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Council Offices
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By email: SEA_Gateway@gov.scot

25 November 2024

Our ref: CEA177623

Your ref: 01913

Dear Nina

Environmental Assessment (Scotland) Act 2005: 01913 – Orkney Islands Council – Local Development Plan – SEA Scoping Report

Thank you for your SEA Scoping Report consultation which we received on 23rd October 2024 via the Scottish Government SEA Gateway. Our comments on the scope and level of detail to be included in the Environmental Report, along with the duration of the proposed consultation period are set out below. Further comments are provided in the annex to this letter.

Scope of Assessment and Level of Detail

Subject to the specific comments set out below in the annex to this letter, NatureScot is content with the scope and level of detail proposed in the Environmental Report.

Consultation Period for the Environmental Report

NatureScot notes that a 12 week period is proposed for consultation on the draft Environmental Report along with the draft Local Development Plan, and we are content with this time frame.

Yours sincerely

Anne-Marie Gauld

Planning Advisor / Supporting Good Development

ANNEX

SEA Scoping Report - Assessment Methodology	
General Approach	We welcome the approach taken which is clearly laid out and picks out the key elements to be considered in the assessment process. We also welcome that the Habitats Regulations Appraisal (HRA) has been considered as part of the SEA for the proposed Local Development Plan.
Table 2 - page 6 / 1a – Climatic Factors	As well as reducing emissions, we suggest including an SEA objective for adaptation to climate change.
Table 2 - page 6 – Soil and Geodiversity	We suggest that more is required on the need to protect and restore peatland /carbon rich soils. The mitigation hierarchy should also be considered when dealing with soils. That is, firstly avoid, then minimise soils from disturbance on undeveloped land, plus, protect all soils from erosion and compaction, and avoid soil sealing.
Table 3	<p>It is unclear if within the ‘Mitigation and enhancement’ column of Table 3, whether the need to consider ‘<i>how enhancements will be used to create positive effects</i>’ are specifically for biodiversity or general environmental effects. If it is the latter, we would like to see a specific SEA sub-objective that addresses positive effects for biodiversity. For example, there could be a SEA sub-objective against SEA objective 6a that states ‘<i>will there be opportunities for positive effects for biodiversity?</i>’.</p> <p>We note that it states on page 15 that longevity, permanence, cumulative and in-combination of effects are built into the assessment table, however, it is unclear in Table 3 how these effects will be considered. We, therefore, suggest that this is made clearer within the table so that they are considered as part of the SEA for the proposed Local Development Plan.</p> <p>It would be useful to provide examples of nature-based solutions as types of mitigation and enhancement measures which could also help demonstrate the link between the different topics. For example, nature-based solutions can be used as mitigation or enhancement measures for SEA objectives 1a, 1b, 2a, 3a, 3c, 4a, 6a, 7a, and 8a.</p> <p>With regards to NPF4 policy 20: Blue and green infrastructure, we suggest including a specific SEA sub-objective covering natural infrastructure / green and blue networks. For example, ‘<i>will there be an effect on existing green / blue networks?</i>’ could be asked.</p>
Table 3 – page 11 / 4a / 5a	It would be relevant to include a SEA sub-objective for minerals. We suggest that it could sit under the SEA objective for Soils and Geodiversity or Material Assets, and the SEA sub-objective could say ‘ <i>will there be any effects from mineral extraction?</i> ’.

Table 3 – page 12 / 6a	We suggest including a SEA sub-objective that addresses nature networks. This could include for example <i>‘will there be opportunities to create new or enhance existing nature networks?’</i>
Page 15 / d. Alternatives and Mitigation	Although this section covers both alternatives and mitigation, there appears to be only a description of the approach for alternatives. It would be relevant, for example, to include detail of the mitigation hierarchy as the approach taken for the SEA.
Annex II: Baseline Environmental Data – Topic Papers	
Topic 1: Climatic Factors	<p>We suggest including the following baseline data for Climatic Factors: -</p> <p>Coastal Change Adaptation Plan Guidance - https://www.dynamiccoast.com/files/ccapg_2023feb.pdf</p> <p>Orkney: Communication and Engagement in Coastal Change Adaptation - https://www.dynamiccoast.com/files/CCA_CaseStudy_Orkney_Update_1.pdf</p> <p>Update to the Climate Change Plan 2018-2032 - https://www.gov.scot/publications/securing-green-recovery-path-net-zero-update-climate-change-plan-20182032/</p> <p>Local Authority Climate Service - https://climatedataportal.metoffice.gov.uk/pages/lacs</p>
Topic 4: Soils and Geodiversity	<p>We suggest including the following baseline data for Soils and Geodiversity: -</p> <p>Geological Conservation Review (GCR) sites list - https://jncc.gov.uk/our-work/gcr-sites/</p> <p>Scotland’s Indicators – Soil Sealing - https://www.nature.scot/doc/scotlands-indicators-soil-sealing#:~:text=Description%20of%20current%20indicator%20status,unitary%20authority%20(%3C0.10%25)</p>
Topic 5: Material Assets	<p>Page 13 / Renewable Energy Generation – the Orkney Energy Audit was initially completed in 2004, with subsequent updates provided in 2014 and the latest version published in 2019. This report has a figure for local renewable electricity generation from large scale turbines (50kW and above) and smaller scale turbines. These figures could be updated and supplemented by information available on the Orkney Islands Council (OIC) Planning Portal for onshore wind farm developments which have either been newly consented, are still awaiting decision or in development.</p> <p>Furthermore, it would be relevant to consider other large scale infrastructure developments, which are intended to support</p>

	expanding energy industries such as offshore wind farms and large onshore developments, for example, onshore wind, hydrogen production, and oil and gas industry. Infrastructure projects such as onshore cables, cable landfalls for offshore cables, expansion of existing ports / harbours, development of new deep-water quays, as well as all associated buildings and infrastructure (for example, substations, welfare units, roads) which are either consented or under development should also be considered.
Topic 6: Biodiversity	<p>Page 13-15 / Areas protected for nature conservation – we note the wide range of pressures affecting the features of protected areas within the table on page 15 and assume there will be further analysis made as part of the SEA at the proposed plan stage.</p> <p>Page 16 / Other issues affecting biodiversity – We are not aware of evidence to support the statement <i>“there are also concerns about the effects of increasing numbers of breeding geese on birds that nest in the same habitat.”</i> We advise that the SEA focuses on the potential affects from the increasing number of greylag geese on agriculture where the impacts are understood.</p> <p>Page 17 / Marine environment – There are two marine Special Protected Areas (SPAs) which should be considered in this section. These are the Scapa Flow SPA and North Orkney SPA. Consideration during the SEA of the connectivity between these SPAs due to bird qualifying features which commute between inland habitats and coastal waters for foraging will be required.</p> <p>We welcome that seals have been included in the baseline data. We do, however, advise including other relevant European Protected Species such as other mammal and fish species. Links to relevant data are found among the list below: -</p> <p>Habitat Map of Scotland - https://opendata.nature.scot/datasets/snh::habitat-map-of-scotland/explore?location=59.000028%2C-2.707223%2C9.71</p> <p>NatureScot Habitats and Species - https://opendata.nature.scot/maps/naturescot-habitats-and-species-wms/explore?location=57.539942%2C-4.969000%2C6.92</p> <p>NatureScot SiteLink for protected areas - https://sitelink.nature.scot/map</p> <p>Orkney Field Club – local habitats and species - https://www.orkneycommunities.co.uk/fieldclub/</p>

	<p>Scottish Ornithologists Club – Orkney Bird Reports - https://www.the-soc.org.uk/pages/local-records-network-area/orkney</p> <p>North Isles Landscape Partnership Scheme – site specific wildlife data - https://www.nilps.co.uk/projects/north-isles-community-wildlife-recording</p> <p>NatureScot – Species on the Edge - https://www.nature.scot/doc/species-edge-project-area-summaries</p> <p>NBN atlas - https://nbnatlas.org/</p> <p>Priority Marine Features (PMFs) - https://marinescotland.atkinsgeospatial.com/nmpi/</p> <p>NMPi - https://marinescotland.atkinsgeospatial.com/nmpi/</p>
Topic 7: Landscape and Cultural Heritage	<p>We suggest including the following baseline data for Landscape and Cultural Heritage: -</p> <p>NatureScot Landscape WMS (web mapping service) - https://opendata.nature.scot/maps/naturescot-landscape-wms/explore?location=58.867406%2C-3.309562%2C9.03</p> <p>NatureScot SiteLink – National Scenic Areas - https://sitelink.nature.scot/site/9128</p>
Annex III: Protected Area Condition Data	
General	We note that this section is numbered as Annex II when we believe it should be Annex III.
Annex III Table – Summary Condition	<p>The column for the ‘Summary Condition’ of the qualifying feature states if the feature is either Favourable, Unfavourable or Recovering. It would be more informative if the condition description was expanded to include one of the seven assessed condition categories, which are assigned to each qualifying feature as part of the Site Condition Monitoring assessment. These are: -</p> <ul style="list-style-type: none"> • Favourable Maintained: the targets set for the natural features have been met, and the natural feature is likely to be secure on the site under present conditions. • Favourable Recovered: the condition of the natural feature has recovered from a previous unfavourable condition, and targets are now being met. • Favourable Declining: the targets set for the natural features have been met, but evidence suggests that condition will worsen unless remedial action is taken.

	<ul style="list-style-type: none"> • Unfavourable Recovering: one or more of the targets have not been met on the site, but it has begun to show, or is continuing to show, a trend towards favourable condition. • Unfavourable No Change: one or more of the targets has not been met, and recovery is unlikely under the present management and activity on the site. • Unfavourable Declining: one or more of the targets has not been met and evidence suggests that condition will worsen unless remedial action is taken. • Partially Destroyed: something has happened on the site which has destroyed part of the natural feature, there is no prospect of restoring the destroyed area. The remainder of the feature is then given an assessed condition. <p>In addition, it would be beneficial to include the date of the last assessment. This information combined will provide a clearer summary of the overall status of the feature condition. This information for each feature can be found at SiteLink - https://sitelink.nature.scot/home</p>
Annex III Table – Site Name	<p>There are a number of protected areas which are not listed and should be included in the Annex III table. These are: -</p> <ul style="list-style-type: none"> • Hoy SAC: Acid peat-stained lakes and ponds, blanket bog, dry heaths, hard-water springs depositing lime, wet heathland with cross-leaved heath • Stromness Heaths and Coast SAC: dry heaths, vegetated sea cliffs • Auskerry SPA: storm petrel, breeding • Calf of Eday SPA: fulmar, guillemot, kittiwake • Orkney Mainland Moors SPA: breeding hen harrier, non-breeding hen harrier, breeding short eared owl • Central Sanday SSSI: Coastal geomorphology, saltmarsh • Glims Moss and Durka Dale SSSI: valley fen • Hoy SSSI: Arctic skua, blanket bog, breeding bird assemblage, dystrophic loch, fulmar, great black-backed gull, great skua, guillemot, non-marine Devonian, old red sandstone igneous, peregrine, quaternary of Scotland, red-throated diver, seabird colony, upland assemblage • Keelylang Hill and Swartaback Burn SSSI: upland assemblage, breeding hen harrier • Loch of Isbister SSSI: Pintail • Lochs of Harray and Stenness SSSI: caddisfly, goldeneye, pochard, scaup • Rousay SSSI: arctic skua, arctic tern, guillemot, kittiwake, maritime cliff, seabird colony, subalpine wet heath • Stromness Heaths and Coast SSSI: coastal geomorphology of Scotland, maritime cliff, subalpine dry heath

	<ul style="list-style-type: none"> • West Mainland Moorlands SSSI: Hen harrier, short-eared owl, breeding bird assemblage • West Westray SSSI: arctic skua, arctic tern, guillemot, kittiwake, razorbill <p>Again, we suggest referring to our SiteLink page which provides up-to-date information on all the relevant protected areas for Orkney Islands Council. https://sitelink.nature.scot/home</p>
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