

# **Historic Environment Scotland**



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**By email to:**

[MS.MarineLicensing@gov.scot](mailto:MS.MarineLicensing@gov.scot)

Marine Scotland  
Marine Laboratory  
375 Victoria Road  
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Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Enquiry Line: 0131-668-8716  
[HMConsultations@hes.scot](mailto:HMConsultations@hes.scot)

Our case ID: 300048052

20 January 2021

Dear Marine Scotland

The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017  
Argyll and Bute Council - Iona Breakwater and Berth and Fionnphort Breakwater and  
Overnight Berth  
Request for Screening Opinion

Thank you for your consultation which we received on 17 December 2020 seeking our comments on an Environmental Impact Assessment (EIA) screening opinion for the above proposed development. This letter contains our comments for our historic environment interests. That is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, gardens and designed landscapes and battlefields on their respective Inventories.

Your archaeological and conservation advisors will also be able to offer advice for their interests. This may include unscheduled archaeology, category B- and C-listed buildings and conservation areas.

### **Proposed Development**

We understand that this EIA screening request relates to the development of breakwater and berthing facilities at both Fionnphort on Mull and Baile Mor on Iona. We were previously consulted at screening separately for both the Fionnphort (Our reference 300047187) and Baile Mor (Our reference 300047208) developments.

### **Our Screening opinion**

We have no comments to make on the requirement or otherwise for an EIA for this proposed development. However, you may find the information provided below helpful in reaching your decision on the matter.

### **Our advice**

We do not consider that the proposed development would have a significant impact on our interests. Although there is the potential for both developments to be visible from **St Mary's Abbey (SM12968)** and the **Iona Nunnery (SM90350)**, we are content that significant impacts on the setting of the Abbey are unlikely. Further information regarding



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our assessment of the potential impact on the setting of these monuments is included in the below annex.

However, we note that the proposed works at Fionnphort and Baile Mor have the potential to impact on areas of archaeological sensitivity within the marine environment. We therefore recommend that any application for a Marine Licence is supported by an assessment of impacts on marine archaeology, whether an Environmental Impact Assessment (EIA) is undertaken or not.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Samuel Fox and they can be contacted by phone on 0777 649 0296 or by email at [samuel.fox@hes.scot](mailto:samuel.fox@hes.scot).

Yours faithfully

**Historic Environment Scotland**



## Annex

The monastic settlement that Columba founded in Iona when he arrived from Ireland in 563AD served as the point from where Christianity spread throughout the west coast of Scotland and northern England. It is of international cultural importance, not just for the Christian community but for understanding and appreciating the impact that religion subsequently had on the socio-economic fabric of Scotland and Northern Britain.

**Iona Nunnery (SM90350)** comprises the well-preserved ruins of an Augustinian convent founded in 1207 or 1208 and probably dissolved around 1574. Stone sculptures connected to an earlier Christian presence on Iona have been discovered at the monument, suggesting a greater length of sacred occupation on this site. The medieval religious foundations on Iona included substantial stone buildings and part of their role was to impress pilgrims and attract benefactors. The nunnery would have been designed to be prominent to pilgrims landing at Martyrs' Bay and on processing north past the nunnery toward St Mary's Abbey.

**St Mary's Abbey (SM12968)** comprises the remains of St Columba's monastic settlement, St Martin's Cross, and parts of medieval buildings associated with the Benedictine Abbey of St Mary founded around AD 1200 and subsequently restored over the last century. The monastery's position on the coastal plain emphasizes Iona's spiritual and physical isolation from the rest of the world. The main, medieval approach to the monastery was from the many landing places to the monastery's south, Martyrs' Bay being the most important spiritually, through the area now largely occupied by the later settlement on Baile Mor.

The setting of both monuments includes their relationship to the many small bays on the east coast of Iona around the settlement of Baile Mor, particularly Martyrs' Bay which lies to the immediate south of the proposed breakwater. Those landing on Iona as part of medieval pilgrimage would have had visibility of the monastic complex from their landing point; retention of these views therefore forms part of the setting of both monuments.

The proposed breakwater at Baile Mor lies off a bluff between the Martyrs' Bay and St Ronan's Bay, and is not itself in an area that would have been a suitable landing point for traditional vessels in the past. Whilst views from Martyrs' Bay towards the Abbey may be partially interrupted by the height of the proposed breakwater, views from the head of the Bay are unlikely to be interrupted any further by the proposed breakwater than they already are by the existing settlement of Baile Mor. The proposed steel piles adjacent to the existing slipway are commensurate with the marine infrastructure already in place.

Given the above, whilst the proposed development is likely to be visible in some views of the Abbey from the various bays on the east side of Iona, the severity of this impact on



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the cultural significance of either the Abbey or the Nunnery does not raise issues of national importance.

**Historic Environment Scotland**

20 January 2021

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

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# **Marine Scotland Science**

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Ellie Noble  
Marine Scotland Licensing Operations Team  
Marine Laboratory  
375 Victoria Road  
Aberdeen  
AB11 9DB

**12 January 2021**

## **Iona Breakwater and Berth and Fionnphort Breakwater and Overnight Berth Development**

MSS have reviewed the request from MS-LOT and have provided comments on the potential impact of this project on coastal processes, and whether this project should be considered an EIA project.

### **Physical environment / coastal processes**

The prevailing wind and wave conditions in the area are from the SW. The tidal range is 3.5 m and tidal streams can reach up to 2.5 knots at spring tides. The Sound of Iona is a dynamic environment. The preferred options for this project are a 175 m rock armour breakwater in Fionnphort and a 177 m breakwater at Iona to provide defence from waves propagating from a mostly southerly direction.

JBA Consultancy conducted a morphodynamic modelling assessment in 2020 to investigate the impact of the proposed new berthing facilities on sedimentation at both project sites. They assessed how the new berthing facilities would impact the morphodynamics in the Sound of Iona, and identified areas where significant sedimentation or erosion would occur.

In the Fionnphort Screening Opinion document it is stated: *“To maintain depths and avoid silting up it may very likely be found that it is important to allow natural tidal scouring to continue in the berthing and mooring areas. It may be necessary to provide tunnels or boulder gaps in the breakwater below the low water mark. This is also likely to mitigate the possible development of increased tidal stream velocities off the breakwater outer limits which could create more turbulence than is expected at present.”*

MSS recommend that these aspects of natural tidal scouring and changes in tidal stream velocities (and therefore turbulence) should be explored in more detail, and we recommend that this should be through the EIA process.

In the JBA report it was also suggested that should further modelling be required, collection of hydrodynamic and sediment transport data should be considered to support calibration and/or validation of the model. This would include waves in the sound, tidal currents in the sound and suspended sediment transport. The report suggests that this would be desirable at several locations but should focus on the Iona side as a minimum as the modelling there has shown this to be critical.

MSS agree that further data collection would be highly valuable, to validate the models and gain confidence in the results.

The overall volume of material to be dredged is small (7600 m<sup>3</sup> and 3260 m<sup>3</sup> per site) and the applicant proposes to dump sediment at a licensed disposal site. Therefore, MSS would not expect any further specific modelling to be required for the dredging component of the activities. The reports

state that during periods of dredging, piling and construction of the breakwaters there might be localised sediment disturbance but this should stay localised and not affect the broader area. However, MSS note that little or no evidence is presented to support this statement on locality of impact.

The Iona screening report (section 19.3) mentions: *“Iona is still subject to further morphodynamic modelling throughout the current year and approximately May 2017 to 2021.”* MSS request more information on the further modelling that is currently happening, and query whether the final report will be available with the licence application?

In summary: MSS recommend that further modelling to study impacts by the project on coastal processes (i.e. currents/tidal streams in the region, tidal scouring) and proper model validation (using better data) are required. Certain aspects of physical processes have already been investigated (e.g. sedimentation, wave height) to demonstrate effectiveness of the breakwater design, but not all physical processes have been evaluated, for example, impacts on the coast. Changes such as sediment disturbance may only occur on a localised scale but MSS advise that the applicant should demonstrate that the broader scale environment is not negatively affected.

MSS advise MS-LOT that, without clear evidence that there will be no significant impact of these developments on coastal processes, the projects on both sides of the Sound of Iona should be screened in to the EIA process.

Hopefully these comments are helpful to you. If you wish to discuss any matters further then please contact the REEA Advice inbox at [MSS\\_Advice@gov.scot](mailto:MSS_Advice@gov.scot)

Yours sincerely,

**Renewable Energy Environmental Advice group**  
Marine Scotland Science



**NatureScot**

## MacFarlane M (Marc)

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**From:** Colin MacFarlane <Colin.MacFarlane@nature.scot>  
**Sent:** 15 January 2021 14:47  
**To:** Taylor K (Kate); MS Marine Licensing  
**Subject:** RE: Screening - Argyll and Bute Council - Iona Breakwater and Berth and Fionnphort Breakwater and Overnight Berth - Response required by 7 Jan 2021  
**Attachments:** Marine Scotland - NS Response to EIA Regs Screening Opinion - Iona and Fionnphort Breakwater and Berth - 15 Jan 2021 (A3375666).pdf

Hi Kate,

Please find attached our response for your consideration. Worth noting that we actually received, and responded to a formal planning application for this proposal from Argyll and Bute Council in early December 2020. Our response to you basically covers the main concerns we had with the planning application, minus the our landscape concerns, as I believe this falls outwith your interests. Hope this letter helps you with your decision making and don't hesitate to get in touch if you need any further information from myself.

Kind regards

**Colin MacFarlane | Operations Manager and Argyll Islands Area Officer**

**NatureScot** | The Enterprise Centre | Kilmory Industrial Estate | Lochgilphead | Argyll | PA31 8SH | Tel: 07717 546978 |

[nature.scot](http://nature.scot) | [@nature\\_scot](https://twitter.com/nature_scot) | *Scotland's Nature Agency* | *Buidheann Nàdair na h-Alba*

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**From:** Kate.Taylor2@gov.scot <Kate.Taylor2@gov.scot>  
**Sent:** 15 January 2021 10:49  
**To:** Colin MacFarlane <Colin.MacFarlane@nature.scot>  
**Subject:** RE: Screening - Argyll and Bute Council - Iona Breakwater and Berth and Fionnphort Breakwater and Overnight Berth - Response required by 7 Jan 2021

Hi Colin,

Apologies for not getting back to you sooner but can we expect to receive your response today?

Kind regards,

Kate

Kate Taylor  
Marine Licensing Support Officer  
**Marine Scotland** - Marine Planning & Policy

Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

Email: [kate.taylor2@gov.scot](mailto:kate.taylor2@gov.scot)  
Website: <https://www2.gov.scot/Topics/marine/Licensing/marine>

**COVID-19: Marine Scotland - Licensing Operations Team (LOT) is working from home and unable to respond to phone enquiries. Please communicate with LOT via email. Email addresses are [MS.MarineRenewables@gov.scot](mailto:MS.MarineRenewables@gov.scot) for marine renewables correspondence or [MS.MarineLicensing@gov.scot](mailto:MS.MarineLicensing@gov.scot) for all licensing queries.**

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**From:** Colin MacFarlane <[Colin.MacFarlane@nature.scot](mailto:Colin.MacFarlane@nature.scot)>  
**Sent:** 14 January 2021 09:48  
**To:** Taylor K (Kate) <[Kate.Taylor2@gov.scot](mailto:Kate.Taylor2@gov.scot)>  
**Subject:** RE: Screening - Argyll and Bute Council - Iona Breakwater and Berth and Fionnphort Breakwater and Overnight Berth - Response required by 7 Jan 2021

Hi Kate

Hope this finds you well. Thanks for the recent consultation regarding the above. I'm wondering if it would be possible to have an extension to this consultation? The festive period and home schooling have led to delays in reviewing my casework. I can provide a response by the end of next week at the latest, but am hopeful I can pull something together prior to that.

Best wishes  
Colin

**Colin MacFarlane | Operations Manager and Argyll Islands Area Officer**

**NatureScot | The Enterprise Centre | Kilmory Industrial Estate | Lochgilphead | Argyll | PA31 8SH | Tel: 07717 546978 |**

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**From:** [MS.MarineLicensing@gov.scot](mailto:MS.MarineLicensing@gov.scot) <[MS.MarineLicensing@gov.scot](mailto:MS.MarineLicensing@gov.scot)>  
**Sent:** 17 December 2020 10:46  
**To:** [planning.north@sepa.org.uk](mailto:planning.north@sepa.org.uk); [hmconsultations@hes.scot](mailto:hmconsultations@hes.scot); ARGYLL\_OUTERHEBRIDES <[ARGYLL\\_OUTERHEBRIDES@nature.scot](mailto:ARGYLL_OUTERHEBRIDES@nature.scot)>; [centralvalidationteam@argyll-bute.gov.uk](mailto:centralvalidationteam@argyll-bute.gov.uk)  
**Subject:** Screening - Argyll and Bute Council - Iona Breakwater and Berth and Fionnphort Breakwater and Overnight Berth - Response required by 7 Jan 2021

Dear Sir/Madam,

**THE MARINE WORKS (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 (AS AMENDED) ("the EIA Regulations")**

**CONSULTATION UNDER PART 2, REGULATION 10(5) OF THE EIA REGULATIONS**

Argyll and Bute Council – Iona Breakwater and Berth and Fionnphort Breakwater and Overnight Berth

Argyll and Bute Council have requested the Scottish Ministers adopt a screening opinion in relation to the above proposed works under regulation 10(1) of the EIA Regulations.

I should be grateful if you would please review the associated information [here](#) and, as required by regulation 10(5) of the EIA Regulations, provide your view as to whether the above proposed works are an EIA project as defined in the EIA Regulations.

In accordance with regulation 10(6) of the EIA Regulations, please ensure you provide your view no later than 7 January 2021.

I am aware this screening request involves the festive period and a number of holidays. If you require more time, please contact me so a longer period can be agreed.

Kind regards,

Kate

Kate Taylor  
Marine Licensing Support Officer  
**Marine Scotland** - Marine Planning & Policy

Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

Email: [kate.taylor2@gov.scot](mailto:kate.taylor2@gov.scot)  
Website: <https://www2.gov.scot/Topics/marine/Licensing/marine>

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Sent by email to: MS.MarineLicensing@gov.scot

Kate Taylor  
Marine Licensing Support Officer  
Marine Scotland  
Scottish Government  
Marine Laboratory  
375 Victoria Road  
Aberdeen  
AB11 9DB

Our Ref: CEA161548

Date: 15 January 2021

Dear Ms Taylor

**The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 (As Amended)  
Screening Opinion - Iona Breakwater and Berth and Fionnphort Breakwater and Overnight Berth**

Thank you for your email received 18<sup>th</sup> December 2020 requesting comment from NatureScot regarding the above proposal.

The proposal could result in impacts on sensitive sites, habitats and species, which could give rise to significant environmental effects. We do not currently have sufficient information to ascertain whether appropriate mitigation could be implemented to avoid any significant environmental effects occurring. Further details are set out in our appraisal below.

In summary our concerns relate to the potential impact of the development upon the following interests:

- Inner Hebrides and the Minches Special Area of Conservation – Harbour Porpoise
- Priority Marine Feature – Sea Grass (present on site)
- Priority Marine Feature – Any other found during survey work
- European Protect Species – Cetaceans

## **Inner Hebrides and the Minches Special Area of Conservation**

The proposal lies within the Inner Hebrides and the Minches Special Area of Conservation (SAC) designated for its Harbour Porpoise interest. The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") or, for reserved matters, The Conservation of Habitats and Species Regulations 2017 apply. Consequently, Marine Scotland is required to consider the effect of the proposal on the SAC before it can be consented (commonly known as Habitats Regulations Appraisal). The SNH website has a summary of the legislative requirements (<https://www.snh.scot/professional-advice/safeguarding-protected-areas-and-species/protected-species/legal-framework/habitats-directive-and-habitats-regulations>).

In our view, there is insufficient information to determine whether the proposal is likely to have a significant effect on harbour porpoise. Our concerns relate to activities associated with the construction of the proposal. In order for this to be determined, we request that the applicant provides the following information:

- A cetacean protection plan that offsets any direct and indirect impacts from construction upon harbour porpoise is submitted. Included within this plan should be full details of piling activities (acoustic levels, timing, duration etc.), bedrock drilling (if required) and other marine acoustic impacts that may lead to disturbance of this species. The document must include mitigation to offset any potential impacts upon harbour porpoise, adhering to JNCC Best Practice guidance as required. The use of marine mammal observer will be necessary and NatureScot would welcome the opportunity to review this document prior to submission.

### **Priority Marine Feature**

The proposal may impact Priority Marine Features and therefore Marine Scotland should consider the effect of the proposal on those interests before it can be consented.

NatureScot hold a record for sea grass north of Fionnaphort. Sea grass is a Priority Marine Feature (PMF) and the Sound of Iona has been identified as an area of management consideration for this species, as part of the present PMF review. This species often grows in large beds, in shallow, sandy, coastal waters like the Sound of Iona. It's an important habitat in terms of biodiversity and its blue carbon resource. This habitat is sensitive to sedimentation associated with changes in tidal flows.

To determine the likely impact of both construction and operation upon this important feature, and any others recorded during survey work, we request the following information:

- The applicant must undertake a visual survey to establish the extent of seagrass beds, and any other Priority Marine Features recorded within areas affected by construction, dredging and increased sedimentation associated with current regime change.

- NatureScot would welcome comment on survey methodology and areas of search prior to commencement. As a minimum we would advise visual surveys over 4 transects per search area, focusing on water of 5m or shallower. These transects could consist of video/ photo images from full ROV runs, diver footage or drop down survey.
- An assessment of the potential direct and indirect impacts of the development upon recorded PMF resource and details of any mitigation proposed to offset impacts to an acceptable level. JNCC Best Practice Guidance for Piling can be found here: <https://data.jncc.gov.uk/data/31662b6a-19ed-4918-9fab-8fbcff752046/JNCC-CNCB-Piling-protocol-August2010-Web.pdf>

### **European Protected Species**

Cetaceans such as common dolphin, porpoise and minke whale are often recorded around the Sound of Iona and the wider Hebridean Sea. Cetaceans are European Protected Species and any development activity that will lead to their disturbance would likely require a licence. The submission of the above requested Cetacean Protection Plan will provide reassurance that all necessary mitigation will be implemented to reduce disturbance on porpoise, and this in turn, will benefit other cetaceans as well. Further information can be found at the link below:

<https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/european-protected-species/licensing>

We hope this response helps inform the Marine Scotland's decision making about whether the proposal should form an Environmental Impact Assessment application.

We would welcome the opportunity to meet with the applicant to discuss the environmental information requested. If you require any further information regarding the above advice please do not hesitate to contact me.

Yours sincerely

Colin MacFarlane  
Operations Officer  
Argyll Islands  
[Colin.MacFarlane@nature.scot](mailto:Colin.MacFarlane@nature.scot)