, otherwise DGPS should be used.

- 10.3 It should be borne in mind, that the previous application of such tables as proposed, generally have had little to no value in such circumstances and each feature should be evaluated in a more meaningful way. For "asset",

please read/replace with "feature". The Archaeology Service would expect to assess this as it offers advice to the Shetland Islands Council as Planning Authority once the results of the preliminary field work are available, in order to determine the appropriate course of action in conjunction with the archaeological contractors.

10.4 Historic Environment

The Planning Authority is content that the scope of the areas proposed to be covered as outlined at section 7.3. In compiling the baseline information, the applicant may also wish to look at: The Inventory of Historic Gardens and Designed Landscapes, compiled by Historic Scotland; and maps, plans etc. held by Shetland Museum and Archives and the National Archives of Scotland.

11. NOISE

11.1 There is very little information regarding the construction phase including the construction of access roads and the extraction of materials from quarry or borrow pit operations. Clarification of borrow pit locations etc. and much more information will be required.

11.2 The Shetland Islands Council's Environmental Health Service has noted to the Planning Authority that at 7.1.10 on the Scoping Report (page 84) that:

'Initial modelling results based on the preliminary 20 turbine layout indicate that wind turbine noise will be greater than 35dB(A) at the nearest noise sensitive receptors and as such a full ETSU-R-97 assessment will be undertaken. A background noise assessment will be undertaken to establish noise limits, which will be set in accordance with ETSU-R-97.'

12. TRAFFIC AND TRANSPORT

12.1 The Transport Assessment should also take into consideration Transport Assessment Guidance produced by Transport Scotland 2012. Consideration of shadow flicker should be made for motorists travelling on the B9081 public road that splits the site.

12.2 Any assessment should look at not only the installation and removal of the turbines, but also the ongoing maintenance and refurbishment of the turbines as existing sites have required maintenance to nacelles, generators and blades within 10 years of commissioning.

- 12.3 Access roads within the site serving the turbines should be designed to meet the turbine manufacturer's haulage route guidelines, or in the absence of such information at this time to Appendix 6c, enclosed. This ensures that accesses are not too steep.
- 12.4 Road condition surveys will be required with supporting evidence in other photographic and video formats to determine the state of the road network that will be used to access the development prior to works commencing. It is pointed out that most of the roads in Yell are built on peat and are therefore unable to withstand significant or frequent HGV loading. There are also many culverts and small bridges that may also require to be upgraded/protected depending on the haulage routes proposed.

13. SHADOW FLICKER AND REFLECTIVITY

- 13.1 The Planning Authority welcomes the approach to assess shadow flicker.

14. SOCIO-ECONOMICS

- 14.1 The Planning Authority looks forward to assessing a targeted socio-economic survey and report that takes account of the Shetland/Yell specific activities that may be impacted as a result of the development.
- 14.2 Many residents who live in close proximity to wind farm developments cite a reduction in property values as a significant concern. We look forward to reviewing the findings of the study and interviews.

15. CLIMATE AND AIR QUALITY

- 15.1 It is clear that given the location of the proposed development, there is potential to displace and/or degrade a significant volume of peat. The Planning Authority will review the calculations and survey/assessment results as part of the Environmental Impact Assessment (EIA) and ES.
- 15.2 The Planning Authority looks forward to reviewing any proposed habitat/peat land improvement proposals.
- 15.3 Good construction practices, site management and conditions should be sufficient to ensure that dust emissions are controlled. However, it is recognised that there is the potential for emissions from plant and machinery to impact upon neighbouring land uses depending on the site layout/construction work and relationships with dwellinghouses etc. This should be considered.

- 15.4 There are areas of former landfilling at Moss Houll and Hamnavoe. These areas will require to be considered in the EIA. There are military remains to the east of the Burn of Arisdale. This will require to be considered in the EIA but may be to the north of the development area.

16. PUBLIC CONSULTATION

- 16.1 The Planning Authority welcomes the applicant's assertion that a comprehensive stakeholder engagement programme will be undertaken. In the absence of any specific public consultation protocol as part of the Section 36 application process, the use of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 as a procedural guide in respect of public engagement and consultation is considered appropriate.
- 16.2 Notwithstanding the above, the applicant should make it absolutely clear in the ES and to stakeholders as part of the engagement programme that the proposal is being put forward as an application to Scottish Ministers under the relevant Act.

17. CAVEAT

- 17.1 Ministers should note that this response is an opinion provided following consideration of the information contained within the scoping report supplied by Peel Energy Ltd. At the time of reporting a number of internal consultation had not been returned. Therefore, other matters may arise during the course of the assessment and the Planning Authority may seek additional information or clarification on particular issues at that time.

Yours faithfully

Richard MacNeill
Planning Officer – Development Management

Gillian Whyte
Energy Consents & Deployment Unit
Scottish Government
4th Floor, 5 Atlantic Quay
150 Broomielaw
Glasgow G2 8LU

8th May 2015

Dear Ms Whyte

Electricity Act 1989

**The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000
Scoping opinion request for proposed Section 36 application for the Beaw Field wind
farm on Yell**

Thank you for your email consultation, dated 13th April, seeking our views on the scope of Environmental Impact Assessment (EIA) required for this proposed development.

1. Natural heritage advice

Our advice is that development in this area raises one main issue. Careful consideration of this issue will be required during the design iteration process as part of the EIA:

The principal natural heritage issue that needs to be addressed by the EIA is the impact on the adjacent Otterswick and Graveland Special Protection Area (SPA), which is classified for breeding red-throated diver. The EIA must be able to demonstrate that the development will not have an adverse effect on the integrity of the site. The surveys detailed in the Scoping Report appear to provide a good basis for this assessment.

Full details for protected areas, including their conservation objectives/management statements, can be found in Sitelink via SNHi on our website <http://www.snh.org.uk/snhi/>. The applicant should assess the direct and indirect impacts on these protected areas and their qualifying interests/notified features in the context of their conservation objectives/management statements. The assessment should be for the proposal on its own and cumulatively with other plans or projects also affecting the protected area.

There are other protected areas in the vicinity of the proposed development. However, based on the information presented in the scoping report, we do not consider that they will be affected either directly or indirectly. Should the proposal change significantly, we would expect the applicant to review the list of sites and assess any additional sites affected as part of the EIA process.

2. Advice on the scope of the EIA

In addition to the issue identified in section 1, there are other natural heritage interests likely to be affected by the proposed development. These include protected species and sensitive habitats. Careful design and mitigation will be required to reduce these impacts to a minimal level. We refer the applicant to our general scoping advice (available via <http://www.snh.gov.uk/planning-and-development/renewable-energy/onshore-wind/general-advice-and-information/>) for more information on this, as well as advice on the format of the

ES. We also have the following specific advice in relation to information provided in the scoping report:

a. Landscape and visual impact

Section 7.2.21 of the report proposes that Shetland Islands Council's Landscape Sensitivity and Capacity Study for Wind Farm Development, rather than SNH's Landscape Character Assessment, is used for baseline characterisation of the landscape. We confirm that this is appropriate as the SIC document incorporates and builds on the SNH assessment.

In assessing cumulative impacts we recommend that as well as considering existing and consented large scale wind farms and those subject to a planning application, the EIA takes into account single turbines over 50 metres to blade tip and groups of smaller turbines. Advice on locations of these should be sought from the Planning Authority.

b. Ecology

- We confirm that ornithological surveys carried out in 2011 and 2012 are sufficiently recent for use in the EIA (provided the anticipated application is made within 5 years of the date of the last survey season) but welcome the decision to carry out further work this year to support the previous survey results.
- Section 7.4.18 states that bird flights have been assigned into three height categories - under 10m, 10-100m and over 100m - to represent airspace below, within and above likely rotor sweep height. However, the Scoping Report states that the turbines might be up to 145 metres to tip. Our advice is that the flight data should therefore be re-categorised into bands covering the likely rotor heights of the smallest and largest turbines that might be used. If this is not possible and turbines over 100 metres to tip are proposed, then all the flights recorded above the lowest point of the rotor sweep up to and including in the 100+ metre band will need to be included in the collision risk analysis. This is likely to result in an overestimation of collision risk, hence our advice to re-categorise the flight bands to gain a more representative estimation of collision risk.
- We welcome the statement in section 7.4.22 that mitigation of adverse effects by delivery of a Habitat Management Plan (HMP) will be considered. Much of the site and its surrounding area consist of degraded blanket bog and there is potential for habitat improvement. We are only able to engage in detailed dialogue regarding HMPs where habitat management is required to mitigate significant adverse effects on protected areas or protected species. We have published guidance on what to consider and include in HMPs that we recommend the applicant follows. This is available on our website via <http://www.snh.gov.uk/planning-anddevelopment/renewable-energy/onshore-wind/general-adviceand-information/>. We also take this opportunity to advise that a HMP should not be relied upon as mitigation for an adverse impact on the integrity of the SPA, as it cannot be guaranteed to be effective.
- We agree that no survey of reptiles, amphibians or purely marine mammals is necessary and so can be scoped out.
- Otters, which are a European Protected Species (EPS) are likely to occur on the site. Information on EPS can be found on our website at: <http://www.snh.gov.uk/protecting-scotlands-nature/protected-species/legal-framework/habitats-directive/euro/>. As the layout of turbines, tracks and other infrastructure is finalised, a corridor extending at least 100 metres on each side of the proposed access tracks and the area within 250 metres of each turbine base should be surveyed for otters to allow impacts on any otter holts within the site to be mitigated by micro-siting (or a species protection plan and license to be applied for, if disturbance will occur).
- Section 7.5.9 states that areas of particular botanical interest identified in the Phase 1 habitat survey will be surveyed and further classified according to the National Vegetation

Classification (NVC) system. We advise that, for our interests, any areas of active blanket bog, a priority habitat under the Habitats Directive, should be mapped and classified under the NVC. SEPA may also advise that other habitats considered to be ground water dependent terrestrial ecosystems are also surveyed to NVC level.

- In relation to carbon rich soils, peat and peatland habitats, we recommended watching the SNH website for future updates on the national peat map. Should guidance be published to accompany the final version of the map before the submission of the ES for the proposed wind farm, we would expect the applicant to take it into account.

3. Concluding remarks

Please note that while SNH is supportive of the principle of renewable energy, our advice is given without prejudice to a full and detailed consideration of the impacts of the proposal if submitted for formal consultation as part of the EIA or planning process.

Yours sincerely

Jonathan Swale

Operations Officer, Shetland
Northern Isles and North Highland
jonathan.swale@snh.gov.uk



12 May 2015
Your reference:

Our ref.

Dear Sir/Madam,

**RE: SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION
FOR THE BEAW FIELD WIND FARM ON YELL**

Dear Sir/Madam

Thank you for your letter dated 16/04/2015.

We have studied this wind farm proposal with respect to EMC and related problems to BT point-to-point microwave radio links.

The conclusion is that the project should not cause interference to BT's current and presently planned radio networks.

Yours sincerely

Dale Aitkenhead
BT Network Radio Protection

From: Windfarms <Windfarms.Windfarms@caa.co.uk>
Sent: 16 April 2015 15:45
To: Econsents Admin
Cc: Whyte G (Gillian)
Subject: RE: SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR THE BEAW FIELD WIND FARM ON YELL - RESPONSE DUE 8 MAY 2015

Dear Sir or Madam,

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2000
SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR THE BEAW FIELD WIND
FARM ON YELL**

Having reviewed the Scoping Report provided, chapter 7:15 clearly identifies the appropriate major aviation consultees (MOD, NATS and Sumburgh Airport) as well as identifying local airports although the positions of each consultee regarding the proposed development should be established by consultation.

I would also add the need, if the proposed development is approved, to inform the Defence Geographic Centre mail to dvof@mod.uk of the locations, heights and lighting status of the turbines and meteorological masts, the estimated and actual dates of construction and the maximum height of any construction equipment to be used, prior to the start of construction, to allow for the appropriate inclusion on Aviation Charts, for safety purposes.

There is an international requirement for all obstacles of 300 feet or more in height to be marked on aeronautical charts and listed in the UK Aeronautical Information Publication. This assists pilots to safely plan their flights to take into consideration the locations of tall obstacles. The national database of aeronautical obstacles is maintained by the Defence Geographic Centre (mail to dvof@mod.uk). I would therefore also add the need, if the proposed development is approved, to inform the Defence Geographic Centre of the locations, heights and lighting status of the turbines and meteorological masts, the estimated and actual dates of construction and the maximum height of any construction equipment to be used, prior to the start of construction, to allow for the appropriate inclusion on Aviation Charts, for safety purposes.

Should you have any further questions please feel free to contact me, details below.

Mark

Mark Deakin
Squadron Leader (RAF)

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Joan McGrogan
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Fax: 0131 260 6090
E-mail: joan.mcrogan@thecrownestate.co.uk

Our Ref.: R/12/24/1

8 May 2015

Dear Madam

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2000
SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR THE BEAW FIELD WIND FARM ON
YELL**

I refer to your email dated 16th April 2015 in which you advised that Peel Energy requested a Scoping Opinion from Scottish Ministers for the proposed Beaw Field Wind Farm on Yell.

The assets of The Crown Estate are not affected by this proposal and I confirm that we have no further comments to make.

Yours sincerely



Joan McGrogan
Portfolio Coordinator



**Defence
Infrastructure
Organisation**

Kalie Jagpal
Assistant Safeguarding Officer
Ministry of Defence
Safeguarding – Wind Energy
Kingston Road
Sutton Coldfield
West Midlands B75 7RL
United Kingdom

Your Reference: Section 36

Our Reference: DIO/SUT/43/10/1/15761

Telephone [MOD]:

Facsimile [MOD]:

E-mail:

Gillian Whyte
Energy Consents & Deployment Unit
Scottish Government
4th Floor, 5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

21 May 2015

Dear Ms White

Please quote in any correspondence: DIO/SUT/43/10/1/15761

Site Name: Beaw Field Windfarm

Proposal: Erection of 20 Wind Turbines

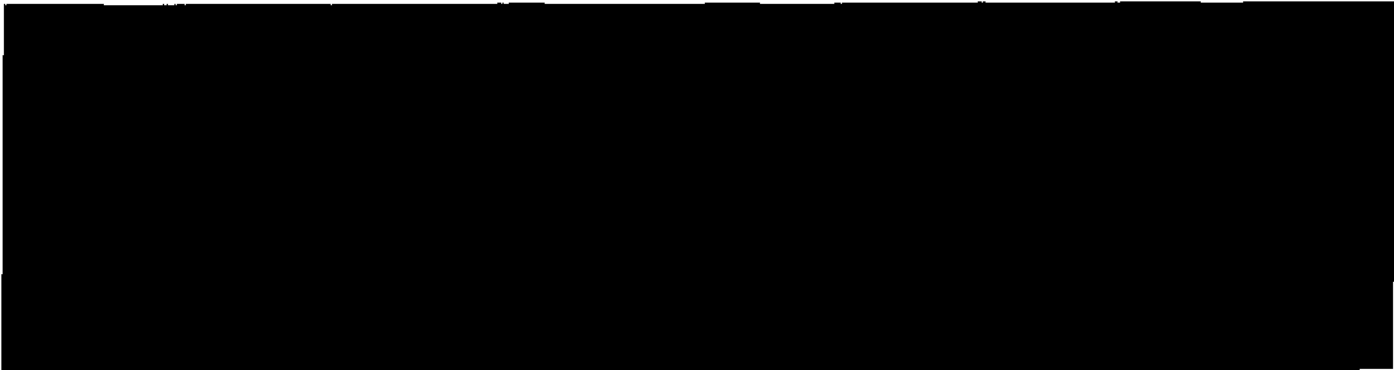
Planning Application Number: Section 36

Site Address: Isle Of Yell, Shetland

Thank you for consulting the Ministry of Defence (MOD) on the above Planning Application in your communication dated 16/04/2015.

I am writing to tell you that the MOD has no objection to the proposal.

The application is for 20 turbines at 155 metres to blade tip. This has been assessed using the grid references below as submitted in the planning application or in the developers' or your pro-forma.



In the interests of air safety, and due to the height of the proposed turbines, the MOD will request that the development should be fitted with aviation safety lighting in accordance with CAP 393 Air Navigation Order 219.

The principal safeguarding concern of the MOD with respect to the development of wind turbines relates to their potential to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations.

Defence Infrastructure Organisation Safeguarding wishes to be consulted and notified of the progression of planning applications and submissions relating to this proposal to verify that it will not adversely affect defence interests.

If planning permission is granted we would like to be advised of the following prior to commencement of construction;

- the date construction starts and ends;
- the maximum height of construction equipment;
- the latitude and longitude of every turbine.

This information is vital as it will be plotted on flying charts to make sure that military aircraft avoid this area.

If the application is altered in any way we must be consulted again as even the slightest change could unacceptably affect us.

I hope this adequately explains our position on the matter. If you require further information or would like to discuss this matter further please do not hesitate to contact me.

Further information about the effects of wind turbines on MOD interests can be obtained from the following websites:

MOD: <https://www.gov.uk/government/publications/wind-farms-ministry-of-defence-safeguarding>

Yours sincerely

Mrs Kalie Jagpal
Assistant Safeguarding Officer – Wind Energy
Defence Infrastructure Organisation

SAFEGUARDING SOLUTIONS TO DEFENCE NEEDS

From: Anne Phillips <APhillips@hial.co.uk>
Sent: 27 April 2015 10:22
To: Whyte G (Gillian)
Cc: Econsents Admin; development.management@shetland.gov.uk
Subject: Scoping Opinion Request for Proposed Section 36 Application for Beaw Field Windfarm Yell Shetland

Shetland Islands Council Ref: 2015/133/SCO
HIAL Ref: 2015/0080/LSI

Dear Sir/Madam,

PROPOSAL: Scoping Opinion Request for Proposed Section 36 Application for Beaw Field Windfarm
LOCATION: Yell Shetland

With reference to the above proposed development, it is confirmed that our calculations show that, at the given position and height, this development would not infringe the safeguarding surfaces for **Sumburgh Airport**.

Therefore, Highlands and Islands Airports Limited would have no objections to the proposal.

Safeguarding Team
Highlands and Islands Airports Limited
Head Office, Inverness Airport, Inverness IV2 7JB
☎ 01667 464244 (DIRECT DIAL)
✉ safeguarding@hial.co.uk 🌐 www.hial.co.uk



By email: econsentsadmin@scotland.gsi.gov.uk

Ms Gillian Whyte
Energy Consents Division
Scottish Government
4th Floor, 5 Atlantic Quay
150 Broomielaw
GLASGOW
G2 8LU

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Direct Line: 0131 668 8657
Switchboard: 0131 668 8600
Ruth.Cameron@scotland.gsi.gov.uk

Our ref: AMN/16/Z
Our Case ID: 201500256
06 May 2015

Dear Ms Whyte

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2000

Scoping Opinion Request for Proposed Section 36 Application for the Beaw Field Wind Farm on Yell

Thank you for your email of 16 April 2014 regarding the above proposed development, and accompanying Scoping Report. We received these details in our role as a statutory consultee under the terms of the above regulations.

This letter contains our comments for our historic environment interests covering scheduled monuments and their setting, category A listed buildings and their settings, Inventory gardens and designed landscapes (GDLs) and Inventory battlefields.

I understand that the proposed development would consist of 28 wind turbines with maximum height to tip of 145m, located on land at Beaw Field, Yell. Historic Scotland has previously commented on the scoping report for a similar development in the same location, consisting of 17 wind turbines with maximum height to tip of 163m (letter dated 4 April 2012). Our comments on the scope of the assessment remain broadly the same as in our previous letter, but we have also identified some issues with the proposed methodology. Both of these are provided in the attached annex.

We recommend that you also consult the relevant local authority's archaeological and conservation services, who will also be able to advise on potential impacts on the historic environment. This may include heritage assets beyond our remit, such as unscheduled archaeology, and category B and C listed buildings.

I hope that this letter is helpful to you. Please contact me directly, on the details given above, if it raises any issues which you would like to discuss further.

Yours sincerely

Ruth Cameron
Senior Heritage Management Officer, EIA

Annex

Historic Scotland's Interest

On the basis of the information submitted to us, I can confirm that the proposed development is unlikely to have a direct impact on any heritage assets within our remit. However, there are several heritage assets located in the vicinity of the development boundary, the setting of which might be impacted upon as a result of the proposal. We are content that the scoping report identifies those which are most likely to be significantly impacted, for our interests.

We note that while the scoping report refers to a development of up to 28 turbines, the ZTV and layout diagrams provided show only 20, as being those which have indicative locations. This limits the usefulness of this information in assessing potential impacts for our interests, and commentary on the ZTV is therefore only provisional. We have the following comments to make on individual assets:

Scheduled Monuments

Head of Brough, broch, West Yell (Index no. 2071) appears to lie outside the notional ZTV. It is located on the coast, and its setting is likely to be focussed on the coast rather than the hills behind. It is possible that the turbines would be visible in views of the broch from the sea, and the impact of the proposed turbines would have upon this view should be assessed as part of the ES.

Wester Wick of Copister, broch (Index no. 2091) is situated on a small island just off the southern tip of Yell. It lies within the notional ZTV with all 20 turbines predicted to be visible. The monument is clearly visible from the main public ferry linking North Mainland with Yell. Its setting is likely to be focussed on the coast rather than the hills behind, given its particular location on an island. The impact that the proposed turbines would have upon views of the broch from the sea should be assessed as part of the ES.

Burra Voe, broch (Index no. 2052) lies on the shore, and its setting is likely to be focussed on the coast and Burra Voe itself rather than the hills behind it. It lies within the notional ZTV as having all 20 turbines visible, and therefore the impact that the proposed turbines would have upon views of the broch from the sea should be assessed as part of the ES. Viewpoint 2 may help to assess this impact.

Gossabrough, broch and settlement (Index no. 2069) lies close to the northern shore of Neww of Gossabrough, and its setting is likely to be focussed on the coast and the Wick of Gossabrough itself rather than the hills behind it. It lies within the notional ZTV as having all 20 turbines visible, and therefore the impact that the proposed turbines would have upon views of the broch from the sea (or further out on the headland) should be assessed as part of the ES. A photomontage/viewpoint at this location would be useful.

The Snuti, fort (Index no. 2085) occupies a promontory overlooking Colgrave Sound, and its setting is likely to be coastal. It lies within the notional ZTV as having all 20 turbines visible, and therefore the impact that the proposed turbines would have upon views of the fort from its adjacent coastline should be assessed as part of the ES. A photomontage/viewpoint at this location would be useful.

Listed Buildings

The category A listed building known as West Sandwick, North Haa (West Sandwick House) (HB 18648) appears to lie outside the ZTV. However, should alterations to the scheme in the design process increase visibility from this location, we would recommend that a visualisation be produced, showing the view from the building towards the development.

We welcome the fact that the scoping report identifies the necessity for a full assessment of cumulative impacts, and consider the search area for this appropriate. We recommend that this considers not only impacts where schemes are visible in the same arc of view, but also where there is the possibility of heritage assets becoming surrounded by similar development.

Scoping Report

The inclusion of a full methodology for assessment of cultural heritage impacts is very useful for us at this stage in the EIA process. We have some detailed comments on the criteria to be used for assessing significance of impacts, but are broadly content with the search areas and scope of the assessment.

Terminology and References

We welcome the fact that the scoping report refers to Scottish Historic Environment Policy and our Managing Change guidance notes.

The methodology itself can at times be difficult to understand due to the introduction of unfamiliar terminology and unexplained categories, such as 'penumbral setting'. There is also a very strong focus on 'authentic' setting, and no explanation is given of this term. Without further clarity, this appears to downplay the sensitivity of settings which have been altered, even if they contribute to the significance of a heritage asset. We would therefore recommend that this is further explained.

In tables 9 and 5, reference is made to the "Town and Country Planning (Environmental Impact Assessment) Regulations 2011 Assessment Criteria". As there is no reference to such criteria in this legislation, it is unclear what this refers to.

Methodology

We are broadly content with the search areas identified and welcome the fact that viewpoints for cultural heritage impacts are to be agreed with Historic Scotland. We have some concerns about the detail of the methodology, and particularly the criteria given in a number of tables. Details of these are given below.

Table 3 states that sites will be considered of regional importance if they would ordinarily be considered nationally important but have been damaged such that their ability to inform is reduced. This categorisation is confusing as asset types with national designations are of national importance regardless of condition. If the assessor considers that the designation of a heritage asset requires review, this issue should be raised with Historic Scotland. In addition 'cropmarks of indeterminate origin' are referred to as of local importance which may lead to confusion regarding those cropmarks which are also scheduled monuments.

Table 4 confuses issues of sensitivity and magnitude of impact in stating that any alteration to a scheduled monument has a 'high' magnitude. The magnitude of impact is a separate consideration from the sensitivity of the receptor. In terms of the terminology used in the

assessment, it would be more logical to identify this as an issue of significance of impact (which considers sensitivity of receptor) rather than magnitude of impact.

Table 6 considers the comparative contribution of contextual and intrinsic attributes in defining the sensitivity of a site to changes in its setting. This suggests that a site with high intrinsic value would automatically have less sensitive setting contribution in relative terms. Such a contention would mean that the more sensitive the archaeology of a site, the less sensitive its setting. We consider that it would be more appropriate to consider levels of intrinsic and contextual value independently in identifying levels of sensitivity. In addition, we would advise that the definition of setting used should be that provided in our Managing Change setting guidance note as this is specific to historic environment assets.

Table 7 gives a consideration of factors affecting magnitude of impact. Whilst this identifies some of the contributing factors to this issue, its scope is relatively limited and it may be helpful to refer here to SNH's guidance note, *Siting and Designing Wind Farms in the Landscape* (available online [here](#)). It is not clear how the factors in table 7 relate to the issues raised in table 8, which also considers issues of magnitude of impact. It should also be noted that some elements of this table are repetitive – for example, 'visibility of development' and 'visual obstructions' could be considered to be the same factor. We would also query the validity of the assertion that visibility of a smaller percentage of a development reduces impact – this would suggest that full visibility of a single turbine development may have greater impact than visibility of one turbine in a two turbine scheme.

Overall, table 8 explains clearly the criteria for establishing magnitude of setting impact. However, this is achieved best through the more simple criteria given, such as "direct severance of the relationship between an asset and its setting", or "an impact that changes the setting of an asset such that the understanding of the asset and its cultural value is marginally diminished". We consider other criteria in the table to be more problematic, as some are very specific and technical, and the terminology is not always clear. In some instances this may not allow sufficient scope to assess impacts based on individual sites and their characteristics, using professional judgement. We do not consider these criteria necessary when used with the more inclusive statements of the type identified above. As with Table 6, we would advise that the definition of setting used should be that provided in our Managing Change setting guidance note as this is specific to historic environment assets.

We would query the differences between tables 5 and 9, both of which are to be used to establishing the significance of effects. The table which refers to setting impacts (table 9) identifies fewer levels of impact which are "significant" in the context of EIA. It is unclear why this would be the case, as the level of significance is defined in the methodology by the magnitude of impact and the sensitivity of the receptor – no reason is given as to why an indirect (or setting) impact would automatically have less significance than a direct impact.

There is a general presumption that reduced condition of sites renders their setting less sensitive. This is demonstrated in Table 6 as well as table 3. We do not consider this a relevant factor in the assessment.

Summary

Whilst we are broadly content with the scope of the assessment, the methodology appears at times unclear, and focuses on some factors which we do not consider primary issues in assessing the significance of impacts.

Historic Scotland
6 May 2015

From: Windfarms Team [REDACTED]
Sent: 21 April 2015 15:33
To: Econsents Admin
Subject: Fwd: Beaw Field, Gossabrough, Shetland - Request for Scoping Opinion

[REDACTED]

[REDACTED]

Dear Sir/Madam,

Planning Ref: Beaw Field --Scoping Report

Name/Location: Beaw Field, Gossabrough, Shetland

Total 20 (may increase to 28 in future) turbines:

TURBINE:

[REDACTED]

No links affected

TURBINE:

[REDACTED]

No links affected

TURBINE:

[REDACTED]

Annex J - Joint Radio Company Response

No links affected

TURBINE:

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Annex J - Joint Radio Company Response

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Annex J - Joint Radio Company Response

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[REDACTED]

No links affected

TURBINE:

[REDACTED]

No links affected

Cleared with respect to radio link infrastructure operated by:-

Local Electricity Utility

JRC analyses proposals for wind farms etc. on behalf of the UK Fuel & Power Industry and the Water Industry in north-west England. This is to assess their potential to interfere with radio systems operated by utility companies in support of their regulatory operational requirements.

In the case of this proposed wind energy development, JRC does not foresee any potential problems based on known interference scenarios and the data you have provided. However, if any details of the wind farm change, particularly the disposition or scale of any turbine(s), it will be necessary to re-evaluate the proposal.

In making this judgement, JRC has used its best endeavours with the available data, although we recognise that there may be effects which are as yet unknown or inadequately predicted. JRC cannot therefore be held liable if subsequently problems arise that we have not predicted.

It should be noted that this clearance pertains only to the date of its issue. As the use of the spectrum is dynamic, the use of the band is changing on an ongoing basis and consequently, developers are advised to seek re-coordination prior to considering any design changes.

Annex J - Joint Radio Company Response

Regards

Wind Farm Team

The Joint Radio Company Limited
Dean Bradley House,
52 Horseferry Road,
LONDON SW1P 2AF
United Kingdom

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ms Gillian Whyte
Energy Consents and Deployment Unit
Scottish Government
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU



Our ref: FL-59/7
30th April 2015

Dear Gillian,

BEAW FIELD WIND FARM, BURRAVOE, YELL, SHETLAND.

Marine Scotland Science has attached our revised generic scoping guidelines. In addition to these guidelines we would like the developer to consider the following issues in preparation of the Environmental Statement (ES):

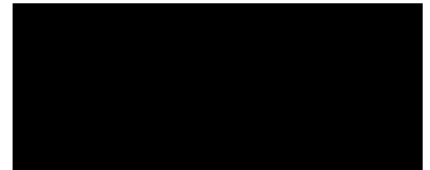
- salmon are present within and/or downstream of the proposed development area and therefore careful consideration should be given to all fish populations with particular attention being paid to salmon populations;
- all pre-construction site characterisation data for fish, macroinvertebrate and water quality should be presented in the ES along with appropriate site specific mitigation measures and full details outlining all monitoring plans during and post-construction.

Kind regards,

Dr Emily E. Bridcut.

NATS Safeguarding

Corporate and Technical Centre
4000 Parkway
Whiteley
Fareham
Hampshire
PO15 7FL

**Wind Turbine/Farm Scoping Opinion Requests and Pre-Planning Enquiries**

NATS have a policy of early engagement with developers, particularly in the area of wind turbines and wind farm developments. Since NATS is processing an unsustainable number of scoping opinion requests received from developers and Local Planning Authorities (LPAs), the decision has been made to provide some clarification on this matter.

NATS have offered pre-planning services to developers since 2005, however, in 2010, it revised and launched its pre-planning consultancy service. This provides an early, yet formal indication to developers of the anticipated impact of their proposed development upon NATS' infrastructure. The service subsequently allows developers and applicants to engage in dialogue with NATS in order to identify and discuss any potential mitigation. This allows identified solutions to be discussed and potentially agreed, at an early stage, before the formal planning process.

In order to promote a consistent nationwide approach, NATS has determined that all pre-planning enquiries and scoping opinion requests received from planning authorities or directly from applicants should be treated in the same manner. To this end we provide two options: our free self-assessment maps, and the chargeable pre-planning application.

As such we kindly request that developers and applicants use either of these tools to determine whether an impact on the NATS infrastructure is anticipated or not.

If your request is for scoping, we advise you to use our self assessment maps to determine whether a planned application is likely to have an impact. Instructions for using our maps are included below. Should a planned application fall within an area of radar coverage or other safeguarded zone, our advice would be to undertake our pre-planning assessment in order to engage with us early. Should an application fall outside the radar or other safeguarded zone, it is unlikely that NATS would object during the planning process.

Please note that NATS will continue to meet its statutory obligations and comment on all formal planning applications received by local planning authorities.

Instructions for the use of NATS self assessment maps.

To ascertain whether your development is likely to have an impact or not, you will need to use our self-assessment maps. You will also require a GIS/mapping package to plot your turbines (ARCGIS etc or GOOGLE "Forestry GIS" (fGIS™) which is freeware). All turbine heights are tip heights.

- You should be able to visualise your turbine(s) position(s) on the GIS map. For most packages you can create a text file with the NGR Eastings and Northings, to plot the turbine position.
- Download our self assessment maps free from our website.
- Add the relevant map for the turbine height to the GIS map, i.e. the height equal to the turbine height, or just below it if the exact height is not listed. e.g. 60m map for a 60m turbine, 40m map for a 50m turbine, 80m map for a 90m turbine etc.
- You should now be able to see both the radar coverage map AND the turbine position.
- You can now determine whether your turbine is visible to radar. Ideally a radar will not cover the turbine's position at all, or coverage will be at heights greater than the turbine height.

For example, if you have a 60m turbine, ideally the radar will not cover that area at 60m.

i.e. although there may be cover over that position at 100m and 80m, when selecting the 60m map, the cover is reduced leaving the turbine outside radar cover. Conversely if you have a 100m turbine, and the radar can see down to 100m over the turbine location, that turbine is visible to radar.

- By using the different maps, you should then be able to look at radar cover in different areas at different heights. This can be a useful tool for assessing a specific area and in some cases can be used to determine which positions are more likely to be an issue than others. It can also be used to determine a maximum acceptable turbine height.

e.g a potential location is visible to radar at 120m and 100m but not 80m hence a 120m and a 100m turbine would be visible to radar (possible objection) whereas an 80m turbine would be acceptable.

Once you've assessed your turbine location against primary radar cover, the same must be done for secondary radar (SSR), navigation aids and radio stations by downloading and adding the SSR, AGA and NAV maps. These have 15km/15nm circles representing safeguarded areas for these assets. When you have carried out your self-assessment, you will have determined whether your proposed turbine(s) falls in an SSR/NAV/AGA safeguarded or radar cover area:

If the turbine is outside all these areas, it is unlikely that NATS would object as there should be no technical impact.

If your proposed development is within a safeguarded or radar cover area, while this does not automatically mean an objection, it is recommended that you take out our pre-planning assessment whereby NATS undertakes further studies and provides you with a formal statement on the turbine's impact.

More generic information can be found on our website together with the details of our pre-planning assessment.

27 April 2015

Gillian Whyte
Energy Consents & Deployment Unit
Scottish Government
4th Floor, 5 Atlantic Quay
150 Broomielaw
Glasgow G2 8LU

Dear Gillian

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND)
REGULATIONS 2000
SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR THE
BEAW FIELD WIND FARM ON YELL**

Thank you for consulting RSPB Scotland on this application.

The RSPB has concerns about this proposal due to:

- the proximity of the Otterswick and Graveland SPA
- the presence of a number of important species of birds in the area.
- the presence of blanket bog, some of which is likely to be active.
- The potential for the release of stored carbon from the blanket bog during construction works and storage and disposal of excavated peat.

Consequently, the Environmental Statement should consider potential impacts of the development on all these issues.

Otterswick and Graveland SPA

The ES will have to demonstrate that the application will not affect the integrity of the site or undermine its conservation objectives. The ES will need to address the project's potential for impacts on the SPA's red-throated diver population, in particular as a consequence of collision with turbines, as well as disturbance-displacement from breeding lochs and from the effects of increased energetic demands arising from turbines acting as a barrier between marine foraging areas and freshwater breeding sites during the chick-rearing period. The ES will need to include sufficient information for a full Habitats Regulations Appraisal, either to demonstrate that there is no likely significant effect on the SPA, or (more probably in our view) to allow the Scottish Ministers to carry out an appropriate assessment.

Birds

Breeding populations of several important birds are found in the area. Red-throated diver, merlin, golden plover, and dunlin are listed in Annex 1 of EU Directive 79/409/EEC on the Conservation of Wild Birds. Red-throated diver and merlin are included in Schedule 1 of the Wildlife and Countryside Act 1981, which affords them special protection whilst breeding. Dunlin, Arctic skua and skylark are of high conservation concern as their populations have undergone declines of at least 50% over the past 25 years and accordingly are on the Red List of Birds of Conservation Concern (BOCC). Shetland holds over 40% of the world population of great skuas and this species is also on the Amber list of the BOCC. In addition, curlew, Arctic skua and skylark are UK Biodiversity Action Plan (BAP) species, recognised as requiring conservation action to ensure the survival of healthy populations.

For those species on Annex 1 and the regularly occurring migratory species, Article 4 of the 'Birds' Directive requires "special conservation measures" to be taken "to ensure their survival and reproduction in their area of distribution." Such measures include, *inter alia*, due regard to their conservation in the taking of development control decisions. For all species, especially those of conservation concern, such decisions also contribute to the "requisite measures" taken by Member States to secure the objectives of Articles 2 and 3.

For many of these species, operational disturbance, displacement, barrier effects and risk of collision with turbines could all have significant adverse effects on their Shetland populations. The ES must address mitigation, including the removal of turbines from particularly sensitive locations, in an attempt to reduce any potential damage to key species from the proposal.

Blanket bog

Much of the application area is covered by blanket bog, some of which is likely to be active (i.e. still peat-forming), which is a priority habitat on Annex 1 of the EU Habitats Directive and therefore of international importance. Blanket bog is also a priority habitat for both the UK BAP and the Scottish Biodiversity Strategy.

We recommend that the hydromorphological approach as endorsed by JNCC should be used to assess the existing blanket bog habitat resource, and impacts upon it. This system, employed since the early 1980s in many parts of the world, now forms the basis of official guidance from JNCC to the UK conservation agencies and features in Ramsar Convention guidance for peatlands (Lindsay and Freeman 2008).

Aspects of the proposed development, in particular the construction of turbine bases, hardstandings and tracks and the disposal of excavated peat, could seriously damage blanket bog. Such damage could adversely impact upon the important bird species, listed above. RSPB Scotland is seriously concerned about the excavation of large quantities of peat and its re-use or disposal.

It is essential that excavated acrotelm peat is carefully stored and reused for reinstatement of disturbed areas. Conversely, the spreading of excavated catotelm peat on track verges and other areas should be avoided. This must be clearly addressed in the Environmental Statement (ES).

We welcome the mention of a Habitat Management Plan. This should be provided as an appendix to the ES and should include detailed descriptions of measures to conserve the

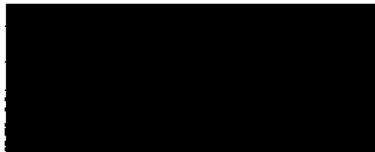
blanket bog habitat and peat-forming vegetation and the important bird species in Yell. The use of excavated catotelm peat in ways that may further damage blanket bog and other seminatural habitats should be avoided.

Carbon emissions

It is essential that excavated peat is dealt with in a sensitive way to both prevent further damage to blanket bog and other seminatural habitats in the area and to prevent a situation where the development could result in the release of more carbon than it would save over its operational lifetime. This must be clearly addressed in the ES.

Should you wish for any further information, please let me know.

Yours sincerely

A large black rectangular box redacting the signature of P.M. Ellis.

P.M. Ellis
Northern Isles Manager



Safeguarding public access in Scotland since 1845

econsentsadmin@scotland.gsi.gov.uk

Gillian Whyte
Energy Consents and Deployment Unit
Scottish Government
4th Floor, 5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

14/05/2015

Dear Ms Whyte,

Re:

Electricity Act 1989

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000

Scoping Opinion Request For Proposed Section 36 Application For The Beaw Field Wind Farm on Yell

Thank you for your e-mailed consultation request of 16th April 2015 regarding the Scoping Report for the above proposed development. Further to subsequent correspondence with the ECDU, we are grateful for the additional time allowed for our response

The National Catalogue of Rights of Way does not show any rights of way affected by the study area indicated on the applicant's Figure 3 *Indicative Wind Turbine Layout*. However, as there is no definitive record of rights of way in Scotland, there may be routes that meet the criteria but have not been recorded because they have not yet come to our notice.

You will no doubt be aware there may now be general access rights over any property under the terms of the Land Reform (Scotland) Act 2003. If the applicant has not already done so, we strongly recommend that they consult the Core Paths Plans, prepared by Shetland Islands Council's access team as part of their duties under this Act. It is our understanding that there are core paths to the immediate south and to the north of the study area. The SIC's access officer may also be able to provide further advice regarding public access in and around the application site.

We note that the Scoping Report (p26) identifies views "*from receptors such as ... public rights of way and other routes with public access*" as a potentially significant effect arising from the proposed development. Furthermore, Core Paths and general access rights are acknowledged in section 7.11.16 when appropriate receptors regarding air quality are considered. We thus anticipate that the Environmental Impact Assessment will consider

any direct and indirect impacts of the proposed development on core paths and access rights under the Act, as well as on rights of way. We suggest that the applicant pays particular attention to the maintenance of these rights during construction, operation and decommissioning of the proposed wind turbines.

If information about rights of way and other routes over a wider search area is required in order to aid preparation of the Environmental Impact Assessment, the applicant is welcome to get in touch with the Society directly.

As we understand there to be very little guidance regarding the siting of turbines in relation to established paths and rights of way, we would like to draw your attention to the following:

Extract from the Welsh Assembly Government's Technical Advice Note on Renewable Energy (TAN 8)

Proximity to Highways and Railways

2.25 It is advisable to set back all wind turbines a minimum distance, equivalent to the height of the blade tip, from the edge of any public highway (road or other public right of way) or railway line.

Once the proposed turbine layout has been further developed along with details of the site's access requirements, we would be grateful if a copy could be forwarded to the Society in order that we can comment further in due course.

Neither the Society nor its individual officers carries professional indemnity insurance and in these circumstances any advice that we give, while given in good faith, is always given without recourse.

I hope the information provided is useful to you. Please do not hesitate to contact me if you need more detail or if you have any further queries.

Yours sincerely,

Eleisha Fahy
Access Enquiries Officer

Cc: Bernadette Barry, Peel Energy Limited



**Scottish
Water**

Trusted to serve Scotland

8 May 2015

Gillian Whyte
Scottish Government
Energy Consents and Deployment Unit
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU
0300 244 1247

SCOTTISH WATER

Juniper House
Heriot Watt Research Park
Avenue North
Edinburgh
EH14 4AP

T: 0131 559 7100
F: 0131 449 4999
W: www.scottishwater.co.uk

Dear Gillian

**RE SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR
THE BEAW FIELD WIND FARM ON YELL**

Thank you for consulting with Scottish Water (SW) regarding the above development.

Advice to the Scottish Government

A review of our records indicates that there are no Scottish Water, 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 development.

Advice for the Developer

You should confirm the location of Scottish Water's assets by obtaining detailed plans from our Asset Plan Providers. Please see Annex 1 which includes the contact details for the Asset Plan Providers to check the location of assets in the area.

All detailed design proposals relating to the protection of Scottish Water's assets should be submitted to the Scottish Water Service Relocation Team (service.relocation@scottishwater.co.uk) for review and written acceptance. Works should not take place on site without prior written acceptance by Scottish Water.

We also include a list of precautions to be taken when working within the vicinity of Scottish Water assets at Annex 1 of this letter. Please take account of the list of precautions for assets.

I trust that the above is acceptable. If you have any questions relating to the above, please do not hesitate to contact me at the above address.

Yours sincerely

Amanda Hutcheson
Sustainable Land Management Regulatory Adviser

ANNEX 1

SCOTTISH WATER LIST OF PRECAUTIONS TO PROTECT ASSETS

If an activity is located within close proximity to water or waste water assets, it is essential that the assets are protected from damage. You can order copies of our water or waste water network drawings from the undernoted Asset Plan Providers, who have several years of experience supplying asset plans to the utility and developer industries and are ready to take your enquiry. This is distinct from your rights to seek access to and inspect apparatus plans at Scottish Waters area offices, for which no charge is applied.

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

National One-Call

Tel: 0844 800 9957

Email: swplans@national-one-call.co.uk

www.national-one-call.co.uk/swplans

If assets are located in the area please contact or write to the **Scottish Water Service Relocation team** via service.relocation@scottishwater.co.uk at your earliest convenience, regarding mitigation measures.

The following details a list of possible precautions and protection measures to be considered to ensure that the aforementioned does not occur or affect Scottish Water assets.

- You should at all times allow Scottish Water access to assets belonging to Scottish Water and must avoid the obstruction or hindrance to them.
- You will give full facilities to Scottish Water and our representatives to determine by inspection or otherwise whether our assets and/or pipelines are protected and whether special requirements of Scottish Water are being observed.
- Scottish Water will not accept liability for any costs incurred by you and your developer in fulfilling any of these requirements.
- If a connection to the water or waste water network is required, you must make a separate application to the Customer Connections section for permission to connect. It is important to note that the granting of planning consent does not guarantee a connection to Scottish Water assets.
- The proposed timing of the works to be submitted to Scottish Water in advance. Scottish Water to be notified prior to any activities commencing on site and upon completion.
- In the event of an incident that could impact on Scottish Water, notify us without delay, using the Scottish Water Customer Helpline Number 0800 0 778 778 and the local contact if known.

Specific precautions for water mains, waste water mains and other assets

- Scottish Water assets and structures such as underground valves and pipes should be located and marked prior to any site activity.
- The offset distance has to be agreed in advance by Scottish Water. All structures and ground disturbance must be a minimum distance of 10 metres from the nearest raw water main or water main. All structures must be a minimum distance of either, 3 metres or depth plus 1 metre, whichever is greater, from the nearest sewer. Scottish Water reserves the right to ask for increased offset distance to suit specific circumstances.

- No stationary plant, equipment, scaffolding, construction or excavated material, etc. should be placed over or close to any Scottish Water assets.
- Special care must be taken to avoid covering or filling Scottish Water assets. Arrangements for altering the level of any chambers must be made in agreement with Scottish Water and constructed in accordance with our specifications. You will have to cover the costs of this work.
- Excavation or pumping should not be carried out in the proximity of a water or waste water main without due notice having been given to Scottish Water. You will then be asked to comply with our requirements for the particular situation. Special care should be taken to prevent the removal of ground support systems. If these are exposed during excavation work, they must be supported and re-covered according to our requirements.
- In the event of any of our assets being damaged, full details must be passed immediately to our local Operations team. No-one can interfere with or operate any Scottish Water apparatus.
- You must provide us with adequate notice and full information regarding all proposals for piling or other construction methods that may create vibrations in SW pipelines or ancillary apparatus. It is imperative that your methods of construction adhere to the accepted SW standards in order to minimise vibrations and their effect on the pipelines which could create damage or leakage.
- When construction plant is crossing over Scottish Water's existing apparatus, you should ensure the effective use of temporary protection to spread the weight on the water pipes and sewers to within safe working limits. Scottish Water requires that any proposals be subject to written acceptance by Scottish Water.
- You or anyone working for you should not interrupt the flow of water or waste water within Scottish Water's mains or sewers
- You should at all times allow Scottish Water access to its assets. You must avoid the obstruction or hindrance to the prompt and efficient use and manipulation of valves, hydrants, meters or other apparatus, water mains. There should be no interference with the free discharge of scours from water mains.

Gillian Whyte
Energy Consents & Deployment Unit
4th Floor, 5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

7 May 2015



Dear Ms Whyte,

**ELECTRICITY ACT 1989
THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2000
SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR THE BEAW FIELD WIND
FARM ON YELL**

The Scottish Wildlife Trust has previously submitted comments on an earlier iteration of the proposal, and wishes to make the following comments.

Designated sites and their features

The proposed development is immediately adjacent to the Otterswick & Graveland Special Protection Area (SPA) and Otterswick SSSI which have a qualifying feature of breeding red-throated diver. We welcome the amendment to make the proposed development wholly outwith the SPA but have concerns about impacts on this site and its qualifying feature – the proposed development boundary is only 0.1 km from the designated site and turbines 1, 3 and 12 are close to the SPA boundary. In addition to an Appropriate Assessment being undertaken, we would call for extensive diver surveys to be undertaken following SNH best practice guidelines, to identify regular flightlines and accurately assess potential impacts.

Yell Sound Coast, designated as a Special Area of Conservation (SAC) and SSSI, lies c. 1 km from the site boundary. The most recent classification of otter, a qualifying feature of the SAC, was 'Unfavourable Declining'. This needs to be carefully considered in the survey work and any proposed mitigation, especially in terms of road-upgrading work (including outwith the development site) and run-off from construction.

Ornithology

In addition to red-throated diver, potential impacts on other bird species should be carefully considered, notably breeding merlin, waders and skuas. This should include collision risk modelling where appropriate, and analysis of impacts during the construction and operational phases of the proposed development, including indirect impacts caused by any avoidance of construction sites / operational wind farms.

Habitats and peat

The Scottish Wildlife Trust believes that peat deeper than 1 metre should be avoided when siting turbines and associated infrastructure. Areas of active (peat forming) blanket bog should be avoided – this habitat is listed on Annex I of the Habitats Directive and is a priority habitat. More finely detailed peat depth survey is required (e.g. 50 metre grid), in addition to an NVC survey, in order to better formulate the siting of turbines should this proposal progress. Additionally, a peat management plan and detailed Habitat Management Plan should be created, including detail of how degraded peatland would be restored to active blanket bog.

We would like to be kept informed of the progress of this application.

Yours sincerely,

A large black rectangular box redacting the signature of John McTague.

John McTague
Living Landscapes Policy Officer

From: Val Turner [REDACTED]
Sent: 20 April 2015 15:47
To: Whyte G (Gillian)
Cc: [REDACTED] ohn.holden@shetland.gov.uk;
development.management@shetland.gov.uk; claire.summers@shetland.gov.uk;
Chris Dyer
Subject: Scoping Opinion for Beaw Field Windfarm, Yell

Scoping Opinion for Beaw Field Windfarm, Yell

Thank you for consulting us on this proposal.

We are pleased that our comments made in 2012 have been taken on board to a large extent.

However, on p 42 7.3.21 reference is made to the states that the "The site will be surveyed along transects spaced at 20m intervals (dependant on topography) as advised by the Regional Archaeology Service."

Please note that 20m is an absolute maximum and it will be more usual to require transects to be much closer together.

The same paragraph also states that "Hand held GPS will be used to note and confirm the position of each asset". This is insufficiently accurate for these purposes unless results are rectified since handheld GPS results in Shetland have been shown to be up to 30m different on consecutive days, and two separate instruments may give up to 10m difference in results when held next to each other. If results are to be rectified, this should be stated and details provided in any given methodology statement, otherwise DGPS should be used.

Please also bear in mind that the previous application of such tables, as proposed, generally have had little to no value in such circumstances and each feature should be evaluated in a more meaningful way.

For "asset" please read/replace with "feature". We would expect to assess this as the Archaeology Service offering advice to the SIC Planning Department once the results of the preliminary field work were available in order to determine the appropriate course of action in conjunction with the archaeological contractors.

Thank you

Yours

Val Turner

Dr Val Turner
Shetland Archaeologist
Shetland Amenity Trust, Garthspool,
Lerwick, Shetland, ZE1 0NY
[REDACTED]



The Shetland Amenity Trust is a
registered
Scottish charity, No: SC017505

Annex R - Transport Scotland Response
Administration Team
Trunk Road and Bus Operations

Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF
Direct Line: 0141 272 7332,
Sally.hartley@transportscotland.gsi.gov.uk



Gillian Whyte
Energy Consents & Deployment Unit
By e-mail
econsentsadmin@scotland.gsi.gov.uk

Your ref:

Our ref:

Date:
21 Apr. 15

Dear Madam,

**ELECTRICITY ACT 1989 THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2000
SCOPING OPINION REQUEST FOR PROPOSED SECTION 36 APPLICATION FOR THE
BEAW FIELD WIND FARM ON YELL**

I refer to your email of 16 April 2015, and the accompanying report.

The proposed development represents an intensification of the use of this site however the percentage increase in traffic on the trunk road is such that the proposed development is likely to cause minimal environmental impact on the trunk toad network. On this basis TRBOD has no comment to make.

I trust this meets your requirements.

Yours sincerely,



Sally Hartley
Development Management

cc. Alex Kerr SG DBE Planning (Email)



21 April 2015

Gillian Whyte
Scottish Government
Energy Consents and Deployment Unit
5 Atlantic Quay
150 Broomielaw
Glasgow
G2 8LU

Dear Ms Whyte,

Beaw Field Wind Farm Application

Thank you for giving VisitScotland the opportunity to comment on the above wind farm development.

Our response focuses on the crucial importance of tourism to Scotland's local and national economy, and of the natural landscape for visitors.

Background Information

VisitScotland, as Scotland's National Tourism Organisation, has a strategic role to develop Scottish tourism in order to get the maximum economic benefit for the country. It exists to support the development of the tourism industry in Scotland and to market Scotland as a quality destination.

While VisitScotland understands and appreciates the importance of renewable energy, tourism is crucial to Scotland's economic and cultural well-being. It sustains a great diversity of businesses throughout the country. According to a recent independent report by Deloitte, tourism generates £11 billion for the economy and employs over 200,000 – which is 9% of the Scottish workforce. Tourism provides jobs in the private sector and stimulates the regeneration of urban and rural areas.

One of the Scottish Government and VisitScotland's key ambitions is to grow tourism revenues and make Scotland one of the world's foremost tourist destinations. This ambition is now common currency in both public and private sectors in Scotland, and the expectations of businesses on the ground have been raised as to how they might contribute to and benefit from such growth.

Importance of scenery to tourism

Scenery and the natural environment have become the two most important factors for visitors in recent years when choosing a holiday location.

The importance of this element to tourism in Scotland cannot be underestimated. The character and visual amenity value of Scotland's landscapes is a key driver of our tourism product: a large majority of visitors to Scotland come because of the landscape, scenery and the wider environment, which supports important visitor activities such as walking, cycling wildlife watching and visiting historic sites.

The VisitScotland Visitor Experience Survey (2011/12) confirms the basis of this argument with its ranking of the key factors influencing visitors when choosing Scotland as a holiday location. In this

study, over half of visitors rated scenery and the natural environment as the main reason for visiting Scotland. Full details of the Visitor Experience Survey can be found on the organisation's corporate website, here: http://www.visitscotland.org/research_and_statistics/tourism_topics/wind_farms-1.aspx

Taking tourism considerations into account

We would suggest that full consideration is also given to the Scottish Government's 2008 research on the impact of wind farms on tourism. In its report, you can find recommendations for planning authorities which could help to minimise any negative effects of wind farms on the tourism industry. The report also highlights a request, as part of the planning process, to provide a tourism impact statement as part of the Environmental Impact Analysis. Planning authorities should also consider the following factors to ensure that any adverse local impacts on tourism are minimised:

- The number of tourists travelling past en route elsewhere
- The views from accommodation in the area
- The relative scale of tourism impact i.e. local and national
- The potential positives associated with the development
- The views of tourist organisations, i.e. local tourist businesses or VisitScotland

The full study can be found at www.scotland.gov.uk/Publications/2008/03/07113507/1

Conclusion

Given the aforementioned importance of Scottish tourism to the economy, and of Scotland's landscape in attracting visitors to Scotland, VisitScotland would strongly recommend any potential detrimental impact of the proposed development on tourism - whether visually, environmentally and economically - be identified and considered in full. This includes when taking decisions over turbine height and number.

VisitScotland strongly agrees with the advice of the Scottish Government –the importance of tourism impact statements should not be diminished, and that, for each site considered, an independent tourism impact assessment should be carried out. This assessment should be geographically sensitive and should consider the potential impact on any tourism offerings in the vicinity.

VisitScotland would also urge consideration of the specific concerns raised above relating to the impact any perceived proliferation of developments may have on the local tourism industry, and therefore the local economy.

We hope this response is helpful to you.

Yours sincerely



Angie Fowler
Government and Parliamentary Affairs
VisitScotland

From: Holden John@Development Service
Sent: 26 May 2015 10:08
To: [REDACTED]
Cc: [REDACTED]@Development Service
Subject: RE: SCOPING OPINION FOR THE PROPOSED BEAW FIELD WIND FARM

Dear Ms Whyte,

Thank you for copying me in to the scoping opinion response on the proposed Beaw Field Wind Farm, Yell.

I confirm that a copy of the scoping opinion document is now available for public inspection at the same offices as where the Register is kept.

Yours sincerely

John Holden
Team Leader – Development Management
Planning

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

Tel: (01595) 743898

From: [REDACTED]
Sent: 26 May 2015 09:30
To: [REDACTED]
Cc: Holden John@Development Service
Subject: SCOPING OPINION FOR THE PROPOSED BEAW FIELD WIND FARM

Dear Ms Barry

THE ELECTRICITY WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2000: RESPONSE TO A REQUEST FOR A SCOPING OPINION FOR THE PROPOSED BEAW FIELD WIND FARM ON YELL

I attach the response to your request made under Regulation 7 of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000, ("the Regulations") to the Scottish Ministers on 13 April 2015 for a scoping opinion on the proposed Beaw Field Wind Farm

The Scottish Ministers have consulted with the appropriate bodies and other persons who were likely to be concerned by the proposed development by reason of their environmental responsibilities. Having regard to the responses received from all parties, it is the Scottish Ministers opinion that in accordance with Part 1 of Schedule 4 of the Regulations, in addition to your submitted proposal, your environmental statement should address these further concerns.

Our response has been structured in accordance with Part 1 of Schedule 4 of the Regulations.

Regulation 10(1) of the Regulations requires that a copy of this response is forwarded to the planning authority/authorities within whose area the land which is subject to the proposed

application is situated. For the purposes of this request, a copy of this response has been duly copied to Shetland Council.

Shetland Council shall take steps to ensure that this document is made available for public inspection at all reasonable hours at the place where its Register is kept. If an application is subsequently made, the opinion and related documents should be transferred to Part 1 of the Register together with the application.

You should note that this opinion is based on the information available to the Scottish Ministers as at 26 May 2015. I would like to advise you to have regard to subsequent proposals which are submitted to Planning Authorities or the Scottish Ministers prior to the determination of any future application. To this end, I would recommend that you approach both the Planning Authority and the Scottish Ministers at the point of application to ascertain if further proposals have come forward which may have a bearing on the information you have been asked to provide.

If you have any queries please do not hesitate to contact me.

Regards

Gillian Whyte

Local Energy and Consents
Scottish Government
4th Floor, 5 Atlantic Quay
150 Broomielaw
Glasgow G2 8LU



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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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