

**Highland wide Local Development Plan - Main Issues Report
Consultation Summary and Actions Sheet**

Reference Number:	HWLPD-MIR-118
Organisation/Individual:	Scottish Natural Heritage

Action:

Immediate Response Required	
Meeting required with Respondent	X
Issue for Area Local Development Plan	
Further Information Required	
Other (Please Specify)	

If no box ticked - issues raised will be dealt with in preparation of the Proposed Plan.

Issues Raised in Response:

Purpose of Main Issues Report		Previously used Land	X
NPF2 for Scotland	X	Wild Land	X
Vision for the Highlands	X	Water Environment	
Inverness and A96	X	Renewable Energy	X
The A96 Corridor	X	Flooding	
Phasing of Development		Waste Management	
Developer Contributions	X	Air Quality	
East Inverness	X	Sustainable Design	X
Nairn	X	Business and Industrial Land	X
Tornagrain	X	Accessibility and Transport	X
Smaller Settlements in A96	X	Agricultural Land	X
Caithness and North Sutherland	X	Subdivision of Existing Crofts	X
Easter Ross and Nigg	X	Allocation of Inbye Land	X
Development of Local Centres		New Crofting Township	X
Wider Countryside and Fragile Areas	X	Small Scale New Crofts	X
Population and Housing	X	Coastal Development	X
Housing in the Countryside	X	Forestry and Woodland	X
Affordable Housing		Minerals	
Planning for an Ageing Population		Open Space and Physical Activity	X
Gypsies/Travellers		Access to the Outdoors	X
Retailing		Comments on Consultation Process (+ve)	X
Developer Contributions	X	Comments on Consultation Process (-ve)	
Natural, Built and Cultural Heritage	X		

Key:

Background	Spatial Strategy	Policy Options	Consultation
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Notes:

- Elements of Natural heritage futures could be weaved into vision
- Support for recognition of natural assets of Inverness
- Water supply, green networks and habitats are important considerations in A96 corridor
- Support for continued use of the pre-application advice service in terms of facilitating development
- Proposed route for Nairn bypass runs through a SSSI
- Need for a tie between policies with regard to development of fragile areas
- Clarity needed on approach to natural, built and cultural heritage approach but support for preferred option
- Potential use of a biodiversity checklist when assessing proposals
- Proposed plan should allocate a specific definition to wild land
- Needs to be more detail on wind farm development and strategy but recognises it will be covered by supplementary guidance
- High biodiversity of agricultural land should be considered
- Clarification required on crofting issues
- Further detail on approach to peat extraction should be included in approach to minerals
- Green networks have a key role to play
- Further issues could be addressed by the approach to access to the outdoors.

Action Sheet Completed by:	SH
Date:	09/12/09



Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

Malcolm Macleod
Development Plans Manager
The Highland Council
Planning and Development Service
Glenurquhart Road
Inverness
IV3 5NX

6 November 2009
Our ref: CNS/LDP/HI
Your ref: HWLDP-MIR Consultation

Dear Mr Macleod

Highland Wide Local Development Plan Main Issues Report

Thank you for the opportunity to provide comments on key issues for the Highland Wide Local Development Plan as set out in the Main Issues Report. We commend the Council for the clarity and length of this document, and the efforts made to publish it so soon within the reformed development planning process. We commend the Council also for its early and regular engagement with the key agencies including ourselves during the preparation of this report. We have been pleased to be able to work with the Council at a number of themed 'workshop' meetings, and to work jointly with the Council over potentially three key natural heritage issues – green networks, local landscape designations and wild land. We look forward to continuing this close working relationship as the work on the preparation of the Plan proceeds.

Our detailed responses to the questions posed in the Main Issues Report are provided in the appendix to this letter. We would be happy to have a further meeting to discuss these, and indeed we see an essential need for continued liaison as you work now towards the Proposed Plan, given that at this next stage you will have reached a 'settled' view on policy and proposals. There are several instances where the MIR is rather light on detail, and so the next stage is crucial for being able to agree acceptable approaches.

The following issues are of particular importance to us:

- How the Proposed Plan will take climate change as an overarching framework for the policies and proposals, in order that 'the bigger picture' of certain issues can be raised, and more innovative approaches if necessary taken. One specific example of this in terms of sustainable development is sea level rising and storm surges taking account of latest modelling for proposed development in the Inner Moray Firth area. SEPA will provide more information on reports that identify the Inner Moray Firth as being at higher risk from the combined effects of coastal flooding than the remainder of the Highland coastline and than had been previously believed.
- The development of the vision statement to capture environmental as well as economic and social issues in a truly holistic and sustainable way. The current vision

East Highland Area, Fodderty Way, Dingwall Business Park, Dingwall, Ross-shire IV15 9XB
www.snh.org.uk

Sgìre Taobh Sear Na Gaidhealtachd, Slighe Fodhraidh, Pàirce Gnìomhachas Inbhir Pheofharain,
Inbhir Pheofharain IV15 9XB
www.snh.org.uk

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statement read on its own in isolation from the plan objectives fails to look forward to the maintenance and enhancement of the Highlands' outstanding natural heritage, which underpins much economic activity and where climate change issues must again be faced.

- Taking forward strategic locational guidance work for onshore wind farms as expeditiously as possible but in a way that still allows for alternative scenarios and comprehensive engagement. We welcome the Council's work in seeking to produce a spatial framework for onshore windfarms, but it is essential that landscape capacity including cumulative limits is fully incorporated.
- Including a green network framework (both existing and desired) initially into the A96 Corridor framework but then into other 'hinterland around towns' areas and also for Highland as a whole in terms not only of a Healthier Highland but also in terms of climate change adaptation, species protection and an enhanced natural heritage.
- Working together on the identification of wild land areas and including these in future Area LDPs if it is not possible to include them in the Highland wide LDP. We welcome the Council's preferred option for wild land and would not favour the alternative.
- Assisting the Council to provide guidance on the special qualities of its Areas of Great Landscape Value (AGLVs) and to give this weight alongside the development plans. Landscape matters other than wild land were not included in the Main Issues Report, but we welcome the Council's intention to carry out work on AGLVs as part of HWLDP. We also would wish to see a policy for the maintenance and enhancement of landscape character more generally.
- Given the expectation that new-style plans should be more spatial than previously, there is a challenge for indicating the importance of the natural heritage in the 'wider countryside' outwith designated areas. Uses of data sources and toolkits for biodiversity value is likely to be one means, backed up by a 'checklist' approach possibly for applicants but certainly for the Council.

In general we are content with the preferred options to work up the Proposed Plan as set out in this Main Issues Report. Several of these however are very general in nature at this stage, and so the detail will only emerge as you now work on the Proposed Plan itself. Continued liaison with key agencies will therefore be essential. For the following topics however we do have concerns with the preferred option and/or favour an alternative option –

- Business and Industrial Land: the preferred option includes flexibility which is not as close to the plan-led system under modernised development planning reforms as the alternative option.
- Crofting: the subdivision of existing crofts, the allocation of inbye land for development, the development of new crofting townships and a policy for the creation of new crofts all raise landscape and habitat issues that have not been addressed in the MIR and we believe should be the subject of further discussion, perhaps as a joint agency exercise with the Crofters Commission and Highlands and Islands Enterprise.
- Renewable energy: we are very unclear whether HWLDP should be the framework within which the identification of marine energy potential development areas should take place. Environmental constraints should be fully taken into account, and a more appropriate spatial planning framework would appear to be marine spatial plans.

- Coastal development: a general policy for aquaculture is proposed, but we prefer the alternative of a spatial approach that identified search and sensitive areas, informed by environmental constraints.
- Minerals: there is no reference in the preferred option to coverage under this topic of peatland and geodiversity.
- Green networks: this concentrates on opportunities to create green networks, but it is very important to bear in mind that green networks of varying functionality already exist which should be protected and enhanced. The preferred option should be more aspirational in policy by linking new development to the maintenance and enhancement of existing green networks.

In taking this plan forward the Council will need to consider the requirements in terms of European sites of Part IVA of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended. We have mentioned in the appendix where we think the Council may need to consider sections within the Habitats Regulations Appraisal. A series of initial meetings in November has been arranged to consider this, when we shall be pleased to provide further advice.

I hope these comments and those in the appendix will be of help to you. If you have any queries please do not hesitate to contact Andrew Brown [redacted] on [redacted] in the first instance.

Yours sincerely

pp.

[redacted]

George Hogg
Area Manager, East Highland
[redacted]

Highland Wide Local Development Plan Main Issues Report - Comments on chapters and questions

National Planning Framework 2 and the Highlands (p3)

Two other bullet points that can be added as key issues for Highland from the National Planning Framework 2 are –

- Adapting to the effects of climate change
- Accommodating the national development of electricity grid reinforcements

The Vision for the Highlands (pp4-5)

The vision (drawn from the Council's Corporate Strategy) is very brief, and makes no reference to the area's outstanding natural heritage, and how this is so important to the local economy through tourism and outdoor recreation, how it underpins the primary resource industries and how it is fundamental to the area's identity and sense of place. According to the Planning etc. (Scotland) Act 2006 the vision statement should be 'a broad statement of the planning authority's views as to how the development of the land could and should occur and as to the matters which might be expected to affect that development' (section 15[2]). One such matter is defined as the principal environmental characteristics of the area. We presume the Council is working towards a much more comprehensive, sustainable and inclusive vision statement for the Proposed Plan, and we would be happy to contribute to this exercise, to build upon the laudable objective set out under 'Safeguarding our Environment' of making sure that the quality of the natural, built and cultural environment of Highland is protected and where possible enhanced. Elements from our Natural Heritage Futures vision documents for Highland for 2025 that would be helpful to 'weave in' include –

- The conservation and enhancement of key species, habitats and earth science features not only in designated sites but also in the wider countryside
- Green networks for people and wildlife at the local and regional levels
- Improved path networks around settlements, with access to good quality open space and greenspace
- The maintenance and enhancement of Highland's distinctive and diverse landscape character, including wild land, for which Highland has a particular strength
- Good siting and design of development, especially to maintain and enhance the contribution of buildings to landscape character
- Green tourism and responsible outdoor access opportunities
- Native woodland with expansion through natural regeneration
- Integrated coastal zone management now coming through marine spatial planning to protect and enhance coastal habitats and species and seascape
- High quality rivers and lochs with improved status for freshwater habitats and species
- Greater understanding and awareness of the natural heritage

The vision should also pick up on the challenge of responding and adapting to the effects of climate change. This will cover a large number of issues, including the most appropriate future locations for development taking account of flood and coastal inundation risk and other natural hazards, the move towards a low carbon economy, locating development to reduce the need to travel and enabling wildlife to adapt by macro-scale movements.

Where should growth go and how can we deliver it? (The Spatial Strategy) (pp6-31)

We suggest in the Proposed Plan that the section on population and housing projections (pp32-35) precedes these sections on where development should be located.

Q1 Inverness

We welcome point 5 on page 8, regarding the relation of new development to the 'natural assets' of Inverness, and with specific mention of the river, canal and sea-front. This follows guidance included within the Inverness Landscape Character Assessment.

Key issues with regards to points 6 and 7 on page 8 are the landscape and visual impacts that have resulted from the large extent of new development that has occurred around the outskirts of Inverness, particularly upon the hill slopes that form the landscape backdrop to the city. While further 'consolidation' may aid the integration of this development, some of which currently appears isolated, it is recommended that there is an ongoing commitment to landscape mitigation; for example through ensuring monitoring and extending where possible landscape proposals in these areas, particularly the planting and establishment of large species 'policy' trees that reflect the previous, underlying or surrounding landscape character.

This preferred option should include the incorporation of a green network in and around Inverness, particularly given its strategic location at a narrow point on the Beaulieu Firth and at the head of the Great Glen. A green network will allow for the movement of people and wildlife in more natural settings (see later under Q37 and main letter). A stage towards this would be an Open Space Audit and Strategy for the Inverness area.

On the alternative option, we would note that generally, it is suggested that further development upon lower-lying areas to the south of the A96 may have reduced landscape and visual impacts than further extending development upon the more elevated slopes to the south of the city.

Q2 The A96 Corridor

We support the integrated approach being taken towards considering the A96 corridor as a whole. Nevertheless the area is adjacent to the Moray Firth SAC and Inner Moray Firth SPA, with other European sites potentially affected by water supply issues. Impacts on water quality in the Moray Firth SAC (the habitat of bottlenose dolphin) and possible recreational disturbance to birds in the Inner Moray Firth SPA are key associated issues. We are aware that the Council intends to carry out a Habitats Regulations Appraisal of the Highland Wide LDP and we are happy to assist in this process. The cumulative assessment with regard to the A96 Corridor should include the proposed development at Whiteness, even though it is not explicitly discussed in the Main Issues Report.

Our previous correspondence on the A96 Corridor Development Framework and planning applications have highlighted designated sites, protected species and LBAP interests, all of which should still be considered now. We have highlighted the need for access and green network links to be maintained and enhanced. We recommended that the major development aspirations along the A96 corridor should be matched with something equally ambitious as far as the natural heritage is concerned, e.g. a new country park or parks or new habitats. The green networks project in the A96 Corridor should help in identifying the best place to create

new habitats. We also recommended that an A96 corridor Landscape Character Assessment was prepared.

Water supply and disposal are obviously very important and these aspects are touched on in the report. Water supply could affect Loch Ashie SPA and disposal could affect the Moray Firth SAC. As far as the latter is concerned reference should be made to the "Water Quality and Dolphins Advice Note" which basically specifies that the highest standards (a "recreational water quality standard") should be applied in "areas frequented by dolphins" (this advice is currently the subject of an appeal by Scottish Water in relation to the Fortrose WWTW).

Other important habitats and species e.g. badger are present in the area, and a means to consider this strategically will be within a green network framework. This should form an integral part of the revised A96 Corridor Framework. You will know that work is already underway to help the Council in this regard. Green networks will also provide an integrated pattern of open space, paths, cycleways and greenspace for the recreation and enjoyment of communities here. Importantly they may play a role in diverting recreational pressure away from very sensitive wildlife areas, including European sites. The means of delivery of a functioning green network here is a particular challenge that the Proposed Plan and associated supplementary guidance should address.

In terms of major infrastructure and its phasing, both for the preferred option and for the alternatives, an important issue is that any necessary mitigation to avoid adverse natural heritage effects (e.g. with regard to water quality) is in place at the outset, rather than risk an incremental approach with less certainty of environmental investment.

For the alternative of dispersed growth around the Inner Moray Firth, it should be noted that designated areas would also be associated with suggested growth points, e.g. near Fearn-Kildary and Kirkhill.

Q3 Developer Contributions in the A96 Corridor

With regard to the preferred option of a developer contributions protocol for the A96 Corridor, this will need to include provision for developer contributions towards the components of the green network. Section 106 agreements may be necessary where this would be beyond the application boundary.

Q4 East Inverness

This area is close to the Inner Moray Firth SPA/Ramsar and so the effects of development here (alone and in combination) should be considered as part of the Habitats Regulations Appraisal for the LDP. The area is also close to Longman and Castle Stuart Bays SSSI.

Otters and bats (both European Protected Species), badgers and breeding birds are present in this area, so Protected Species Surveys and Mitigation Plans will be required.

Otherwise in general the Council's Major Applications Team approach – to which we contribute – is a welcome proactive measure, and we see great merit in this in terms of securing necessary information and mitigation with regard for example to protected species, open space provision, habitat development work and landscaping.

Q5 Nairn

Designated areas nearby include the Moray Firth SAC and Inner Moray Firth SPA/Ramsar. The Habitats Regulations Appraisal of this plan should consider the proposed development at Nairn, alone and in combination (including with Whiteness). Other designations nearby are the Kildrummie Kames SSSI and Whiteness Head SSSI.

Of particular concern is that the indicated route for the Nairn bypass cuts through the north-eastern end of the Kildrummie Kames SSSI (geological and biological). Further discussion will be necessary between Transport Scotland, the Council and SNH. The Proposed Plan should cover this issue in the necessary detail. The green network work for the A96 Corridor will be able to consider if the route of the bypass raises any loss of connectivity and fragmentation issues that should also be addressed in detail in the Proposed Plan.

Protected species that should be taken into account here are potentially otters, bats, badgers and red squirrels.

Q6 Tornagrain

Nearby designated areas include the Inner Moray Firth SPA/Ramsar, Loch Flemington SPA and Moray Firth SAC. The Habitats Regulations Appraisal of this plan should consider the proposed development at Tornagrain, alone and in combination (including with Whiteness and Dalcross). Other designated sites nearby are the Kildrummie Kames SSSI and Longman and Castle Stuart Bays SSSI.

Due regard should also be had to protected species in the area (otter, bat, badger, red squirrel, breeding birds) plus important habitats of ancient woodland of long-established plantation origin and dry dwarf shrub heath.

Please see above re comment regarding necessary mitigation for infrastructure within any early phases. We have provided comments on the planning application and would refer you to issues discussed there, e.g. protected species, access and recreation, landscape.

Q7 Smaller Settlements in the A96 Corridor

The map would be more complete (e.g. in terms of the cumulative assessment for the Habitats Regulations Appraisal) if it also included the proposed settlement at Whiteness. The Council will need to consider proposals and policies for these settlements, alone and in combination, in the context of the Habitats Regulations Appraisal for the A96 Corridor. In addition to European sites already noted, there is also the Cawdor Wood SAC in this larger area.

Another designation close by these settlements is the Ardersier Glacial Deposits SSSI.

Q8 Caithness and North Sutherland

While we acknowledge the importance of the marine renewables resource off the Caithness coast, the references to this within this section do not have regard also to the need to safeguard the natural environment. On p23 it is stated that proposals for marine renewable energy should be supported. This should be caveated along the lines of 'in appropriate locations'. And on p24 within the preferred option it is stated that policies should support the growth of marine renewables and the facilities and infrastructure required to support them.

Again this should be caveated along the lines of 'while protecting the natural and cultural heritage'.

There is no discussion here of onshore wind farm development in Caithness and North Sutherland, or of electricity transmission infrastructure designated as national developments. Wind farm developments are raising cumulative impact issues. While we appreciate this is to be covered in the proposed windfarm spatial framework supplementary guidance, some cross reference would appear to be necessary between the proposed strategy for Caithness/North Sutherland and the Highland windfarm spatial framework.

Another main issue for Caithness is to upgrade tourist facilities at John O'Groats given the wider potential benefits of this to the area, although we note this is indicated on the map on p25.

It would be helpful if the 'Action Plan for Caithness' (p25) included internationally and nationally designated areas, with an action to protect and enhance these areas and provide opportunities for public understanding and enjoyment. The map omits Dounreay, which is surprising given the preceding text. Onshore windfarm and transmission line reinforcements are not referred to on the Action Plan, and are key issues for the Proposed Plan. With regard to ensuring good transport links, the arrows on the plan highlight the Far North Rail Line, the A9 and the A836. For the A9, as commented at the time of the Draft Sutherland Local Plan, we continue to believe that bypass corridors should be identified and protected for main communities along the A9, namely Golspie, Brora and Helmsdale. We are not sure what strategic improvements might be necessary for the A836.

We note no alternative option is put forward in this part of the Main Issues Report. The preferred option comprises policies for marine renewables, supplementary guidance for Dounreay and identification of the key development priorities for Caithness. However the last of these is likely to have alternatives within the detail of future scenarios for Caithness. The Main Issues Report is intended to be the stage at which reasonable alternatives can be considered, and at which assessment of environmental effects can be considered through SEA. The lack of any identification of reasonable alternatives at this stage therefore may mean that they should be considered as part of the next stage of Proposed Plan production and its SEA, particularly if this consultation leads to reasonable alternatives being identified by third parties and selected by the Council.

Q9 Easter Ross and Nigg

This states that the Council has prepared a Nigg Development Masterplan to maximise the site's strategic development potential. We have been closely involved in the preparation of this masterplan, not least because of its juxtaposition with the Moray Firth SAC and Cromarty Firth SPA/Ramsar. The Council has recently carried out an appropriate assessment of the proposals within the masterplan in order to consider whether there would be any adverse effect on the integrity of these sites. We have advised the Council on the likely significant effects of the proposals in the masterplan on the interests of the European sites. It is our understanding that the masterplan has recently been submitted to the Scottish Government. This Main Issues Report is unclear on what status the Nigg masterplan would have in relation to the Proposed Plan. We have already provided the Council with advice on the necessary inclusion of mitigation measures within the Nigg Development Masterplan.

The Main Issues Report also refers to other strategic business sites along the Cromarty Firth, such as Invergordon and Evanton. Its preferred option is to support the economic development of these sites. No details or alternatives are provided here, and given that at the

next stage (the Proposed Plan) the Council will have reached a view on its desired policies and proposals, it is essential that close liaison is maintained between the Council and key agencies as details of this are worked up, e.g. any expansion areas or intensification of activity. This is another matter that will require inclusion in the Council's Habitats Regulations Appraisal of this plan, given the proximity of the Cromarty Firth SPA/Ramsar and Moray Firth SAC.

The action plan for Easter Ross (p27) is otherwise very light on detail, and we presume other components may be left until production of the Inner Moray Firth LDP. However it would be helpful if recognition was at least given at the Highland-wide LDP stage of the role of green networks in this area, both for wildlife and for people (see Q37).

Q10 Development of Local Centres

We have no comments on this preferred option.

Q11 Wider Countryside and Fragile Areas

We recognise the need for a consistent policy approach for considering development proposals in the wider countryside, and it would seem logical to build on the more recent policy approach as contained say in the Draft Sutherland and West Highland and Islands Local Plans. The suggested policy approach however in the Appendix to the Main Issues Report is rather simplistic in that it doesn't (as the Draft Local Plans did) tie together relevant policies, so that one policy alone would not be read in isolation. Such a policy must be read in conjunction with for example the policy for international, national and local/regional features of natural, built and cultural heritage importance. This is particularly necessary since the suggested policy in the appendix, while referring to landscape character, pattern and design does not refer to species, habitats and green networks.

With regard to the second bullet point in the preferred option ('identify the areas of countryside around our main settlements where there will continue to be high demand for housing development in the countryside and protect these areas'), we presume this means to protect these areas from such development rather than for such development. This could be an issue where you would wish advice from us in terms say of natural heritage criteria for protection.

A 'Strategy Map' is included on p31. We are not sure of the purpose and intention of this, but if it is a draft of what might eventually be included in the Proposed Plan we would wish to see added internationally and nationally designated areas. With regard to "Fragile Areas" the definition in the glossary should provide more information based on the HIE work on the basis for their identification.

Policy options for the Highland wide Local Development Plan (pp32-73)

Q12 Population and Housing Projections

It would seem more logical if this section had appeared first, before consideration of the detailed locations for accommodating population and housing forecasts. This could be addressed in the Proposed Plan.

We presume that as for a Structure Plan the Highland-wide LDP will set the housing land requirements for the three Area LDPs that will follow.

This section in contrast to many others would appear to have been well-suited to reasonable alternative scenarios and options being explored at the MIR stage. For example there are low, medium and high migration scenarios which of course feed through to potentially different housing land requirements. Guidance in Circular 1/2009 on MIRs is that 'the authority's approach should not be one of defending their proposals but one of genuine openness to different ideas' (para 46). The preferred option is to allocate housing land on the basis of the high migration scenario, and housing land requirement figures are given for this on p34. However no comparable figures are given for the medium and low migration scenarios and the possible alternatives are covered extremely briefly ('develop policy in line with a lower level of projected population growth based on assumptions of declining in-migration and a consequent slowdown in economic growth'). We recognise however that the SEA both at this stage and also possibly at the Proposed Plan stage must assess the differing likely environmental effects of basing future housing need on high, medium or low migration scenarios and inform the choice if made of selecting the highest rate of projected population and housing growth over the next twenty years. Other agencies will comment on infrastructural implications e.g. transport, water, waste water, services but it will be important to consider the associated natural heritage implications (e.g. increasing demand for water is sometimes resulting in proposals to increase water abstraction from designated sites). In addition it will also be important that adequate 'green infrastructure' is provided e.g. open space, paths/ cycleways, landscaping, which can be incorporated within green networks.

Q13 Housing in the Countryside

Reference in developing the preferred option should be made to the capacity of the landscape to accommodate additional housing and to a number of capacity studies already completed for parts of Highland. Even when adopting best practice siting and design, there may be limited capacity for future development within certain areas due to sensitivities of the landscape and visual resource and/or cumulative impacts (which may change during the life of the Plan). The proposal for a housing design guide supplementary guidance is strongly supported and we would be happy to advise on this. We would wish to see this include good siting as well as design principles. However, as above, this also needs to relate to local character and capacity, particularly in addressing cumulative impacts. It would be useful if such a guide described thresholds for acceptability of cumulative impacts; otherwise, housing proposals tend to be judged only on the suitability of siting and design for an individual proposal.

Would this Housing in the Countryside [Siting and] Design Guide supplementary guidance also be applicable to housing developments in the wider countryside? There is obvious merit in making this so.

Regarding the preferred option to review the approach the Council currently takes in Caithness towards housing in the hinterland around Wick and Thurso, the need for this is not clearly explained here and once again the opportunity is being lost at this MIR stage to consider the specific alternatives within this in the context of Caithness. The next Proposed Plan stage will be the Council's settled view, so there is an essential need for discussion and participation before then in working up any revised policy. Alternatives may have to be considered as part of the SEA of the Proposed Plan, given it is not expressly considered here. We note that according to the table of housing land requirements on p34, Caithness has an effective land supply of 2771 units and a land requirement even under the high migration scenario to 2029 of 877 units. Also on p38 it says that figures for Caithness show a growing surplus of affordable housing. The scenario should therefore be considered of stronger policies to consolidate the settlements of Wick and Thurso and reduce the less sustainable development of their hinterlands and beyond.

- Q14 Affordable Housing**
- Q15 Planning for an Ageing Population**
- Q16 Gypsies/Travellers**
- Q17 Retailing**

We have no comments on these sections.

Q18 Developer Contributions

We note reference to landscaping/open space/paths in terms of developer contributions and would support the addition of green networks to this list.

Q19 Safeguarding our Environment

We believe this should be headed "Safeguarding and Enhancing our Environment" (which would also then appear on p4 under the plan objectives). One incidental benefit of this would be that it would be less anomalous for 'Previously Used Land' (i.e. vacant and derelict brownfield and contaminated land) to be included under this section, as the plan would aim to enhance the environment of such land.

The preferred option is to follow the approach for designated areas and other features of importance used in the recent Draft Sutherland and West Highland & Islands Local Plans. As far as this goes, provided policy wording and wording in the associated detailed appendix follow wording as set out by us in our responses to the latest Deposit Drafts of these plans, this would be a pragmatic option. We do note however that the map on p44 of international, national and local/regional natural and cultural heritage features is unclear with regard to local/regional features. Three shades of green seem to have been employed, giving the impression that only a small part of Highland would not be covered by this hierarchy. Linked to this is the fact that some of the local/regional features have not yet been mapped (not least wild land but also Sites of Local Nature Conservation Interest) and so there is a challenge to make the Proposed Plan as spatial as possible, using maps, as opposed to leaving the policy to be interpreted later on a case-by-case basis or at the Area LDP stage.

Therefore is it the intention that HWLDP will include maps of the international, national and local/regional natural and cultural heritage features across the whole of Highland? If so there is an issue regarding the spatial coverage of local/regional features. Otherwise it will be essential that this is addressed in the three Area LDPs.

One matter that will require amendment from these latest Draft Local Plans is to re-name Remote Landscapes of Value for Recreation as Wild Land in terms of the Council's preferred option on p47. At present RLVRs are included as a local/regionally important feature, but depending on guidance in the finalised consolidated SPP there is a case to make Wild Land a nationally important feature. This is considered further under Q21 below.

There is then no discussion here of providing spatial information on protected and BAP species, although we welcome the third bullet point of the preferred option ('encourage a positive and holistic approach to biodiversity by asking developers to address all species and habitats issues across their sites and adjoining areas arising from the development'). Spatial data could be provided by references to information sources such as NBN Gateway (www.data.nbn.org.uk) and to 'About Scotland's Nature' on SNH's SiteLink website (www.snh.org.uk/snhi/). However these should be used with caution, as they indicate recorded sightings rather than where a species is likely to be present. Reference can soon be

made to the Biodiversity Toolkit, which will be a UK on-line portal tool for planners and developers.

We have discussed the potential for a 'biodiversity checklist' to be used either within a plan/supplementary guidance or linked to planning application forms or checked by a case officer when processing an application. We provided a possible approach following one of our meetings (see attached) and have also produced a draft checklist for wider planning authority consideration (also attached). We understand your own Biodiversity Officer (Jonathan Willet) is also working on this approach. We consider this would be very helpful to capture consideration of biodiversity in the wider countryside as expressed in the Council's preferred option.

Habitats of importance in the wider countryside will be covered in general by a policy as contained in the finalised draft versions of the Sutherland and West Highland and Islands Local Plans. It will however be important to map them if possible to include in the Proposed Plan – one example may be peatland (not just designated areas and not just in Caithness and Sutherland).

It is important that green networks should be reflected in this part of the Proposed Plan as well as in the section on health/open space/access/recreation. Paras 94 and 95 of the draft consolidated SPP provide the justification for the protection and enhancement of green networks in development plans for biodiversity as well as people. Green networks should if possible be mapped as at least of local/regional importance if not of national importance depending on key species relevant to them. We are pleased that in the future green networks will be mapped across the Highlands (p72) and early present work for the A96 corridor should assist in this respect.

There is no reference in this section to the landscape and visual resource. Reference needs to be made to landscape character (as per section 2.14.8 and Policy L4 within the current Structure Plan), scenic value and the suite of designations including AGLVs. Reference should also be made to Landscape Capacity Studies that have been completed within Highland that should inform landscape planning and sustainable growth. The consolidated SPP (consultative draft) states that 'different landscapes will have a different capacity to accommodate new development, and the siting and design of development should be informed by local landscape character' (para 93).

At a meeting the Council stated that they considered the existing wording of Structure Plan Policy L4 on landscape character was weak, and the following wording is put forward as an alternative –

We will allow developments where it is shown that they relate to the landscape character of the area including in scale, form, pattern and use of materials. In addition, developments should enhance landscape characteristics where the condition of these are deteriorating or have deteriorated, resulting in a loss of landscape quality and/or distinctiveness of place. Guidance within the relevant landscape character assessment (available on the Scottish Natural Heritage website), and Designing for Sustainability in the Highlands (2006) should be taken into account.

With regard to the second bullet point in the Preferred Option box (providing a link to the relevant guidance and national policy that provides more detailed guidance on features of importance), this link should also be to documents that in the case of landscape provide detail on areas' key characteristics, special qualities and value to encourage enhancement and

ensure protection. For AGLVs, we are pleased that a contract is being let to carry out this work and the findings of this should be incorporated within the Plan by such a link.

The quality of the landscape and visual resource is important outwith designated areas, as well as within these areas, affecting the well-being of local people as they live, work and carry out recreation, as well as visitors to the region. In this respect, the Proposed Plan should refer to the UK's signature of the European Landscape Convention which makes clear that all landscapes require consideration and care. In addition, the consolidated SPP (consultative draft) highlights that 'planning authorities should take a broader approach to landscape and natural heritage than just conserving designated or protected sites and species' (para 94).

Q20 Previously Used Land

As noted already this issue doesn't sit comfortably at present within a section on 'Safeguarding Our Environment' but this could be remedied by re-titling this section 'Safeguarding and Enhancing our Environment'. It is recommended that it is also incorporated better by referring to the improvement of environmental/ landscape condition through development and enhancement measures, and how this can contribute to sustainability by avoiding development on 'green field' sites.

Q21 Wild Land

The inclusion and distinction of this section is strongly supported. The introduction section provides a useful context, and the mention of the value of these areas for local residents is particularly welcomed. The section also notes that these areas are rare in a national and European context and worthy of protection. Therefore there is a case that wild land areas are important at a national as well as regional level, by representing some of the distinctiveness of Scotland as a whole and attracting people to the region, as well as contributing to the value and strong 'sense of place' within the Highlands. NPPG 14 (para 11) currently states 'many areas, for example, in the Highlands and Islands, possess mountain and coastal landscapes which are valued nationally and internationally for their quality, extensiveness and wild land character.' There is also reference to wild land in the National Planning Framework 2 (para 99). On the other hand we appreciate that the draft consolidated SPP includes wild land under Local Designations (paras 103-106) and it will be important to see the wording in the finalised SPP.

Therefore the Preferred Option is supported. However, with regard to the first point, it would be useful to highlight that development constraints within the Proposed Plan would only affect developments that would have significant impacts upon the specific qualities represented by these areas; otherwise, it may be misconstrued that the identification of areas of wild land will result in widespread restrictions to development.

With regard to the second point, we suggest that a policy is put in place that applies to developments not only within wild land areas but those 'that would have significant impacts on wild land areas'. This would include areas visible from these areas as well as within their defined boundaries, which is a key issue given developments are often proposed around the margins of wild land areas and can collectively have cumulative impacts within these areas. NPPG 14 (para 16) highlights this issue by stating 'this care [safeguarding wild land character] should extend to the assessment of proposals for development outwith these areas which might adversely affect their wild land character'.

In supporting the preferred option however we are not currently in a position to identify the areas of wild land within Highland, further than 'Search Areas for Wild Land' (SAWL) as

identified within SNH policy 'Wildness in Scotland's Countryside'. However we would welcome and would support a project that would identify these areas and their particular qualities, to be added later as supplementary guidance/ policy to HWLDP or included within the three Area LDPs. We have already expressed to you a willingness to be involved in this work in the future and have made an internal bid for funding that could contribute to this. In the meantime, we recommend that the Proposed Plan identifies clear criteria by which wild land areas can be identified and potential impacts assessed, and we would be happy to assist this work.

Although policies should refer to the acceptability of various 'level of impact', it is recommended that this should also refer to the character of change – i.e. whether proposed landscape change relates to the specific qualities of the wild land area.

We do not support the alternative offered to the preferred option, and suggest this is misleading by suggesting wild land '...is a local designation and is not contained within any legislation'. While the identification of wild land areas would not form a statutory national designation, they are of high sensitivity and their protection is required through existing national policy NPPG14 which states (para 16) 'such areas are very sensitive to any form of development or intrusive human activity and planning authorities should take great care to safeguard their wild land character.' This is taken up by the consolidated SPP (consultative draft) which similarly states (para 105) 'Areas of wild land in some of Scotland's remoter mountain and coastal areas are very sensitive to any form of development or intrusive human activity and planning authorities should safeguard the character of wild land in the development plan'. Therefore there is clear national policy to identify and protect wild land areas.

Q22 Water Environment

Comments on this section will be provided by SEPA.

Sustainable development and climate change

We consider responding and adapting to climate change should form an overarching framework for much of the Proposed Plan. Although this section includes renewable energy, flooding and sustainable design, climate change also influences policy for the natural heritage, transport, coastal management, green networks, river catchment management and forestry and woodlands. It may also influence strategic decisions about the location of future development to allow for sea level rising e.g the Inner Moray Firth is at higher risk from the combined effects of coastal flooding than the remainder of the Highland coastline. Using climate change as an overarching key issue for the plan and the future changes for Highland over the next 20+ years might enable more innovative policy approaches and links to be made, and positive initiatives in a range of land management to be supported. We would welcome the Proposed Plan recognising, supporting and safeguarding from inappropriate development such positive measures as –

- Management of land to retain and capture carbon in soils and vegetation
- Maintaining the resilience of ecosystems
- Allowing for natural processes in freshwater systems through catchment management
- Coastal management and the strategic location of future development that allows for rising sea level and increased storm surges
- Use of greenspace in urban areas for multiple benefits to adapt to climate change

- Maintaining and enhancing ecological connectivity, especially green networks at both local and regional scales

Q23 Renewable Energy

This is one of the most important issues to be covered in the Proposed Plan and it is of some concern that the Main Issues Report is unable to provide more details on exactly what the spatial policy for onshore wind farms in particular will be, and on alternatives that can be openly considered at this stage. We note this will be dealt with in supplementary guidance, but it will be important that reasonable alternatives to spatial policy approaches be considered then, with sufficient opportunity for engagement and consultation during its preparation. We are concerned otherwise that the Council will reach a settled view on targets, areas of search and areas for protection without full opportunity to engage in this work. We believe the supplementary guidance should be incorporated into LDPs at the next available opportunity – perhaps through the three Area LDPs. Depending on the level of detail in the Plan, this section may require inclusion in the Habitats Regulations Appraisal.

The map on page 50 shows ‘areas for significant protection from wind farms over 20MW’. This map is confusing because presently this just shows international and national designations, and it is necessary to add areas where a cumulative limit has been reached. The reference to 20 MW or higher is presumably drawn from the SPP6 Annex. However we understand the Council’s windfarm spatial framework will relate also to developments of less than 20 MW and we would support this. As cumulative impact has become such an important issue in some areas of Highland, even the addition of single/ small numbers of commercial sized wind turbines within certain areas may have significant impacts.

In preparing locational guidance for wind farms, we support the Council in currently working on the ‘capacity’ for renewable developments, including capacity of the landscape and visual resource. We are assisting the Council in a study currently being undertaken on this matter. There are various scenarios for acceptability that could be adopted by the Council. For example, it may be judged that capacity would reflect accommodation of renewable developments without change to the intrinsic pattern and distribution of landscape character types and valued views. In contrast, it may be judged that capacity exists where renewable developments result in the loss of some landscape character types and valued views, but not others. To establish these thresholds, the Council also needs to establish strategic design aims to which individual developments can fit, for example clustering of developments or dispersal within certain areas and in relation to sequential effects along key routes. This highlights as discussed the likely need for alternatives to be considered as part of the supplementary guidance process.

The text at the bottom of p50 and in the 4th point of the preferred option suggests that criteria for assessment of impacts and acceptability will only be required outwith Broad Search Areas. However, as mentioned above, criteria are also required within Broad Search Areas, particularly because the cumulative situation is likely to change during the development of the Plan and also the period that the Plan is in place. Experience elsewhere has shown that the capacity of Search Areas can be reduced significantly by certain individual developments unless these follow common design objectives set for the whole Search Area. Guidance on this issue in relation to windfarms is soon to be published as part of updated siting and design guidance for windfarms.

It is unclear from this section what is intended to be included as policy with regard to hydro and pumped storage schemes. A policy framework (whether spatial or not) is required for these. The Council might also consider the desirability of policies for the consideration of

overhead electricity transmission lines, even though these fall under the Electricity Act and certain upgrades/reinforcements have been included as national developments in NPF2. There may be local issues with regard to upgrades that can be set out in this Plan, such as existing overhead lines that could be removed consequent upon any upgrade.

We note the section on marine renewables including a strategy map, but we are very unclear how this relates to HWLDP which is being prepared under Town and Country Planning legislation, to the Council's Coastal Development Strategy and to future Marine Spatial Plans under marine planning legislation. It is our understanding that location-specific references to marine renewables potential sites were removed from the Draft West Highland and Islands Local Plan, partly for lack of evidence-base, and therefore it does seem inconsistent for such sites to re-emerge potentially in HWLDP. The most appropriate spatial planning framework for marine renewables would seem to be the imminent marine spatial plans, when for example it can have full regard to constraints in the marine environment and can complement potential development areas with identification of marine areas for significant protection (as for the onshore windfarm spatial framework). The Area LDPs can deal with land-based infrastructure implications arising from marine spatial plans. With regard to the marine energy potential development areas identified on the 'strategy' map on p51, that near Cape Wrath should allow for an exclusion zone around the Cape Wrath SPA (marine extension likely to be required), that to the west of Rum should allow for the Rum SPA and Canna and Sanday SPA, and that in the Moray Firth should allow for the Moray Firth SAC and proximate SPA/Ramsars. Also links need to be made to the Marine Spatial Plan for the Pentland Firth and Orkney Waters – which will determine marine renewables development here. As it stands at the moment this section of the Plan is likely to require inclusion within the Habitats Regulations Appraisal.

Q24 Flooding

Q25 Waste Management

Q26 Air Quality

We have no comments on these sections.

Q27 Sustainable design

We support the option of preparing supplementary guidance on sustainable design and residential layout. Other factors this could cover include landscape and ecology. We would be happy to advise on this.

A Competitive, Sustainable and Adaptable Highland Economy

Q28(A) Business and Industrial Land

The preferred option includes the identification of strategic sites for economic development in Highland. Here again the detail is not available at this stage and so we are concerned that adequate consultation and if necessary consideration of alternatives takes place before the Proposed Plan is published, in order to avoid any difficulties with the Council's settled view then. We are particularly interested in the Council's proposals for business and industrial sites in the Cromarty Firth, given the possible need for inclusion within the Habitats Regulations Appraisal (SPA/Ramsar designation).

The alternative option (greater control over development by concentrating on allocated land) is noted as having a lesser impact on the environment, and it would appear to perform better in the SEA. It would appear to conform better to the desire for a more plan-led approach for

development, identifying sites for development more openly and inclusively at the plan stage rather than on a case-by-case basis as planning applications are submitted. Delivery can be more focussed through the action programmes. SPP (2008) states 'Development plans should provide clear guidance on what will or will not be permitted and where. This should be very clear from the proposals map' (para 15). We are therefore cautious about the preferred option which also favours a looser approach. The alternative has the merit of being plan-led.

Q28(B) Accessibility and Transport

Much of the detail behind this will be contained in the Council's Local Transport Strategy. Contrary to what is said in this MIR, we understand consultation on the LTS has been delayed, and we will comment on this at the appropriate time. There is clearly a key link here with the overall climate change response agenda, and we welcome the broad proposals to encourage active travel, public transport, use of rail for freight and reducing the need to travel.

We are unclear whether detailed proposals for Park and Ride developments (indicatively shown on the maps at Tore, Dalcross and Inverness East) will be set out in due course in the LTS, the HWLDP or the Inner Moray Firth LDP. There will be localised issues to consider, so that they are integrated as much as possible into the existing area.

Crofting and Agriculture

Crofting, agriculture and other rural land uses are important factors in the scenery, landscape character and biodiversity of the Highlands. The supporting information in the MIR does not mention these aspects and we request that this be addressed in the Proposed Plan.

There is also a shortage of background information relating to the specific questions in this section and a lack of clarity on what issues the Council are seeking to address through the HWLDP. This makes it very difficult to comment on the preferred and alternative options. In making the comments below we recommend that these issues should be discussed further in developing the Proposed Plan and we would be keen to be involved with these discussions.

Q29 Agricultural Land

We note the preferred option to protect prime land as per government guidance on this matter. However the second bullet point is incomplete in that it should go on to say 'where no other suitable site is available' (see p64).

Another factor for the protection of prime land is the high biodiversity value of arable farmland in Highland. This is one of four key habitats identified in Highland that support significant numbers of priority species (eight priority bird species).

With regard to the alternative option of protecting other classifications of agricultural land, this may have indirect effects on natural heritage interests if development is diverted towards more semi-natural habitats.

Some flexibility in crofting areas is desirable. It may well be that there are corners and house-sized parcels of land within areas of better quality land which are suitable for housing. Traditional house patterns in crofting areas are very much determined by landscape which is linked to land quality and factors such as aspect and drainage. Houses are often located where the better land meets the poorer land to take advantage of access to both the better in-bye and the generally poorer common grazings on the hill ground. So some scope will be

required for housing on the edges of the better land where in landscape terms one would be looking to consolidate existing housing clusters or maintain a linear pattern.

Q30 Subdivision of Existing Crofts

The title here is confusing because the options appear to focus on the creation of house plots. It is difficult to see how the subdivision of existing crofts is a planning issue in itself.

We note the preferred option to work with the Crofters Commission and possibly the Scottish Government to seek to take full account of the impact on crofting and the value of the land for crofting in considering housing applications on inbye croft land. We recommend this should be cross-linked in due course to policies for other considerations contained within housing in the countryside, e.g. siting, pattern, density, scale, design.

The first bullet point needs to clarify which croft land is to be protected (e.g. the most productive inbye ground) and why.

The purpose of the proposed assessment under the second bullet point needs to be clearer. Is the intention of the assessment to consider the effect of developing single house sites on the agricultural and economic viability of individual crofts?

The alternative option of only allowing one additional house on a croft is not realistic because the size of crofts varies widely and amalgamations and sub-divisions have created much variability even within individual townships. However we agree that assessing the cumulative impact of sequential development of house sites on landscape character and biodiversity (in addition to agricultural and economic viability) as part of the planning process would be helpful. We consider that a specific policy addressing these issues and greater use of strategic planning at a township and parish scale would be helpful. This also links closely with the landscape capacity studies carried out by ourselves and the Council in some areas.

Q31 Allocation of inbye land

Again, it would be helpful to clarify the issue here since the options are focussing on the allocation of common grazings land for development, not inbye land.

The preferred option here sounds as if it should be carried out during the preparation of the Area LDPs with respect to the drawing of Settlement Development Areas for crofting settlements and the allocation of any small areas of land for housing. Then an open process will be possible to judge the balance of arguments and alternatives between development on inbye or common grazings land. As a general point, housing on common grazings is likely to run contrary to existing settlement patterns, since common grazings will generally be outside SDAs. Development on common grazings is likely to be appropriate (from a natural heritage perspective) in some townships but not others. Generally, a strategic approach will be helpful to identify the most appropriate ground within a parish, with a 'masterplanning' or design brief approach to ensure that *ad hoc* development is avoided which may create adverse landscape impacts and/or compromise future development capacity.

Q32 New Crofting Townships

Here again the preferred option sounds best taken forward in detail within the Area LDPs for possible new crofting townships to be identified in a collaborative way. However in terms of establishing the principle of new crofting townships in the HWLDP this option is appropriate, provided that such development within existing crofting landscapes reflected traditional

features of landscape pattern rather than possibly different design priorities under contemporary developments. Regard should be had to general housing in the countryside policies.

Q33 Small Scale New Crofts

The options here relate to woodland crofts and it is not clear whether this section also relates to the possible creation of agricultural crofts

With regard to woodland crofts we would be concerned if this proposed policy for new houses would override otherwise protective policies for ancient, semi-natural and long-established woodland. We would support the principle of the need for a woodland management plan to accompany any planning application and would wish to have some input to standard setting for this part of the process to ensure the long-term sustainable management of the woodland / forest. There are lessons to be learned in other countries for this.

An alternative option of considering proposals for small scale new 'agricultural' crofts rather than woodland crofts could be considered. The landscape capacity for this kind of development should be informed by a landscape sensitivity and capacity study and strategic guidance.

Q34 Coastal Development

The first part of the preferred option is to prepare a coastal development strategy and link this to the HWLDP. We are commenting separately on the draft Coastal Development Strategy. It is essential that the Proposed Plan and HCDS are fully compatible, so coastal issues included in the HWLDP, e.g. the A96 Corridor, Easter Ross, Nigg, Dounreay, Scrabster and Wick harbours, marine renewable onshore infrastructure, coastal flood management should be reflected in and take account of the coastal/marine issues in HCDS. A key issue for consideration and cross-linking is coastal flooding (sea level rise, storm surges and wave energy). UKCP09 outlines a range of terrestrial, marine and meteorological changes that are expected in the coming decades (see <http://ukclimateprojections.defra.gov.uk/>). SNIFFER (2008) A Scoping Review of Coastal Flooding (see <http://www.sniffer.org.uk/> code: FRM10) identifies the Inner Moray Firth as being at higher risk from the combined effects of coastal flooding than the remainder of the Highland coastline. The implications of this need taking across into proposals for the A96 Corridor and Easter Ross.

The second part of the preferred option is to have a general policy for coastal development. This refers to designated areas and the character of the area, but other criteria would be necessary, such as species and habitats, visual impact, land/seascape, coastal processes and access/recreation.

The third part of the preferred option is for general policy on aquaculture, possibly through supplementary guidance. However it is unclear where aquaculture framework plans would sit within this work and how spatial guidance, informed by environmental constraints, would more generally be available.

The stated alternative to the preferred option – or to the third part of the preferred option - (identification of search areas and sensitive areas for fish farms, subject to detailed location and environmental consideration) is closer to that required under SPP 22 and the draft consolidated SPP. While again it is unclear how aquaculture framework plans would operate within this option, on the face of it this seems preferable in terms of delivering clear and specific spatial guidance, informed by environmental constraints. It accords more with the

desire under the modernised development plan system for plans to be map-based. We would therefore welcome this alternative.

Q35 Forestry and Woodlands

We welcome the preferred option which includes an interim review of the Highland Forest and Woodland Strategy, and supplementary guidance on protection of trees/woodland and on new woodland cover/landscaping for new developments. We would wish to see connectivity added as a matter to include in the interim review, since guidance on woodlands in relation to green networks / species adaptation to climate change is needed. We see carbon sequestration and the role of woodland within green networks as key benefits to be nurtured. We would be happy to be involved in this review and in the supplementary guidance.

In terms of the preferred option to provide a link from the HWLDP to the Forest and Woodland Strategy, we would recommend links or references to other relevant information that will assist to maximise opportunities and maximise benefits should also be made.

This aspect should cross refer to the section on Safeguarding [and Enhancing] Our Environment. Even though this section refers to the Highland Forest and Woodland Strategy (2006), consideration of how forestry and woodland is covered in the Proposed Plan should take account of the key issues regarding the roll-out of this strategy and current/ future woodland targets. A key limitation within some areas will be the impact of infrastructure proposed as part of a new woodland scheme, such as deer fences, tracks and drainage works. These elements may have significant adverse impacts in some areas of sensitive landscape and visual resource even though the trees themselves could have beneficial impacts.

Q36 Minerals

In terms of the preferred option (1st bullet point) there is no discussion of the sand and gravel reserves likely to underlay the A96 corridor and the possible desirability of extraction prior to development – see para 169 of draft consolidated SPP.

There is no discussion of peat extraction here, and while this is less likely now, para 172 of the draft consolidated SPP draws attention to the need to conserve peatland not only for nature conservation and archaeological interests but also as carbon sinks. This points to the need for spatial mapping and policy for peatland in the Proposed Plan. This would be a component of consideration needed with regard to the Scottish Soil Framework.

There is no discussion of geodiversity here. The value of Highland's geodiversity should be included in the Proposed Plan, including as a tourism attraction (Geo-Parks). We welcome the fact that local/regionally important features in recent Draft Local Plans include Geological Conservation Review (GCR) Sites and Regionally Important Geological Sites (RIGS). Geodiversity should be a consideration when considering applications for mineral extraction. This would not necessarily preclude development, but working methods, restoration and afteruse may need to be set out in conditions to safeguard geodiversity value.

We recommend that the preferred option should also cover the review of existing minerals consents and highlight the importance of enhancement where significant natural heritage impacts already exist.

With regard to the alternative option, we would observe that this would raise the possible need to consider areas of search for coastal exporting quarries in consultation with affected

local communities (para 171 of the consolidated draft SPP), and it would be very important to consult us also in this regard should this alternative be followed perhaps selectively.

A Healthier Highland

Q37 Open Space and Physical Activity

We welcome the inclusion of green networks here, and are working with the Council to deliver this concept initially within the A96 Corridor area. However we believe the importance of green networks is underplayed by referring to them only here. Green networks are also fundamental for safeguarding and enhancing the environment, for responding to climate change, for delivering sustainable development, and as part of a forest and woodland strategy. If the Proposed Plan uses climate change as more of a framework for policy, these links and multiple benefits may be made clearer.

A definition of green networks should be added to the glossary for the Proposed Plan. We suggest a definition along the lines of –

A Green Network comprises the network of green spaces within and around our towns and cities, linking out into the wider countryside, which underpins the area's quality of life and sense of place and provides the setting within which high quality, sustainable growth can occur. It is made up of interconnected networks of:

- *Woodlands;*
- *Other terrestrial natural and semi-natural habitats (e.g. species rich grassland, raised bogs and heathland);*
- *Watercourses, wetlands and other blue spaces;*
- *Formal and informal greenspace in and around urban areas; and*
- *Active travel routes (including footpaths and cycle routes).*

It is very important to realise that components of green networks already exist, and so policy should be to protect and enhance these, particularly to avoid fragmentation and to improve connectivity. The third point under the preferred option implies that green networks are yet to be established.

Thus we believe the third point does not go far enough in regard to green networks, and we would like to see the Proposed Plan ensuring that all new development should enhance existing green networks and the role they play in improving opportunities for access and open space provision, and in providing opportunities for sustainable economic growth and biodiversity adaptation to climate change.

In terms of open space, we note reference to the Council's supplementary guidance on open space provision in new residential development. However there is no reference to an open space audit and strategy, which among other things would identify existing deficiencies of provision (see para 113 of draft consolidated SPP). Particular attention is likely to be needed on open space and access provision in the Hinterland Around Towns areas.

Q38 Access to the Outdoors

We welcome this section, but recommend the following are also included –

- a Highland wide policy to protect public outdoor access

- provision and improvement of paths through the use of developer contributions

(this would recognise that access networks are an inherent part of the Open Space and Physical Activity network)

- the Council's Access Strategy also to be adopted as supplementary guidance

(this would provide a broader planning base to decisions on planning applications and help to realise the benefits of the Council's already-adopted Access Strategy)

- third bullet point under the preferred option – developers should be encouraged to take account of access opportunities when new proposals are being brought forward

(this will give a more positive and potentially productive basis to developer considerations)

ANNEX 1 POSSIBLE BIODIVERSITY 'CHECKLISTS'

DRAFT PROTECTED SPECIES CHECKLIST FOR DEVELOPMENT MANAGEMENT IN HIGHLAND, OUTWITH DESIGNATED SITES

NB The list is not complete, but is meant to illustrate one possible approach.

Habitat	Species which could occur	How protected (see Note 2)	Has a survey been provided?	Are the species present?
Buildings	Bats (only where work would affect roofs, dormer windows or cladding) – See Note1			
	Barn owl, swallow, swift, house martin, house sparrow			
Trees/ woodland	Bats (see Note 1), wildcat, badger, red squirrel, pine martin			
	Barn owl, any other schedule 1 bird species, eg, raptors			
	Ancient or long established semi-natural woodland			
Farmland	Badger, wildcat, water vole			
	Ground nesting birds?			
Upland (heathland, moorland, rough grassland, rock)	Wildcat, water vole			
	Schedule 1 bird species such as raptors. (For windfarms, specific guidance is issued for bird surveys).			
	Peatland (blanket bog?)			
	Adder? Pine Marten			
Coast	Otter, water vole			
Wetlands, including rivers, burns, ditches, lochs, ponds, marshy grassland	Otter, water vole			
	Great crested newt			
	Freshwater pearl mussel			
Derelict land, brown field land	Badgers			
	Birds such as			
Quarries, cliff	Bats, Wildcat			

faces, gravel pits	Schedule 1 birds such as peregrine falcon.			
Caves, mines, cellars, underground structures, stone bridges	Bats (see Note 1)			

Notes –

1 Bats are most likely to occur in buildings as follows:

Modern' (typically 1960s onwards) buildings with central heating, hanging tiles, weather boarding or wood cladding, especially on south facing walls, cavity wall construction and good insulation

Older 'traditional' buildings including churches, castles, steadings, barns, estate lodges, gatehouses, mills, stately homes and old school buildings of stone construction with an intact slate roof or gable ends. The presence of any large, mature trees close to the building would further increase its attractiveness

Most traditional and modern buildings in reasonably good condition that are located in wooded river valleys (especially broadleaved woodland) in close proximity to open freshwater

Works to the roof space of any constantly heated building including hospitals, residential homes, schools and swimming pools

Cellars (notably 'barrel vaulted' cellars in castles), disused tunnels and mine workings, kilns, adits, military fortifications, air raid shelters, caves and old ice-houses. Bats have increasingly been found in other parts of buildings, e.g. wall cavities

Bats will also use bridges, viaducts, and similar structures

Caves, adits, mines, etc.

Quarries where these have crevices on the cliff face.

Large, mature trees which are more than 100 years old. Trees with damage (for example, lightning damage), are more likely to have rot holes than undamaged trees. Young plantation conifers are not likely to have bat roosts and do not need to be surveyed. Trees are also more likely to be used by bats if they are linked by other trees or hedgerows to woodland or water bodies.

2 – Key for legislation

(suggest have reference in table and here to the relevant bits of statute – no more than that – more details should be left to another document)

CHECKLIST: THINK 'BIODIVERSITY' WHEN ASSESSING DEVELOPMENT PROPOSALS

1. **Are there any designated areas on the site, or nearby?** How might the development be connected to these (e.g. via water discharges, bird movements)? Advice source: 1
2. **Are there any or are there likely to be any protected species on the site, or nearby?** Advice source: 2
3. **What are the habitats on the site or nearby, and are any of them BAP priority habitats?** Advice source: 3. Watch out! The list of habitats on the Scottish Biodiversity website may not be up to date yet.
4. **What are the likely species on the site, or nearby, and are any of them BAP priority species?** Advice source: 2 & 3. Watch out! The list of species on the Scottish Biodiversity website may not be up to date. Don't forget about non-native invasive species.
5. **Consider how the development might affect habitats or species on the development site.** For example, will habitat areas be reduced? Will a species be displaced, and if so, on a temporary or permanent basis? Don't forget about indirect impacts such as light or noise, increased traffic or people movement and possibly at odd times. Will non-native invasive species spread? Advice sources: 4 & 5.
6. **Consider how the development might affect habitats and species beyond the development site.** For example, will water discharges reduce water quality downstream in a site designated for otter? Don't forget about indirect impacts such as light or noise, increased traffic or people movement and possibly at odd times, 'corridor' routes for wildlife movement. Will non-native invasive species spread? Advice source: 4 & 5.
7. **If 'yes' to any of the above, has the applicant supplied basic ecological survey/information for you answer these questions?** Is there information on habitats and species describing how to avoid damage or disturbance; how to mitigate unavoidable damage/disturbance; how to compensate for loss of them. Have any licensing requirements been identified etc.?
8. **Is the survey and other information 'good quality'?** Has the right information about the right things been gathered at the right times of year? How do you know? Advice source: 4.
9. **If 'no', ask applicant to supply further information.**
10. **Can the design of the development enhance biodiversity?** Advice source: 5. Try to ensure that linear features used by wildlife (e.g. rivers and banks) or other biodiversity 'hotspots' (e.g. ponds or woods) are retained and enhanced.
11. **Are you clear how planning permission could be granted (with perhaps conditions or modifications) that will conserve and enhance the biodiversity value of the site?** If 'no', make an informal approach to your SNH Area Office.

Key to 'advice sources':

1. SNH www.snh.org.uk/snhi and our 'About Scotland's Nature' & 'SiteLink' information
2. SNH www.snh.org.uk/snhi and our 'About Scotland's Nature' information. Also data from the National Biodiversity Database - <http://www.nbn.org.uk/>
3. Scottish Biodiversity Forum www.biodiversityscotland.gov.uk & the UK Biodiversity Action Plan - www.ukbap.org
4. SNH is producing guidance on how Planning Authorities can give full consideration to widespread protected animals in Scotland. Prior to publication, you may need to seek advice from SNH Area staff. The Biodiversity Toolkit for Planners should also help when this is operational.
5. Various species-specific websites (SNH, Bat Conservation Trust www.bats.org.uk)

Note

Whilst the above sources of information and advice are indicated in the stepped procedure outlined overleaf, other more general sources include:

- Seeking knowledge from colleagues with relevant knowledge (e.g. natural heritage planner; Local Biodiversity Officer)
- Other websites owned by non-governmental organisations (e.g. RSPB)
- Other websites (e.g. ALGE www.alge.org.uk; Scottish Government www.scotland.gov.uk; UK Biodiversity Action Plan www.ukbap.org; IEEM www.ieem.net)
- Biodiversity Toolkit for Planners (when available) – ultimately to be hosted through the England and Wales Planning Portal website