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Theresa McInnes – Consents Manager Energy Consents Unit  
Directorate for Energy and Climate Change  
Scottish Government  
By email to: [Theresa.McInnes@gov.scot](mailto:Theresa.McInnes@gov.scot)

28 October 2021

Dear Ms McInnes,

Re: Energy Isles Wind Farm – Isle of Yell, Shetland, planning application, reference ECU00001844

We are writing with reference to the second round of Additional Information that has been submitted by Energy Isles Shetland Limited with respect to the Energy Isles Wind Farm application. We have reviewed this Additional Information and maintain our objection.

We understand that the revised 2020 layout has been revised again to address stakeholder concerns, with the removal of five turbines (from 23 to 18), their associated foundations and track infrastructure and a reduced number of borrow pit search areas from seven to four. These changes reduce the extent of impacts on priority peatlands, but the proposed habitat restoration plans and compensatory measures, do not make up for the overall expected loss of priority peatland habitats or the loss of the associated qualities of this wild place. As a charity that is dedicated to protecting wild places for the health and wellbeing of current and future generations, the John Muir Trust remains concerned about the impacts the revised proposals would have on Shetland's wild land and peatland.

Specific grounds for maintaining our objection:

1. This 18 turbine development and associated infrastructure is proposed in a wild area on a relatively remote and wild island of Shetland. These islands are renowned for their wild landscapes and are home to rare birdlife. Given the sites that are available for wind farm re-powering and extensions, which are not in wild areas, this proposal is at odds with a national policy direction (as indicated by the Scottish Government's Position Statement on NPF4) to prioritise re-powering, extensions and development on brownfield sites.
2. Whilst the turbine number has been reduced from 23 to 18, this development still comprises a large scale development for its sensitive ecological situation. The site's ecological sensitivity is evident by the priority habitats '*blanket bog-dominated mosaics with other vegetation types*' representing '*88.7% of the area within the site boundary*' (SEI 2 Volume 1 Chapter 7 Ecology). With such a high percentage of the site recorded as priority habitat, a total development footprint of 327,291m<sup>2</sup> (SEI 2 Volume 2 Appendix 10 Peatland Management Plan) will bring nothing but adverse impacts. In more detail, '*630m of existing tracks that will be upgraded and widened, 8,400m of new floated tracks, 2,200m of new excavated tracks, 160m of temporary floated tracks that will be subsequently restored, 18 wind turbine locations and associated crane hardstandings and floated laydown areas, three temporary construction compounds, a substation, meteorological mast and four borrow pit search areas.*' (SEI Volume 2 Appendix 10 Peatland Management Plan). For another

perspective on scale: turbine foundations are 15 metres in diameter and between 3 to 5 metres in depth (SEI 2 Chapter 3). Development at such a scale in such a sensitive location makes it much harder, if not impossible, to mitigate against significant adverse effects.

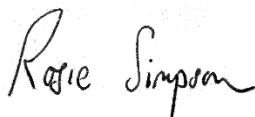
3. Blanket bog is a nationally important habitat for supporting specialised plant life and native species. Despite modifications to design, the proposed development would result in the permanent loss of 17.5 hectares of blanket bog and a temporary loss of 15.6 hectares. This loss remains significant given the national importance of the habitat. A significance that is underlined by the habitat's role in supporting Shetland's biodiversity, particularly its native bird populations. The site is '*functionally linked to the SPA for red-throated diver*' (Table 2, SEI 2 Energy Isles Shadow Habitats Regulation Appraisal 2), a species which breeds on freshwater lochs on blanket bog or moorland; lochs on blanket bog are a defining landscape feature of this site. It is also '*functionally linked to the SPA population of dunlin*'. Table 3 of the Shadow Habitats Regulation Appraisal 2 presents the number of territories for these birds likely to be impacted by the new design. It predicts 0 red throated diver territories will be impacted but 10.27 dunlin territories will be. It then qualifies this assessment for the red throated diver, noting inconsistency in the data, which reduces the reliability of predicting impacts: '*survey results indicate that the lochans used between the 2016 and 2018 breeding season varied, and other potentially suitable lochans are present nearer to the 2021 Layout.*' This suggests there is some ambivalence and uncertainty about the real risks for red throated diver. Given the known permanent habitat loss that would follow from this development and the known established connectivity between nearby designated sites for these rare birds, the suitability of this site for development has not been demonstrated and a precautionary approach would refuse consent.
  
4. With permanent loss to priority habitats foreseen, the onus is on the developer to explain how compensatory measures will mitigate harm. However, the most important question to ask first is whether compensatory measures actually could mitigate the harm that would be caused to this irreplaceable habitat? Shetland Amenity Trust in their letter of response dated September 2020 provided evidence, from experience of peatland restoration projects on Shetland, that recreating active blanket bog is very difficult and can take years before the restored bog is functioning properly as a carbon store. The length of time it can take to create a functioning bog undermines the compensatory measures outlined in the updated Habitat Management Plan. What is more, the measures proposed are all '*through offsite restoration management elsewhere on Shetland*' (SEI 2 Volume 4 Appendix 7.1 Habitat Management Plan). Being offsite further undermines whether these measures can count as compensatory and may make monitoring the results more challenging as the management of these restoration sites will rely on the coordination of different organisations. In terms of restoration activity, '*local slope-reprofiling, seeding, and control of grazing and peat cutting*' (SEI 2 Volume 4 Appendix 7.1 Habitat Management Plan), suggest a minimum effort approach to restoration with a lack of emphasis on pro-active restoration; these are all activities which should be happening anyway as part of sustainable upland management.
  
5. In addition to being a site of priority peatland habitats, the proposed development site is also predominantly characterised by carbon rich soils, in other words - deep peat. Under National Planning Policy '*carbon rich soils, deep peat and priority peatland habitat*' are nationally important areas of significant protection. This means most of the proposed site double-qualifies as an area of significant protection under National Planning Policy. According to the updated Chapter 10 on 'Geology, Peat Hydrology and Hydrogeology', '*Peat has been determined to be present up to a maximum depth of 6.15 m and an average depth of 1.45 m across the site*' (paragraph 10.4.8). The Report defines deep peat as over 1 metre

and states, for this site, *'deep peat (>1.0m depth) is present across 68.45% of the 2021 Layout infrastructure (192,596m<sup>2</sup>)'* (paragraph 10.4.8). 12 of the 18 turbines are sited on deep peat (see SEI 2 Volume 2 Figure 10.9). This is really significant given the carbon storing function of peat at this site - the result of thousands of years of natural processes - which would be lost. It is also significant due to the carbon emissions that will result directly from removing and displacing 204,867m<sup>3</sup> of peat (paragraph 10.4.13, Table 4). Carbon emissions resulting from peat extraction/degradation are estimated as 39,351tCO<sub>2</sub>e during construction and 57,617tCO<sub>2</sub>e during operation. These will not be offset by the expected gains of 'carbon fixing' through peatland restoration which are estimated as 7,072tCO<sub>2</sub>e. The emissions associated with the extraction and degradation or drying out of peat can be expected to continue beyond the construction years, especially if the integrity of the peatlands is affected and destabilises. In this respect, the total carbon emissions related to the loss of peatland have not been quantified.

6. From the re-run carbon calculator *'Ecological carbon losses account for 24 % of the total emissions resulting from the 2021 Layout construction and operation, compared to 28 % predicted for the 2020 Layout, indicating that the 2021 Layout has a lower impact on stored carbon on the site.'* Whilst the ecological carbon losses have been reduced from the 2020 layout, they still represent a quarter of all carbon losses associated with the proposed development. In a climate and biodiversity emergency, when we should be protecting fully functioning carbon storing habitats, this percentage of ecological carbon emissions from the removal and destabilising of peatlands, is evidence again that the significant harm cannot be overcome by siting, design or mitigation at this site or off-site.

In conclusion, the proposed site overlaps with what is recognised in National Planning Policy as a 'Group 2 area of significant protection'. In Group 2 areas, wind farms are by exception and not the norm. It must be shown that significant effects can be substantially overcome by siting, design or other mitigation' (SPP2, paragraph 166 and Table 1). The Additional Information has not demonstrated that the significant effects can be substantially overcome and is therefore contrary to National Planning Policy. Weighed in the balance of the national importance of priority peatlands habitats as strongholds for biodiversity and as stores of carbon, the carbon releasing and ecological harm that would result from this proposed development would be nationally significant. We maintain our objection and urge decision makers to refuse permission and uphold the policy intention behind the Group 2 Areas of Significant Protection for peatlands in National Planning Policy.

Yours sincerely,



Rosie Simpson  
On behalf of the John Muir Trust