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Our Ref: **2018/201/SCR**

Date: 20 September 2018

Dear Sir/Madam

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

Development	Request for screening opinion for proposal to realign B9075 Sandwater Road for a distance of 2.26km between junction with A970 at Sandwater, westwards to the junction with the C class road to Upper Kergord
Location	Sandwater Road, Weisdale, Shetland, ZE2 9LW
Applicant Name	Viking Energy Wind Farm LLP

The proposed development exceeds the threshold for the purposes of definition (exceeding 1.0 hectares site area) and is therefore defined as a Schedule 2 Development under the EIA Regulations.

I can advise you that the Authority has, on the basis of the submitted information, adopted a Screening Opinion under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, and concludes that the development will require to be subject to a formal Environmental Impact Assessment. Accordingly, an Environmental Impact Assessment Report will need to accompany an application for planning permission. The basis for this decision is as follows:

Characteristics of development:

The proposal is the formation of a new B9075 public road at Sandwater, and will involve excavation of peat and also the replacement of bridges and culverts.

Location of development:

The development lies in very close proximity to Sandwater which is designated as a SSSI and also falls within the catchment of identified Burn Buffers for several water courses, the Kergord Burn, Burn of Swirtars, Pettawater Burn, Weisdale Burn and Burn of Scallafield.

Characteristics of the potential impact:

The excavation and engineering operations associated with the proposal have potential to impact on Sandwater SSSI, notified as an example of a mesotrophic loch and for its open-water transition fen (extensive beds of common club-rush *Schoenoplectus lacustris*). Sandwater supports a diverse community of submerged aquatic plants with six species of pondweed *Potamogeton* including the nationally scarce *P. filiformis* and is the largest and best example in Shetland of club-rush swamp.

The loch is relatively shallow, which, though surrounded by dwarf shrub and acid moorland, is mesotrophic with a neutral pH because of the strong influence of an underlying band of crystalline limestone.

Any development in or around the SSSI has the potential to adversely affect the loch, for example by increasing nutrient input to the loch or reducing the volume of water flushing through it. The replacement of bridges and culverts have the potential to cause adverse impact if not correctly assessed. The creation and maintenance of buffer strips can help reduce flooding in the surrounding landscape, allow for the maintenance of watercourses, reduce pollution from nearby developments and allow for a wildlife corridor to be maintained or established.

It is considered that the most appropriate means to assess the potential impacts is by way of an Environmental Impact Assessment.

This Screening Opinion is provided in terms of the Council's responsibilities as a Planning Authority under Regulation 6 of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

Yours faithfully



Richard MacNeill
Planning Officer

**Environmental Impact Assessment (Scotland)
Regulations 2017**

SCREENING OPINION

Application File: 2018/201/SCR

Start Date: 20/09/2018

Proposed development and site: Request for screening opinion for proposal to realign B9075 Sandwater Road for a distance of 2.26km between junction with A970 at Sandwater, westwards to the junction with the C class road to Upper Kergord

Is the type of development listed in Schedule 1?

No

(If Yes there is no need to give an opinion and EIA is required (but noting Scottish Ministers' general powers to make directions))

NB.

Schedule 1 development

Where the change or extension is of a type listed in Schedule 1 and where the change or extension itself meets any thresholds or description set out in that schedule, it constitutes a Schedule 1 development and EIA is always required.

Schedule 2 development

If the change or extension is listed in Schedule 1 but does not itself meet any thresholds or criteria set out in that schedule, or if it is listed in column 1 of Schedule 2, it is considered to be a Schedule 2 development where the following additional criteria are met:

*a) the corresponding thresholds and criteria applied to the development as changed or extended are met or exceeded, **and**;*

*b) where the thresholds are met or exceeded, the change or extension may itself have significant adverse effects on the environment; **or***

c) the application concerns development to be located wholly or in part in a 'sensitive area' as defined in Regulation 2(1).

*Development which comprises a change or extension requires EIA only if the **change or extension** is likely to have significant environmental effects (determined through the screening process).*

Is the development of a type listed in column 1 of Schedule 2?

Yes

(If No there is no need to give an opinion)

Is the development to be located wholly or in part in a "sensitive area"?
(Defined in Regulation 2 (1))

Yes

(If Yes then an opinion must be given)

Is the development a Schedule 2 development?

Yes

(If No there is no need to give an opinion)

i.e. does it meet one of the relevant criteria or exceed one of the relevant thresholds ?

(Refer to column 2 of Schedule 2)

Is the development likely to have a significant effect on the environment?

Yes

(Refer to Schedule 3 for selection criteria)



.....Signed
20 September 2018.....Date

Application File: 2018/201/SCR

Proposed development and site: Realign B9075 Sandwater Road for a distance of 2.26km between junction with A970 at Sandwater, westwards to the junction with the C class road to Upper Kergord

Explanatory Information

Characteristics of development:

The proposal is an upgrade and realignment of the B9075 public road at Sandwater, will involve excavation of the exiting road and underlying peat and also the replacement of all bridges and culverts.

Location of development:

The development lies in very close proximity to Sandwater which is designated as a SSSI and also falls within the catchment of identified Burn Buffers for several water courses, the Kergord Burn, Burn of Swirtars, Pettawater Burn, Weisdale Burn and Burn of Scallafield.

Characteristics of the potential impact:

The excavation and engineering operations associated with the proposal have potential to impact on Sandwater SSSI, notified as an example of a mesotrophic loch and for its open-water transition fen (extensive beds of common club-rush *Schoenoplectus lacustris*). Sandwater supports a diverse community of submerged aquatic plants with six species of pondweed *Potamogeton* including the nationally scarce *P. filiformis* and is the largest and best example in Shetland of club-rush swamp.

The loch is relatively shallow, which, though surrounded by dwarf shrub and acid moorland, is mesotrophic with a neutral pH because of the strong influence of an underlying band of crystalline limestone.

Any development in or around the SSSI has the potential to adversely affect the loch, for example by increasing nutrient input to the loch or reducing the volume of water flushing through it. The replacement of bridges and culverts have the potential to cause adverse impact if not correctly assessed. The creation and maintenance of buffer strips can help reduce flooding in the surrounding landscape, allow for the maintenance of watercourses, reduce pollution from nearby developments and allow for a wildlife corridor to be maintained or established.

It is considered that the most appropriate means to assess the potential impacts is by way of an Environmental Impact Assessment.

This Screening Opinion is provided in terms of the Council's responsibilities as a Planning Authority under Regulation 6 of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

