

GS/366/IK

**Submission to Historic Scotland**

**Draft Heart of Neolithic Orkney WHS Management Plan 2008 – 2011**

**Comments on behalf of Major Malcolm Macrae, Breckness Estate, Skail House, Sandwick, Orkney  
KW16 3LR**

**Background**

This initial submission has been lodged on behalf of Major Malcolm Macrae who, as the owner of Breckness estate, is the owner of the Skara Brae site. Major MacRea is highly active in local tourism businesses and initiatives and is part of the development team for the Merranblo wind farm to which Historic Scotland objected and secured a call in Inquiry.

Given what emerged in the run up to and evidence at that Inquiry it is clear that this proposed Management Plan needs to be handled with particular care. It is clear that this Draft Management Plan could be interpreted as an attempt by Historic Scotland to take over the Development Planning and Development Management functions for a considerable part of the Islands Council's area. The Council, themselves, are undertaking consultation on new Wind Energy Supplementary Planning Guidance. It is clear that there is a fundamental linkage between these documents. It is also clear that the documents have significant economic development implications for Orkney.

In addition, Historic Scotland seemed reluctant to accept that neither the WHS nor the setting of a SAM provides any form of statutory planning protection in itself and they did seem to wish to pursue a case that such protection was implied. Having regard to all of this material it is therefore submitted that neither document should be adopted without a full Development Plan process including a Public Inquiry into all unresolved objections.

In the meantime we reserve our client's position to submit further comments or observations once the Council's response to this consultation has been published. That will be a fundamental stage

We also take the view that, before proceeding any further, Historic Scotland should publish an economic impact assessment of its proposals including the buffer zone proposals. It should also seek to positively engage with the economic development interests in the Islands.

**Question 1**

It is clear that a buffer zone should have both a purpose and an extent that is evidentially justified. The evidence of Historic Scotland at the Merranblo Inquiry showed that neither condition exists in relation to the current buffer zones. The effect of these buffer zones seemed to be that they led Historic Scotland to equate mere intervisibility as significant adverse impact in some cases, but not others, but without any explanation as to what the actual adverse effect was or why it arose in some cases and not others. Based on the evidence at the Inquiry it is considered that the existing buffer zones should carry little weight in moving forward.

**Question 2**

Again the buffer zone should have a defined and justified purpose which is based on an assessment of potential adverse impacts on the key interests of the WHS. Having done so, the document should then set out the management objectives for the buffer zone having regard to the earlier points. It is not for the draft Management Plan to seek to impose planning policy without that policy having been properly tested through the Development Plan process.

It is considered that it might well be better for Historic Scotland to abandon the proposed buffer zone concert within a Management Plan and, instead, seek to argue it through the full Development Plan process.

**Question 3**

The assumptions and uncertainties of this section should be fully set out as should all alternative views on the role and function of the monuments.

**Question 4**

The renewables energy sector on the Island and the Council's Economic Development Department need to have a much stronger role here.

**Question 5**

There is nothing raised here, on in the appendix, to suggest that there are any visitor experience or site management problems arising from wind energy developments, nor is there any evidence of the alleged harm that flows from such structures. There is therefore no evidential basis, from the evaluation of the current Management Plan to justify an anti renewable energy stance by Historic Scotland.

**Question 6**

Preservation is a totally inappropriate word. The setting of these monuments, however that setting is defined, has changed and changed radically over time and it will continue to change. It is not credible to try to argue that mere change equates to significant adverse impacts.

**Question 7**

The issues do not address what the benefits and cost would be if the WHS designation was simply dropped. Such an analysis should, properly, be carried out as part of the review especially as the threat of loss of the WHS designation was made at the Merranblo Inquiry.

**Question 8**

Managing the developments, including visitor facilities and visitor pressures, on the actual monuments themselves would appear to be the major issue.

**Question 9**

No comment, but perhaps the Neolithic relevance of this could be explained.

**Question 10**

There is a danger that the flawed setting studies along with a partly thought out SPG might be used to justify each other. This must be avoided. The whole issue around development management in the setting, however defined, of the WHS can only properly be considered through a Development Plan public inquiry. When this approach was taken in relation to the Merranblo Inquiry it became very clear that the Historic Scotland position was based on assertion rather than evidence.

**Question 11**

No comments at this stage.

**Question 12**

Any development management aspects of the Management Plan should only be taken forward by the islands Council through its statutory planning functions where, when appropriate, Historic Scotland is a consultee.

**Question 13**

There is no doubt that, as was evidenced at the Merranblo Inquiry, there is a considerable lack of evidential based objectivity in dealing both with the WHS itself and its relationships with other activities on the Islands. A

romantisised vision of the past, based on the present, is no basis for then seeking to oppose other forms of development in an ill defined and ill justified buffer zone around the designated sites. A much more open, inclusive and professional approach is needed that reflects local priorities as well as Historic Scotland's interests.

**Question 14**

Why is there no detailed assessment of the existing wind turbines so as to define, precisely, the harm that it is alleged they cause.

**Question 15**

The Plan as proposed will have an effect on climate change through seeking to have renewable energy projects rejected.

**Question 16**

The full climate change and the full socio-economic impacts of the proposed Management Plan policies need to be systematically analysed.

**Question 17**

No comments at this stage.

**Question 18**

The proposed restriction on wind farms is simply not justified by any evidential based assessment.

**Postscript**

As advised, further comments will be lodged once we have sight of the response of the Orkney Islands Council.

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