

## Responses to the Strategic Environmental Assessment Consultation Authority comments to the Revised Environmental Report

### Introduction

This interim report is intended to set out the responses to the Revised Environmental Report which accompanied the Caithness and Sutherland Proposed Local Development Plan and how the comments will be taken on board by the Planning Authority.

### Next Steps

Following examination of the Local Development Plan any factual errors in the Environmental Report will be corrected. Following adoption of the Caithness and Sutherland Local Development Plan by The Highland Council, a Post Adoption Statement will be produced and published in due course.

### Response by Consultation Authority

#### Historic Environment Scotland

Comment	Planning Authority Response
Thank you for consulting Historic Environment Scotland on The Highland Council's Caithness and Sutherland Local Development Plan Proposed Plan Environmental Report which was received in the Scottish Government's SEA Gateway on 18 December 2015. This response is in the context of the SEA Act and our role as a Consultation Authority. Our focus in reviewing the report is on the potential for significant environmental impacts on the historic environment that may arise from the plan. This response should be read in conjunction with our response to the first Environmental Report	Noted.

dated 27 January 2015.	
We welcome that our comments made in response to the previous Environmental Report (ER) have been acted upon and particularly welcome the section of the revised ER that summarises the consultation responses and actions carried out. Overall the assessment is robust and we are content to agree with this findings presented. In light of this we only wish to offer the following comments.	Noted.
<b>Site Assessments</b> We are content to agree with the updated findings of the site assessment. The following comments relate to a small number of sites that have the potential for significant effects on the historic environment.	Noted.
<b>WK04: North of Coghill Street</b> We welcome the updating of the assessment here in line with our comments at the previous ER stage. The requirement for a minimum 20 metre buffer from the scheduled monument The Pap, broch 350m E of Hillhead (Index no. 578) is welcomed as is the recognition to consider the setting of the monument through sensitive siting and design.	Noted.
<b>WK07: Land at Broadhaven Farm</b> We note the assessment here for this Long Term Site and welcome that our previous comments haven been acted upon in that the mitigation for impact of this site on the scheduled monument The Pap, broch 350m E of Hillhead (Index no. 578) should mirror that of WK04.	Noted.
<b>ET01: North-East of Haven</b> We welcome the revised findings of the assessment here and the identification of the need for sensitive design in response to the scheduled monument Carriblair stone circle & cist (Index No. 2971), particularly in relation to access requirements for the site.	Noted.
<b>ET02: West of Station Road</b> The recognition of the need to retain the line of site from the stone circle noted above and the scheduled monument Clach Chairidh, symbol stone (Index No. 1673) to the hills to the west and south west is welcomed. In order to minimise the impact on the visual relationship	Noted.

<p>between these monuments any housing in the field adjacent to the standing stone should be sensitively located and designed.</p>	
<p><b>Monitoring</b>  In terms of monitoring the effects of the plan we note that the proposed monitoring framework for the historic environment is based on Buildings at Risk numbers. It should be noted that the Buildings at Risk Register is no longer maintained by the Scottish Civic Trust but by Historic Environment Scotland. However, we would suggest that further consideration be given to identifying an appropriate way to monitor the effects of the plan. It is unlikely that the monitoring of BAR data alone would provide for a meaningful reflection of the performance of the plan. Consideration could be given to indicators that reflect whether or not the mitigation identified for individual site assessments has been carried through to consented applications. For example, where identified significant effects on the historic environment and their mitigation are brought through to developer requirements for the delivery of sites, monitoring the successful implementation of these requirements would be beneficial in monitoring the performance of the plan.</p>	<p>Noted. The implications of collecting this data will be considered before determining whether it is appropriate.</p>

**SEPA**

Comment	Planning Authority Response
<p>We are generally supportive of the approach your Council takes to SEA and consider that the general comments we made in our response to the previous consultation equally apply here. We have however provided further detailed comments on your assessment of sites and these can be found in the attached Annex. Most of our detailed comments unfortunately relate to issue we brought up previously not being full addressed. Based on Appendix 1 then the specific example sites we highlighted previously have been addressed but other sites where the comments equally apply have not been amended.</p>	<p>Noted.</p>
<p>Please note, this response is in regard only to the adequacy and</p>	<p>Noted. These steps are intended to be undertaken following</p>

<p>accuracy of the ER and our comments on the Plan itself have been provided separately. As the Plan is finalised, The Highland Council as Responsible Authority, will be required to take account of the findings of the Environmental Report and of views expressed upon it during this consultation period. As soon as reasonably practical after the adoption of the plan, the Responsible Authority should publish a statement setting out how this has occurred. We normally expect this to be in the form of an "SEA Statement" similar to that advocated in the <a href="#">Scottish Government SEA Guidance</a>. A copy of the SEA statement should be sent to the Consultation Authorities via the Scottish Government SEA Gateway on publication.</p>	<p>Examination of the Plan.</p>
<p><b>Assessment of sites</b> Please note that there seems to have been a mix-up in the naming and referencing of sites in Wick; sites WK10 and WK14 are not explicitly included, the naming of some sites in the ER do not match the name in the Plan and there seems to be three assessments for site WK22. It would be helpful if the Post Adoption Statement addressed this issue.</p>	<p>Noted. This anomaly will be corrected in the finalised environmental report.</p>
<p><u>Q1b - direct physical impacts on water environment</u> We generally agree with the assessments presented and welcome the mitigation measures when they are outlined. There are still a number of sites where comments are made about potential pollution issues (i.e. in relation to foul drainage) or flood risk rather than concentrating on direct physical impacts and it would have been good to have seen this issue addressed.</p>	<p>Noted. This will be corrected in the finalised environmental report. However we do not believe this will result in any material changes to the assessments within the environmental report.</p>
<p><u>Q1c - existing water supplies within 250m</u> A number of sites still have the questioned answered as "X - Not Applicable" which we presume is a mistake. We presume that in cases where there is no known water supply within 250 m of the site the pre-mitigation score should be zero.</p> <p>We highlight that TS04 in Thurso does not identify the use of the Wolf Burn for water supply for the nearby distillery. As outlined in our response to the Plan appropriate mitigation should be outlined.</p>	<p>Noted. This will be corrected in the finalised environmental report. However we do not believe this will result in any material changes to the assessments within the environmental report.</p> <p>TS04 - This will be corrected in the finalised environmental report. Dependant upon the outcome of the Plan's Examination a developer requirement may be added as mitigation. However we do not believe this will result in any material changes to the assessments within the</p>

	environmental report.
<p><u>Q3a - flood risk</u>  We generally agree with the individual assessments outlined however please note that there are a small number of assessments where either (1) the need for flood risk assessment has been identified in the assessment but this mitigation has not be brought forward into the Plan or (2) we have now identified the need for flood risk assessment. Please see our response to the Plan for examples.</p>	Noted - dependant upon the outcome of the Plan's Examination the site assessments listed in the response to the Proposed Plan may be amended to reflect this comment.
<p><u>Q9b - connection to public water supply and waste drainage</u>  We note that it has been determined since the MIR stage that site AG04 is currently served by a private foul drainage system. The proposed mitigation suggests that a new private foul drainage system to land would be acceptable. In line with your own Highland wide Local Development Plan new development within settlements served by a public foul drainage system should connect to that system. As a result, and in line with our response to the Plan, the appropriate mitigation should be connection to the public sewerage system.</p>	Dependant upon the outcome of the Plan's Examination this mitigation will be amended. However we do not believe this will result in any material changes to the assessments within the environmental report.
<p><u>Q11a - use of brownfield land</u>  There are still a number of sites where it is not clear why they have been scored as zero as the scale or type of development unlikely to affect brownfield land. It would seem to us that they should have been scored "X - N/A no brownfield land on site". They include sites LY02 and LY03 in Lybster and sites TS02, TS11 and TS15 in Thurso.</p>	Noted – this will be corrected in the finalised environmental report.
<p><u>Q11b - contaminated soils</u>  There are still a number of sites where it seems to be incorrectly stated that the scale or type of development is unlikely to be affected by contaminated land. These include, for example, WK07 and HK05. We presume the pre-mitigation score should have been that there was or was not potentially contaminated land on site.</p> <p>We presume that the pre-mitigation score for site BR02 and WK12 should have been negative as a positive score can only be achieved with mitigation.</p>	Noted – this will be corrected in the finalised environmental report.
<p><u>Q11c - loss of greenfield land</u>  There are still a number of assessments which are scored to state that</p>	Noted – this will be corrected in the finalised environmental report.

<p>the scale or type of proposal means that it's unlikely to result in a loss of greenfield land, however, it seems that "no greenfield land" or "small sale use of greenfield land" would be more appropriate. Examples include TS05, TS08 and TS11 in Thurso.</p>	
<p><u>Q12a - disturbance of carbon rich soils and wetlands</u> We are generally in agreement with the assessment presented but query whether peat has been identified on site TS2 and WK18 by mistake.</p>	<p>Noted – this will be corrected in the finalised environmental report.</p>
<p><u>Q13a - meeting Zero Waste Plan targets</u> As outlined previously it seems that an inconsistent approach has been taken in determining whether allocations require recycling facilities with some settlements, such as Dornoch, being identified as requiring a number of different new facilities and other settlements, not requiring any.</p> <p>We previously suggested you should discuss each settlement with your waste colleagues and deciding (1) whether additional collection facilities are required for the settlement and (2) if so, where should they be located. We note that although the requirement for a recycling facility is included at mitigation for a number of allocations no mention of recycling facilities is included in developer requirements within the plan. How this issue has been addressed should be outlined in the Post Adoption Statement.</p>	<p>Noted. The site assessments will be corrected in the finalised environmental report. It is considered that this would be addressed by compliance with HwLDP policy 70 and associated Supplementary Guidance.</p>
<p><u>Q13b - minimise demand for primary resources</u> As outlined previously, we note that this question has mainly been answered to suggest that development is unlikely to have any significant impact on demand for natural resources. However there are some sites, such as HD03 and HD05 in Helmsdale, where it is thought that the development will result in an increase used of primary resources. The reasons why these sites are different in not clear.</p>	<p>Noted – this will be corrected in the finalised environmental report.</p>

**SNH**

<b>Comment</b>	<b>Planning Authority Response</b>
<p>Our advice is that the SEA will need some relatively minor revisions to take account of our advice on the Habitats Regulations Appraisal (HRA) for the proposed LDP. Our separate response to you on the HRA record (same date, our reference CPP139914) contains more detail on our advice in relation to this issue. Rather than repeat that here, we refer you to that response. Provided the relevant revisions are made to the Environmental Report in relation to Natura sites, we consider that the other key environmental issues have been correctly identified, and the assessment of likely significant effects on the environment has been carried out adequately.</p>	<p>We will ensure that the finalised environmental report correlates with the HRA.</p>