

## Appendix 6 Responses by Consultation Authority to Revised Environmental Report

### Introduction

This appendix is intended to set out the responses to the Revised Environmental Report which accompanied the Highland-wide Local Development Plan – Proposed Plan and how the comments will/have been taken on board by the Planning Authority.

### Historic Scotland

Comment	Planning Authority Response
<p>Thank you for consulting Historic Scotland on the revised Environmental Report for the Highland Wide Local Development Plan which was received in the Scottish Government's SEA Gateway on 24 September 2010. As you will be aware, we responded to the original Environmental Report on 6 November 2010 and we welcome that our comments at that stage have been taken on board in the revised Environmental Report. This response should be read in conjunction with the comments offered at that time. I have the following comments to add to those previously issued. I have the following comments to add to those previously issued.</p>	<p>Noted</p>
<p><b>General</b> I welcome the significant amount of work undertaken by The Highland Council in the assessment of this Local Development Plan and I am content that the Environmental Report represents a robust assessment of the contents of the plan. However, I would raise the following two issues to bear in mind for subsequent assessments.</p>	<p>Noted</p>
<p><b>Policy Assessments</b> In the methodology for the assessment of the Vision/Spatial Strategy and Policy I note that a criterion has been included that relates to the "sensitivity of the SEA Objective to the policy". I would urge caution in this as a system such as this may lead to the ranking in importance of policies, rather than an equal weighting of policy against policy.</p>	<p>Noted. This approach has now been taken forward for the future SEA work following comment from Historic Scotland. The reason for using this approach was to identify how relevant the SEA objective was to the policy/vision/strategy that was being assessed.</p>

<p><b>Site Assessments</b></p> <p>Overall I am content to agree with the assessments offered for the sites brought forward in the plan. However, the reporting of these assessment findings does lack some clarity in differentiating between the effect before mitigation and the residual effect. While it is clear from the commentary provided that the assessment has been well thought through the ER would have benefited from the expansion of the tables to indicate where a potential negative effect would be mitigated by the appropriate application of policy to a neutral one. Although I am content that the sites can be mitigated the approach described above can lead to problems when any site cannot be satisfactorily mitigated.</p>	<p>Noted. In future SEA work we will ensure that the potential negative affect prior to mitigation and the potential affect post mitigation is made clear.</p>
<p>In terms of the assessment findings, the developer requirements are particularly welcomed in the way they focus on those particular aspect of the historic environment that will require mitigation in the delivery of development. It would be beneficial if these requirements be made explicit in the plan itself. Once way of achieving this would be to detail key mitigation measures within the action programme.</p>	<p>Noted. In most situations these have been taken forward in the plan making process, however if a site is already allocated in a separate local plan or if the site benefits from an extant planning consent then we have not included this in the plan. We may bring this mitigation forward through the action programme for the Highland wide Local Development Plan.</p>

## SEPA

Comment	Planning Authority Response
Thank you for your Revised Environmental Report consultation submitted under the above Act in respect of the above Plan. This was received by SEPA via the Scottish Government SEA Gateway on 24 September 2010	Noted
We have used our interim Environmental Report response of last year to consider the adequacy of the Revised Environmental Report and this is used as the framework for detailed comments which can be found in Appendix 1. For convenience, these comments have been structured to reflect that of the Environmental Report. Please note, this response is in regard only to the adequacy and accuracy of the Environmental Report and our comments on the Plan itself will be provided separately.	Noted
As the Plan is finalised, The Highland Council as Responsible Authority, will require 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 Scottish Government SEA templates and toolkit which is available at <a href="http://www.scotland.gov.uk/Publications/2006/09/13104943/13">www.scotland.gov.uk/Publications/2006/09/13104943/13</a> . A copy of the SEA statement should be sent to the Consultation Authorities via the Scottish Government SEA Gateway on publication.	Noted
Should you wish to discuss this consultation, please do not hesitate to contact me on 01349 860359 or via our SEA Gateway at <a href="mailto:sea.gateway@sepa.org.uk">sea.gateway@sepa.org.uk</a> .	Noted
<p><b>General comments</b></p> <p>We consider that generally the ER provides a comprehensive assessment of the Plan and for this you are to be commended.</p>	Noted.
We are pleased to note that many of the comments we made on the last ER have been taken into consideration in the drafting of this revision. This is very much welcomed, but with a view to reducing the length of this	Noted. In most situations the mitigation have been taken forward in the plan making process, however if a site is already allocated in a separate local plan or if the site benefits from an extant planning

<p>response, it is not commented upon in detail below. Instead our limited detailed comments concentrate on the assessments themselves and the proposed mitigation. The main issue of concern is that much of the mitigation outlined in the ER has not been included in the proposed Plan. As a result we request that you ensure that all mitigation proposed is included in the finalised Plan.</p>	<p>consent then we have not included this in the plan. We may bring this mitigation forward through the action programme for the Highland wide Local Development Plan.</p>
<p><b>Assessments of environmental effects - general comments</b> You have, again, gone to significant effort to assess all aspects of the Plan in some detail and for this you are to be commended.</p>	<p>Noted.</p>
<p>We very much welcome the improved interpretation of assessment results which is now provided within the main body of the text. The inclusion of this information has resulted in us having far fewer queries than at the interim ER stage.</p>	<p>Noted.</p>
<p><b>Assessment of policies</b> We welcome the clear outlining of both the assumptions made during the assessments and the justifications provided for the assessments. We are generally satisfied with the assessments presented agreeing that a number, such as policy 36 and 37, could have negative effects on our areas of interest; other policies in the Plan will help as mitigation.</p>	<p>Noted.</p>

<p><b>Assessment of sites</b></p> <p>The ER identifies a wide range of very good mitigation measures for impacts on the water environment from many of the allocations, but they are not included in the Plan for those development allocations outlined in Policy 1, 3, 4, 5, 6, 7, 8, 9, 14, 15, 16, 24, 25, 26 and 27. For example, the ER identifies that the allocation at Ness-side (policy 8) is at high risk of flooding and outlines that any future developments within this indicative flood risk area will require a flood risk assessment, yet the Plan does not make this clear. Similarly the ER identifies for Ashton Farm (policy 9) that the development will have a physical effect on the water environment and as mitigation it states that "the developer requirements for the allocation will specifically require that no further culverting of watercourse takes place" yet the Plan does not include this mitigation. We request that you re-examine all the mitigation measures outlined in the ER and ensure that they are delivered in the Plan. Where they are not we would consider that it is likely that there are still significant negative effects arising from the proposals.</p>	<p>Noted. In most situations the mitigation have been taken forward in the plan making process, however if a site is already allocated in a separate local plan or if the site benefits from an extant planning consent then we have not included this in the plan. We may bring this mitigation forward through the action programme for the Highland wide Local Development Plan. In terms of the sites which are identified for phase 2 or beyond (2016 onwards) the appropriate area local development plan will bring forward further detail on the allocation and the mitigation suggested through this Environmental Report and any additional mitigation identified by the Strategic Environmental Assessment for the Area Local Development Plan.</p>
<p>In relation to Policy 13, Tornagrain, we note that although the ER identifies that this allocation can connect to the public sewer, private foul drainage is supported for phases 1 and 2. We consider that such an approach may jeopardise the delivery of strategic drainage infrastructure for the whole A96 corridor and as such should be scored as significantly negative.</p>	<p>Noted. We have taken this forward to examination on the Highland wide Local Development Plan as an outstanding issue</p>
<p>In relation to Policy 24, Nigg, we note that there are a number of SEA questions which have not been answered for this allocation, including whether development will have a physical impact on existing watercourses.</p>	<p>Noted. This will be addressed in the Finalised Environmental Report.</p>
<p><b>Assessment of cumulative and synergistic effects</b></p> <p>We welcome the fact that you have tried to assess cumulative and synergistic effects. We do, however, have some reservation regarding the methodology applied. This is because one effect does not off-set another effect.</p>	<p>Noted.</p>
<p>For example, we note that it has been determined that the assessment of the spatial strategy (policies 1 to 28) will have a positive cumulative effect</p>	<p>Noted. This will be addressed through the post-adoption statement.</p>

<p>against SEA Objective 7 on soil, yet 15 of the 28 sites are scored as having a negative effect. We would suggest that generally allocation of significant areas of land for development will have a negative effect against this soil quality SEA Objective and that cumulatively the Plan does not have positive effects in relation to soil.</p>	
<p><b>Monitoring</b> We note that it has been decided to slightly reduce the scope of the proposed monitoring. We have no concerns regarding this. Generally we would suggest you ensure that you focus on those aspects of the environment where you consider there are likely to be significant effects, and any areas of baseline where you consider there is no or little information.</p>	<p>Noted. By reducing the monitoring framework it is considered the Council are now concentrating on areas where there may be significant affects and are also monitoring areas.</p>

## SNH

Comment	Planning Authority Response
Some general comments are provided below, while more detailed comments – working through the RER and appendices – are provided in the Annex.	Noted
The Habitats Regulations Appraisal of the plan will need to consider the effects of the plan's visions, allocations and policies on European sites. This SEA could have picked up more (albeit in a more general way than the HRA) where there are likely significant effects on European sites, including cumulatively.	Noted. Unfortunately the HRA and SEA process were not carried out in tandem for this plan. It is the intention to have closer integration between the two assessments in future Local Development Plan work.
The sections on cumulative effects are commendable, but we believe the systematic approach of multiple scores in a matrix is obscuring a more intuitive consideration of the likely cumulative effect of large scale developments in a particular area. For example with regard to the A96 corridor/Inner Moray Firth developments, cumulative impacts do seem intuitively likely on protected species (especially badgers) and landscape character, while we have advised that a cumulative assessment on European sites is required as part of the Habitats Regulations Appraisal for the plan. Taking protected species as an example, although each development site may have provision for a survey and mitigation plan, if mitigate on plans depended on adjacent land being free from development which in fact wasn't going to be the case, then a negative cumulative effect will result, despite individual neutral effects. The methodology for cumulative assessment should therefore be reviewed.	Noted. We are learning from this experience and will take forward a more holistic approach for future local development plan work.
We found the assessments of site allocations across both Appendix 4 and Appendix 5 confusing and lengthy. The 'key considerations' in Appendix 4 differ from the 'issue checklist questions' in Appendix 5. While the former seem quite comprehensive now (following comments on the ER for the MIR), there are gaps in the latter. For example there re no 'issue checklist questions' to pick up SEA Objectives 2 (green networks), 3 (understanding and enjoyment), 6 (access) and 7 (soils re greenfield land). We consider	Noted. Throughout the process we have taken on board comments from the consultation authorities in relation to the layout and assessment methodology of the plan. In doing so we believed that we had addressed many of these concerns at an earlier stage in the SEA process if they were raised. The two appendices of assessments, appendix 4 dealt solely with the policies, spatial strategy and visions and appendix 5 dealt with site

<p>that one appendix only, with one set of 'issues/considerations' to expand upon the SEA Objectives, would be much easier to understand and of course would shorten the document. 4. We wonder whether all possible opportunities have been taken to maximise the number of positive scores and minimise the number of negative scores (or improve neutral scores) in the vision, spatial strategy and policies of the plan. For example, only the vision for the Inner Moray Firth makes specific references to the plan's role in responding to climate change and to green networks. And some policies (e.g. Policy 37) are identified as having some negative effects, but no additional mitigation is identified. This points to the usefulness of an additional section on any residual negative effects, which can lead into the monitoring section, i.e. monitoring provisions especially put in place for the identified residual negative effects of the plan.</p>	<p>allocations only. The planning authority felt that this methodology would make it clearer and easier to understand the assessments as each has separate considerations under the same SEA objectives. In terms of identifying residual effects then this is something we will take forward in future work on Strategic Environmental Assessment.</p>
<p><b>Non Technical Summary</b> A non technical summary must be added.</p>	<p>Noted. A non-technical summary was present in the document however the title was missing. A title will be added to ensure confusion is avoided.</p>
<p><b>Relationship with other PPS (pp 9-17)</b> Document 31 – please note the EC Birds Directive has been repealed and replaced by the European Birds Directive (2009) Document 87 – the date of the Nature Conservation (Scotland) Act should be added (2004) Document 110 – please note this EPS interim guidance was published by the Scottish Government (Executive), not SNH Document 288 – typo – the date should be 1999 The National Renewables Infrastructure Plan should be added under Scotland (National). Circulars – Circular 6/1995 (Revised 2000) Habitats and Birds Directives is not listed and should be added – see – <a href="http://www.scotland.gov.uk/library3/nature/habd-00.asp">http://www.scotland.gov.uk/library3/nature/habd-00.asp</a> Add also Circular 9/1987 Development Control in National Scenic Areas Regional – Core Path Plans should be added.</p>	<p>Noted. We have previously made significant modifications to this section based on comments from the consultation authorities. However we will make the modifications requested as part of the finalised Environmental Report which will accompany the HwLDP.</p>



<p><b>Relevant aspects of the current state of the environment (pp 18-19)</b> Reference to SPAs needs to be added under international designations, rather than after NSAs.</p>	<p>This section has been modified to improve clarity and be more comprehensive.</p>
<p>There are two references to NSAs, one saying there are 16 in Highland, the other saying there are 14. This should be corrected – in fact excluding the Cairngorms NSA there are 15 NSAs in the HwLDP area.</p>	
<p>Some discussion of wild land is needed – its extent in Highland, but that it is a diminishing resource. Of possible help pending national mapping work is a national indicator based on the visual influence of built development – see – <a href="http://www.snh.gov.uk/publications-data-and-research/trends/scotlands-indicators/naturalheritage-indicators/">http://www.snh.gov.uk/publications-data-and-research/trends/scotlands-indicators/naturalheritage-indicators/</a></p>	
<p>Some more emphasis could be placed on the environmental characteristics likely to be significantly affected in the Inner Moray Firth and A96 corridor areas – with specific reference to the Moray Firth SAC, Inner Moray Firth SPA and Ramsar, protected species (including badgers), landscape character and land capability.</p>	
<p>Reference to ‘whiskey’ should be amended to ‘whisky’</p>	
<p><b>Environmental problems (pp 20-21)</b> Biodiversity, flora and fauna – indirect impact of development on designated sites should be referred to here.</p>	<p>Noted. This will be revised as part of the Finalised Environmental Report.</p>
<p>Soil – typo – this should read ‘inappropriate scales of development’.</p>	<p>Noted.</p>
<p>Landscape – a ‘problem’ not included here is cumulative impacts, especially of wind farms. The supplementary guidance for onshore wind farms should be addressing this.</p>	<p>Noted. This will be revised as part of the Finalised Environmental Report. However, as mentioned this will also be dealt with by the SEA process for the On-shore wind energy supplementary guidance.</p>
<p>It is stated that there are “conflicts between designated areas and economic development”. This statement seems inconsistent with the other environmental aspects, for which the same observation could be made and is not; generally we believe that the objectives of designated areas can usually be met while facilitating economic development, it is usually a case of sensitive siting and design.</p>	<p>Noted.</p>
<p><b>SEA Objectives (p23)</b> We welcome the additional objective re safeguarding wild areas.</p>	<p>Noted.</p>

<p><b>Alternatives (pp 25-30)</b> This is a useful section, setting out if any alternative to elements of the plan were identified.</p>	Noted.
<p>There should be a cross-reference here to Appendix 4, which assesses any alternatives and which gives a reason for why the alternative was not selected. It would have been helpful if the table here included for all those policies etc where there is an alternative why it was rejected, e.g. Policies 19 (although this may be covered by 20-22), 30, 36, 37, 45, 54, 59, 60, 61, 69. (NB: we agree that Policies 59-61 are needed in order to provide the necessary level of detail for species with special protection, and then for other important habitats and species in view of the Biodiversity Duty. And Policies 75-79 – we agree with the preferred option over the stated alternative).</p>	Noted.
<p>Policy 12 (Stratton) – this needs shading to indicate there is an alternative.</p>	Noted, this typographical error will be corrected.
<p>Policy 39 (New Settlements) – it says here that there is no alternative to this policy, but the clear alternative is set out in Appendix 3, so there should be a ‘Y’ rather than a ‘N’ here (however the text then explains the reason for selecting the preferred option).</p>	Noted, this typographical error will be corrected.
<p>Policy 42 (Business and Industrial Land) – although this says there is no alternative, there would seem to be a clear alternative here based on this text – a less flexible policy towards business and industrial proposals outwith identified sites. The text implies consideration has been given to a more or less flexible policy approach for business and industrial land.</p>	Noted, this typographical error will be corrected.
<p>Policy 48 (Crofting) – this could explore the basic alternatives of development on in-bye or on common grazings land.</p>	Noted.
<p>Policy 49 (Crofting) – consideration of the alternatives should separate out those of (a) not having such a policy, but leaving the matter to Area LDPs, and (b) limiting such a policy to the ‘wider countryside’ beyond the Hinterland of Towns. The reasons for selecting the preferred option can then be more clearly set out.</p>	Noted.
<p>Policy 68 (Renewable Energy) – an alternative would have been to have had separate policies for different renewable energy technologies, e.g.</p>	Noted. As intimated in this response by having a separate policy for each type of renewable energy development may lead to repetition. In

wind, hydroelectric, biomass – this may have provided more clarity and precision, although there would have been some duplication of issues.	addition if a new technology which is not covered by a policy in the plan would not be able to be assessed.
<b>Assessment (pp 31-49)</b> General point – we wonder if when a potentially negative environmental effect is offset by a component criterion of the policy, the overall effect should then be scored as neutral rather than positive?	Noted.
It would be helpful if policies were named in full as well as numbered.	Noted.
Policy 5 (former Longman landfill) – there is a misprint in that this policy relates to the former Longman landfill site rather than the Longman core area of the City. Positive effects for some SEA Objectives may be reduced by Policy 72 which safeguards this site for waste management. It would be helpful if the text considered the proximity to SAC, SPA and Ramsar sites (Objective 1) and its coastal location re sea level rising (Objective 12).	Noted. The proximity to the SAC , SPA and RAMSAR site will be considered in detail by the HRA of the plan.
Policies 9-23 (A96 Corridor) – for these site allocations for the A96 corridor, the general point above applies. Thus it is difficult to follow how the development of these sites will be positive for green networks as opposed to neutral. The green network exists at these sites at present the relevant policy criterion seeks to protect them (with new provision where existing provision is lost) – therefore the effect of the policy on the environment should be neutral – unless the green network is somehow enhanced beyond what presently exists by off-site positive habitat management. Clarification is needed that these sites are already parts of the macro green network in terms of habitat, with micro examples within e.g. hedgerows, tree belts, field margins.	Noted. The rationale behind this is set out in the report however it would have been clearer if inclusion of a column showing affects before and after mitigation was included.
Policies 9-23 – these should note possible effects on nearby European sites as discussed in terms of the Habitats Regulations Appraisal (Objective 1). This is particularly relevant for Policies 5 (as above), 6, 9, 12 (Stratton), 13 (Tornagrain), 14, 15, 16, 17, 20, 23, 24 and 25.	Noted. The proximity to the SAC , SPA and RAMSAR site will be considered in detail by the HRA of the plan.
Policy 14 (Whiteness) - some discussion would have been helpful re Objective 12 (coastal location).	Noted.
Policy 37 (Housing in the Countryside) - this does not read as though it was possible to incorporate full mitigation into the policy, and so residual	Noted. It may have been clearer if inclusion of a column showing affects before and after mitigation was included. In future SEA work

negative effects may remain. It is unclear if consideration was given to inclusion of any further criteria in the policy to reduce negative effects. Residual negative effects could usefully be listed later in the RER and considered further under Monitoring.	we will use this approach.
Policy 44 (Tourism) – increasing tourism could lead to increasing pressure on the natural environment. One example might be increasing pressure on the Moray Firth SAC and the dolphin population as more people take part in water based recreation within the firth or seek out boat tours. This impact should be recognised so that mitigation can be put in place (e.g. support for the Dolphin Space Programme).	Noted. The effect of this policy on SAC, SPA and RAMSAR sites will be covered in detail in the HRA of the plan.
Policy 48 (Crofting) - discussion can be added here re if development takes place on common grazings instead of inbye, would this have negative effects on Objectives 1, 16 and 17?	Noted.
Policy 53 (Development in Woodland) - in allowing for development in woodland, it is difficult to see how this can be scored positive for many Objectives e.g. biodiversity, green networks, landscape – the more likely scenario is neutral outcomes through mitigation and exemptions.	Noted.
Policy 54 (Minerals) – geodiversity should be considered under SEA Objective 7 rather than SEA Objective 1, in which case it is likely that effects on biodiversity, flora and fauna would be neutral rather than positive.	Noted. It is considered that this has been covered by both SEA objectives.
Policy 57 (Travel) – typo – should read Modal Shift.	Noted.
Policies 68, 69, 70 (Renewable Energy) – other examples of where the scoring might alternatively be judged to be neutral, in that any possible negative effects are counteracted by the safeguards in the policy, so that the overall effect of such developments on such issues as landscape, biodiversity, access are neutral - see general comment.	Noted. It may have been clearer if inclusion of a column showing affects before and after mitigation was included. In future SEA work we will use this approach.

<p><b>Assessment of Cumulative Effects – Vision (pp 51-54)</b>  It could be argued that a vision should aspire to be positive across the range of SEA Objectives rather than settling in some cases for neutral. Does this suggest a ‘missed opportunity’ as regards the use of SEA? Although Objective 12 (climate change) is scored as positive for all three Highland Areas, only the vision for the Inner Moray Firth actually makes express references to climate change.</p>	<p>Noted.</p>
<p><b>Assessment of Cumulative Effects - Spatial Strategy (Policies 1-28) (pp 55-59)</b>  Consideration could have been given to sub-dividing the cumulative assessment between Policies 1-24 which are in the Inner Moray Firth area and Policies 25-28 which are in Caithness. These are the logical areas where any cumulative effects may be felt. Thus for the safeguarding of soil quality and quantity there are significant differences between these sub-divided areas (and areas within them).</p>	<p>Noted. The approach we used sought to consider the Highland Council area as a whole as it was considered that if it was split into areas there may have been some issues with cross-boundary cumulative affects, including potential affects of mixed use development right across the area rather than Inner Moray Firth and then Caithness and Sutherland.</p>
<p>Re SEA Objective 1, this is more than just about designated sites, and includes biodiversity, protected species and valuable habitats. The cumulative scenario is not perhaps being picked up where protected species will be unable to move from one site to another, because cumulatively both sites affect the same species. Some more intuitive consideration is needed on likely cumulative effect on protected species and habitats for all the development proposed from Inverness to Nairn, although the policy re green networks could assist with this.</p>	<p>Noted.</p>
<p>As discussed elsewhere in terms of Habitats Regulations Appraisal, for a large expansive designated area such as the Inner Moray Firth SPA/Ramsar with several allocations of proposed development in the general area, it is not clear how the methodology here is considering the cumulative impact of a number of ‘non-significant’ effects and checking if cumulatively they remain non-significant or whether cumulatively they become significant.</p>	<p>Noted. This will be picked up in more detail by the HRA of the plan.</p>
<p>With regard to the Moray Firth SAC (e.g. policies re Nigg and Whiteness) you will be aware of the Dolphins and Development – Data Analysis and</p>	<p>Noted. Again this will be picked up in more detail by the HRA of the plan.</p>

<p>Spatial Model contract (final report expected July 2011). The ER should refer to this, since this work should provide a good basis for making decisions in relation to future development re the Moray Firth SAC.</p>	
<p>Again re Objectives 16 and 17 re the local distinctiveness of the landscape and re landscape character, intuitively there is a need to consider more deeply that no matter the mitigation at the detailed scale of proposals, e.g. landscaping planting, there will be a cumulative effect on the area to the east of Inverness and then around the western margins of Nairn.</p>	<p>Noted.</p>
<p><b>Assessment of Cumulative Effects - General Policies (Policies 29-79) (pp 60-64)</b>          Again, these policies are very disparate, and the Proposed Plan does make clear that any proposal must be considered against all policies, rather than just the 'obvious' one. Therefore it is an in-built aspect of the plan that if one policy say does not refer to landscape, nevertheless the landscape policy must be read alongside it.</p>	<p>Noted. At the front of the Proposed Plan in the How to Read the plan section, it is considered that it is very clear that the plan must be read as a whole. If this was not in the plan then it would be fair to include a cross-reference to each policy, however this is included so it is not considered reasonable to take this approach.</p>
<p>Therefore it may have been a useful amended exercise here to concentrate on the 'development' policies (Policies 33 to 57 and 68 to 72) to consider whether any stronger cross-referencing with more 'protective' policies (58-67 and 73-79) would have been justified in order that any significant negative effects may be avoided.</p>	<p>Noted. However, see comments above.</p>
<p><b>Measures envisaged for the prevention, reduction and offsetting of significant adverse effects (pp 65-67)</b>          The principle of this section is good, although it is not comprehensive. Some minor comments –</p>	<p>Noted.</p>
<p>Policy 37 (Housing in the Countryside) - should more criteria bullet points be added to this policy to pick up mitigation needs, or add reference to all general policies?</p>	<p>Noted. The plan should be read as a whole.</p>
<p>Policy 45 (Tourist Accommodation) – landscape character mentioned; what about other SEA issues?</p>	<p>Noted. The plan should be read as a whole.</p>
<p>Policy 70 (Electricity Transmission Infrastructure) – it is unclear how the SEA has differentiated between where criteria should be added as bullet points to a policy and where as here 'requires adequate mitigation to be</p>	<p>Noted. This will be clarified in the Finalised Environmental Report.</p>

provided; this will vary on a case by case basis'.	
Why does Policy 68 on the one hand contain a large number of bullet point criteria whereas this policy on the other hand has none?	This is a matter for formatting of the plan.
<b>Assessment of Compatibility between Policy Approaches (pp 68-69)</b> Although this is not part of the standard SEA approach, this is a useful double-check.	Noted.
In respect of the Longman landfill site (Policy 5), is not Policy 72 partly incompatible with this policy, given that Policy 72 preserves the site for waste management use, while Policy 5 includes the possibility of a community/open space use?	It is not considered that there is an incompatibility. The Plan's waste management policies safeguard former landfill sites as areas of search for new waste management facilities. However, they don't reserve the whole of the Longman site exclusively for waste management purposes. Indeed Policy 72 includes the wording, "except ... where they have been allocated in the development plan for redevelopment." The Longman allocation encloses 117 hectares providing adequate space within which to separate less compatible uses.
The Habitats Regulations Appraisal needs to consider the possible impact of allocations on designated European sites. In the meantime, this compatibility matrix does not appear to be picking up those policies that need to be the subject of HRA, e.g. Policy 5 (Longman Landfill) v. Policy 58 (Inner Moray Firth SPA), Policy 23 (Cawdor) v. Policy 58 (Cawdor Wood SAC), Policy 14 (Whiteness) v. Policy 58 (Moray Firth SAC and Inner Moray Firth SPA), Policy 12 (Stratton) v. Policy 58 (Inner Moray Firth SPA), Policies 13 (Tornagrain) and 20 (Croy Expansion) v. Policy 58 (Loch Flemington SPA). The 'yes/no' scoring could have a 'question mark' score added to tease these issues out.	Noted. As mentioned in the comment above this will be picked up by the HRA of the plan.
<b>Monitoring (pp 70-73)</b> As discussed, it would be useful, to have a section on residual negative effects which can then be particularly allowed for under monitoring arrangements.	Noted. This will be brought forward through future SEA work/
Soil – rather than monitoring the number of planning applications granted for brownfield and greenfield land, it would be more meaningful if the areas of such applications were monitored or more ambitiously if the proportion of	Noted. This would be more useful but it is difficult to monitor. The monitoring as proposed is considered practical and proportionate.

total development that was brownfield or greenfield was calculated.	
Biodiversity – re designated sites, it would be more accurate to record the numbers of applications that affected them, rather than applications that were within them.	Noted. This would be more useful but it is difficult to monitor compared to applications within designated sites. The monitoring as proposed is considered practical and proportionate.
There is no monitoring detail for protected species. Rather than SNH being responsible for data collation, this is a matter for THC. A simple means may be to monitor the number of applications requiring a protected species survey and mitigation plan. The different species could be noted within this, and it could be noted whether mitigation depended on a continuing availability of a green network off site.	Noted. A monitoring proposal will be brought forward to deal with this issue through the Finalised Environmental Report.
Landscape – concentrating on the number of applications within NSAs and SLAs won't capture any effects on landscape character in the wider countryside. In any case, the number of planning applications is no measure of quality or change. Perhaps with the advent of submission of design statements and the production of 'Housing Group Capacity Studies', these could be the basis of monitoring? e.g. the number/proportion of high quality design statements and approaching or reaching landscape capacity.	Noted. This would be more useful but the monitoring as proposed is considered practical and proportionate.
Number of applications refused or recommended for refusal on the basis of landscape or visual impact could be a crude indicator.	Noted. However this is considered a practical method of monitoring effects on the landscape.
It would be helpful to include monitoring of wild areas. The extent and quality of the wildness resource should be monitored through repeated review of maps of wildness (soon to be produced by SNH and to be available to THC).	Noted. While this would be useful at this point we do not have this information at present.
An indicator used by SNH is the visual influence of built development. This is one factor of wildness. See – <a href="http://www.snh.gov.uk/publications-data-and-research/trends/scotlands-indicators/naturalheritage-indicators/">http://www.snh.gov.uk/publications-data-and-research/trends/scotlands-indicators/naturalheritage-indicators/</a>	Noted.



<p><b>Appendix 1 – Environmental Protection Objectives of relevant PPS</b>  Document 31 – EC Birds Directive (1979) - please note this has been repealed and replaced by the European Birds Directive (2009) – the text in both columns is incorrect, since it refers to climate change and noise. The key consideration is the designation in Scotland of Special Protection Areas (including proposed) and their protection under the Conservation (Natural Habitats, &amp;c.) Regulations 1994 as amended.</p>	<p>Noted. These will be included/updated for the post-adoption statement.</p>
<p>Document 32 – EC Habitats Directive (1992) – again, the text in both columns is incorrect, since it refers to noise and air quality. The key consideration is the classification of Special Areas of Conservation (Including candidate) and their protection under the Conservation (Natural Habitats, &amp;c.) Regulations 1994 as amended.</p>	
<p>Document 38 – Wildlife and Countryside Act 1981 (as amended) – the text in the columns should also refer to the protection this Act affords to various protected species (birds, animals, plants) and the need for the LDP to reflect this.</p>	
<p>Document 41 – UK Climate Change Bill – this should be amended to the Climate Change Act 2008 and text amended accordingly.</p>	
<p>Document 81 – Scotland’s Scenic Heritage (1978) – the key application for the LDP is the identification and protection of National Scenic Areas in accordance with the SPP and Circular 9/1987.</p>	
<p>Document 87 – Nature Conservation (Scotland) Act - this Act was 2004</p>	
<p>Document 110 – EPS, Development Sites and the Planning System (2001) - this was published by the Scottish Government (Executive), not SNH. The application text refers to Habitats Regulations Appraisal, but EPS are not considered as part of HRA. The key consideration relates to considering whether EPS are present on any site proposed for development in the plan and if so, incorporating mitigation measures.</p>	
<p>The National Renewables Infrastructure Plan should be added.</p>	
<p>Circulars – Circular 6/1995 (Revised 2000) Habitats and Birds Directives is not listed -- see - <a href="http://www.scotland.gov.uk/library3/nature/habd-00.asp">http://www.scotland.gov.uk/library3/nature/habd-00.asp</a></p>	
<p>Add also Circular 9/1987 Development Control in National Scenic Areas</p>	

Regional – Core Path Plans should be added.	
<b>Appendix 2 – Baseline Data Information and Maps</b> Climate factors – UKCIP08 should be updated for UKCP09 – see – <a href="http://ukclimateprojections.defra.gov.uk/content/view/12/689/">http://ukclimateprojections.defra.gov.uk/content/view/12/689/</a>	Noted. These will be included/updated for the Finalised Environmental Report, where appropriate.
Soil – the number of GCR sites can be found at – <a href="http://www.jncc.gov.uk/page-2949">http://www.jncc.gov.uk/page-2949</a>	
Landscape – consideration could be given to applying something similar to the national indicators of built development and of visual influence of built development and land use change – see <a href="http://www.snh.gov.uk/publications-data-and-research/trends/scotlands-indicators/indicatorindex/">http://www.snh.gov.uk/publications-data-and-research/trends/scotlands-indicators/indicatorindex/</a>	
<b>Maps</b> The order of the maps could be re-ordered here so that all the natural heritage designations are together.	Noted. It was felt by ordering the maps alphabetically by title they were easier to find however in future SEA work we are happy to arrange them by topic i.e. designated sites, water environment etc.
Caithness and Sutherland Peatlands: this map simply shows the areas designated as SAC/SPA and does not show the whole extent of peatland in Caithness and Sutherland. The note to the map re Caithness and Sutherland v. Highland is inaccurate and should be omitted.	Noted.
If the Council has access to MLURI data it would be preferable if a map of peat distribution across the whole of Highland was included here instead.	Noted. At present that information is not available to us for the whole of Highland.
Special Protection Areas: the recently classified SPAs should be added, e.g. Foinaven, Glen Affric to Strathconon SPAs	Noted. This will be updated for the Finalised Environmental Report.
A map of Special Landscape Areas should be added.	Noted. This will be included for the Finalised Environmental Report.
<b>Appendix 3 - Alternatives to which SEA applied</b> An alternative is identified here for Policy 39 (New Settlements), but this is not clearly indicated in the relevant part of the RER (page 28).	Noted.
See also comments above under ‘Alternatives’.	Noted.

<p><b>Appendix 4 – Vision/Spatial Strategy/Policy Assessments</b></p> <p>General points –</p> <p>We welcome the inclusion of a separate SEA Objective with regard to wild land/wild areas, and we welcome the reorganisation of the key considerations following comments from the consultation authorities. However these ‘key considerations’ differ from the ‘issue checklist questions’ used for the site assessments in Appendix 5. This is very confusing. While the key considerations are now quite comprehensive, the issue checklist questions have gaps, e.g. in respect of SEA Objectives 2 (green networks), 3 (understanding and enjoyment), 6 (access) and 7 (soils – in relation to greenfield land).</p>	<p>Noted. Throughout the process we have taken on board comments from the consultation authorities in relation to the layout and assessment methodology of the plan. In doing so we believed that we had addressed many of these concerns at an earlier stage in the SEA process if they were raised.</p> <p>The two appendices of assessments, appendix 4 dealt solely with the policies, spatial strategy and visions and appendix 5 dealt with site allocations only. The planning authority felt that the this methodology would make it clearer and easier to understand the assessments as each has separate considerations under the same SEA objectives. In terms of identifying residual effects then this is something we will take forward in future work on Strategic Environmental Assessment.</p>
<p>It is difficult to follow how the assessments of the allocation policies (1-28) should be read across both Appendices 4 and 5. There are apparent mismatches between the scoring in Appendices 4 and 5 for equivalent topics. It would be much more preferable for one appendix only to cover assessment of sites.</p>	<p>Noted. This was to ensure all bases of the policy and allocation had been covered. However, this type of policy and allocation will not be taken forward in future plans however we will take on board these comments in future SEA work.</p>
<p>More clarification is needed with regard to the definition of ‘+’, ‘-’ and ‘=’ scores. It is stated that + and – are no or minimal impacts, but if = (neutral) is no impact, then + and - should be minimal impacts. Does ‘neutral’ mean no impact, or does it mean that any minimal negative impact is offset by mitigation already in the plan? Throughout the assessment, the default score seems to be ‘=’. This is particularly obvious for objective 18 (wild land), for which many policies will actually have no effect, as this objective is only relevant with respect to remote areas, in which case an additional ‘n/a’ ‘score’ should be included.</p>	<p>Noted. This will be clarified in the Finalised Environmental Report.</p>
<p>There is frequent reference under SEA Objective 1 to designated sites only – but this objective should include biodiversity, habitats and species more generally, particularly protected species which are widespread throughout the plan area. This has led to Objective 1 being incorrectly dismissed under many of the Policy headings.</p>	<p>Noted. This will be considered in future SEA work by the Council to ensure this is not repeated.</p>
<p>Objectives 16 and 17 (landscape) are frequently dismissed in this Appendix</p>	<p>Noted.</p>

<p>as not relevant. However this misses the opportunity to aim to make these positive. Large scale housing developments have the potential to have a negative landscape effect, even more so if taken cumulatively.</p>	
<p><b>The comments in the following section are matters of detail on the assessment. While noted and will be considered in bringing forward the Highland-wide Local Development Plan in terms of commending changes to the policy through the examination no changes will be made to the contents of the assessments as part of the Finalised Environmental Report.</b></p>	
<p><b>Visions – general point</b> There is a sense of a ‘missed opportunity’ where the assessment is scored as neutral. Might it have been possible for the SEA process to have led to more positive assessments for the visions across the range of SEA objectives? Green networks for example should be mentioned in all of the visions, not just for the Inner Moray Firth.</p>	<p>Noted. This has been taken on board and through representations on the plan itself there may be further changes to the visions.</p>
<p>It would be clearer if the order of visions in this document is the same as that of the Proposed Plan.</p>	<p>Noted.</p>
<p><b>Vision – Caithness and Sutherland</b> This vision significantly differs to the others because it includes reference to attracting enterprises by a more flexible planning regime throughout Caithness. The likely significance of this for the environment doesn’t appear to have been considered here.</p>	<p>Noted. The issue has been considered. This can be seen through not just the assessment of the vision but the associated policies/allocations which support the vision.</p>
<p><b>Vision – Inner Moray Firth</b> Objective 3 (contact with the natural heritage) – this states that responsible access will be encouraged by the Green Network Supplementary Guidance. However this message doesn’t come across in the current draft of the GN SG.</p>	<p>Noted. The green network: supplementary guidance is currently subject to changes following the consultation period.</p>
<p>Objective 7 (soils) – it is unclear how the positive score has been given here when the text says the vision makes no reference to protecting soil functions (although there is reference in the vision to use of brownfield land in the city – so on balance would a +/- score be fairer?)</p>	<p>Noted.</p>
<p>Objective 12 (climate change) – the text says the vision does not make specific reference to climate change, but it does – both in terms of the location of new development and allowing for the movement of species.</p>	<p>Noted however these are considered contributors to lessen the impact of climate change rather than specifically reference climate change as a whole/</p>

Objectives 16 and 17 (landscape) – these are scored as positive, yet there is no specific reference to the landscape character and setting of the Inner Moray Firth – unless this is implicit in the ‘special places’ of this area?	Noted. It was considered that this was implicit in the special places of the area.
<b>Policy 1 (City sites)</b> Objective 1 (biodiversity) – there should be consideration here of protected species. Badgers are particularly relevant.	Noted.
Objective 2 (green networks) - it is unclear if the new provisions of this plan will apply to these sites. If so, the positive implications for the green network are understandable. If not, this could be overstated.	Noted. The plan should be read as a whole and as such the principles of the green networks will be applied to all sites.
Objectives 16 and 17 (landscape) - although the text highlights that the expansion areas of Culduthel, Slackbuie and Milton of Leys are already allocated in the Local Plan, they will nevertheless negatively affect these SEA Objectives by their siting and extent which will result in adverse impacts on the key characteristic of the open hill backcloth to the city as highlighted as being important within the LCA.	Noted.
<u>Policy 4 (Longman Core Development Area)</u> Objective 2 (green networks) – in the past there have been plans to enhance the gateway to the city, including plans for a green avenue. If this is still a part of the concept for the redevelopment of this area, then this could be scored as positive rather than neutral.	Noted. Given that the Longman Core Development Brief will be under review over the course of the year then it was not considered appropriate to score the site positively until the plans for the area become clearer. This may come through the Inner Moray Firth Local Development Plan.
Objective 4 (human health) – another justification for the positive score would be its close proximity to transport hubs.	Noted.
Objective 16 and 17 (landscape) – as above there have been proposals before for an enhancement project in this area to improve one of the key gateways to Inverness. If the masterplan continued to strive to improve the gateway to the city, a positive score could be recorded under these objectives.	Noted. See comments above.

<p><u>Policy 5 (Longman landfill site)</u>  Neutral score re Objective 1 (biodiversity) – this may be over-simplified given proximity to Inner Moray Firth SPA and Ramsar. Any development in this area is likely to have a likely significant effect on the designation and will therefore be included in the Habitats Regulations Appraisal for the Plan. The outcome of this appraisal should inform this score.</p>	<p>Noted. The HRA of the plan will give further consideration to this issue.</p>
<p>Neutral scores re 3 (enjoyment/understanding) and 4 (human health) – these scores are unclear when the policy makes possible provision for community/public open space here, for a site near the coast, which points to a positive score if this option is pursued.</p>	<p>Noted. This score was attributed as it gave an indication that through development this could be secured and these should be a key consideration on the design brief.</p>
<p>Neutral scores re 16 and 17 (landscape) – it is unclear if this allows for the visual and landscape impact of possible large scale development on this prominent site at a gateway to Inverness. If carried out sensitively, there could be positive effects on Objectives 16 and 17. This would, however, depend on the masterplan and mitigation of impacts associated with the existing stadium area.</p>	<p>Noted. Mitigation is key to ensuring this site does not have significant adverse impacts on this SEA objective.</p>
<p><u>Policy 6 (Muirtown/South Kessock)</u>  Neutral score re 1 (biodiversity) – this is questionable in view of the inclusion within the site of Merkinch Local Nature Reserve and the adjacent Moray Firth SAC. There are also many protected species within this area including sightings of otter in the Muirtown Basin. We have recommended elsewhere that the LNR should be excluded from this allocation (or protected/enhanced) and that this policy should be included within the HRA for the plan.</p>	<p>Noted. The exclusion of the LNR is being taken forward as an outstanding issue.</p>
<p>Neutral score re 2 (green networks) – there appears to be a missed opportunity here to make this positive, given the presence of the Caledonian Canal and LNR here (beneficial for both wildlife and people).</p>	<p>Noted.</p>
<p>Neutral score re 3 (enjoyment/understanding) – this score is unclear given that the site is adjacent to the Merkinch LNR and the Beaully Firth, together with the canal and river. The opportunity should be taken to make this policy positive for this objective. As well as all the bird and plant life, South</p>	<p>Noted. It is considered that development in this area could, if not designed appropriately could have significant adverse impact on the SEA objective. Mitigation will be set out to ensure that this is not the case in the Inner Moray Firth LDP.</p>

<p>Kessock is a good place from which to watch the Moray Firth dolphins and to spot otters. The Ferry Ticket office has been developed into a visitor centre showcasing the area's wildlife. The LNR group work hard to promote the area and the policy should complement this.</p>	
<p>Objective 5 (open space) – effort should be made through this policy to achieve a positive rather than a negative score, given the existing green space in this area re the LNR and canal corridor.</p>	<p>Noted. Mitigation on this issue will come forward through the IMF LDP</p>
<p>Neutral score re 6 (access) – there appears to be a ‘missed opportunity’ here to add something in the policy about the need to protect the well used paths in the site e.g. the canal towpaths, the paths in the LNR, or to cross-refer for mitigation to the policy on public access.</p>	<p>Noted. Mitigation on this issue will come forward through the IMF LDP</p>
<p>In addition the policy should seek to protect and enhance the use of the water environment for public access. For example the Muirtown Basin is used heavily by the Inverness Canoe Club and the 18<sup>th</sup> Inverness Muirtown Sea Scouts. The canal is also part of the popular Great Glen Canoe Trail. Given the nature of the site, it is questionable to say here that it is unlikely that there will be an impact on this SEA Objective through implementation of this policy.</p>	<p>Noted. Mitigation on this issue will come forward through the IMF LDP</p>
<p>Neutral score re 16 and 17 (landscape) – here again seems to be a missed opportunity to consider how this could be converted to a positive score, given that landscape is a key issue here.</p>	<p>Noted. Mitigation on this issue will come forward through the IMF LDP</p>
<p><b>Policy 7 (Inshes and Raigmore)</b>  Neutral score re 3 (contact with nature) – there are a number of different land uses in the Inshes and Raigmore area including a Business Park, Hospital and Retail. It is important to recognise the benefit of good quality greenspace in areas where people are ill, work and shop as well as where people live. It would be good to see that reflected in this policy and so the opportunity taken to move this score from neutral to positive.</p>	<p>Noted. This is something the Council intend to progress through the development brief for the site.</p>
<p>Neutral score re 6 (access) – in the past there was a project called ‘Paths Around Inverness’ which linked up streets/pavements and paths in Inverness, creating a path network. The opportunity could be taken to link into this by means of such policies, so enabling a neutral score to be</p>	<p>Noted. This is something that is currently being considered through the Inverness City Vision and will be brought forward through emerging development briefs</p>

improved to a positive score.	
<b>Policy 8 (Ness-side and Charleston)</b> Neutral score re 1 (biodiversity) – we comment elsewhere that badger surveys should be carried out for these sites – a developer requirement could be added.	Noted. This mitigation will be brought forward through the Inner Moray Firth LDP.
Neutral score re 2 (green networks) – it is unclear how this is scored as neutral for green networks for these areas that are presently likely to be contributing to the habitat green network through proximity to the river, field boundaries and woodland. If this is scored on the assumption that any negative effects will be offset by application of the separate policy on green networks, this should be stated – a developer requirement to this effect could be added	Noted. The plan should be read as a whole, developer contributions for this site will be brought forward through the Inner Moray Firth Local Development Plan.
Neutral score re 6 (access) – it is unclear why this is scored as neutral when for example the Great Glen Way passes through the Charleston site (unless the policy on LDRs is being applied as mitigation – a developer requirement could be added).	Noted. The plan should be read as a whole this would ensure that access is a key consideration.
Neutral score re 9 (water environment) – this does not seem to take account of the location being adjacent to the River Ness and the Holm Burn. With reference to the Holm Burn there is a community project planned to tackle Invasive Non Native Species here.	Noted.
<b>Policy 9 (A96 Corridor)</b> Objective 1 (biodiversity) – reference should be made here to the HRA process and the designated sites both within, adjacent and distant from the corridor that may be affected by the proposals.	Noted. The HRA is currently in production and this will be taken into consideration.
Neutral score re 3 (contact with nature) – part of the role of the Green Network will be to increase people’s contact with the natural heritage, so there is scope to convert this to a positive score. .	Noted.
Neutral scores re 16 and 17 (landscape) – it is unclear on what basis any possible landscape effects are being discounted here (including cumulatively).	Noted.



<p><b>Policy 11 (Inverness Retail and Business Park Expansion)</b>  Neutral scores re 1 (biodiversity) – this says that ‘there may be impacts on designated sites at a site specific [level] which will be identified through the SEA site assessments ....’. However this SEA Objective is not just about designated sites, but about wider habitats and species for biodiversity. The policy already includes the need for safeguarding of habitats for protected species, with protected species surveys and protection plans including for badger. The SEA here should reflect this, presumably having informed it.</p>	<p>Noted.</p>
<p>+/- score re 3 (enjoyment/understanding) – it is stated that if there are suitable opportunities [for] people to come in contact with and appreciate nature/natural environments this will be identified through the SEA site assessment. However as noted above, SEA Objective 3 is not covered by any of the issue checklist questions considered in Appendix 5. So this assessment is incomplete in this regard.</p>	<p>Noted. However, it is considered that the site assessment matrix has included mitigation to ensure the that this score can be attributed.</p>
<p><b>Policy 12 (Stratton)</b>  +/- score re 1 (biodiversity) – the reasoning for this score is not explained (although the reader may be expected here to refer to Appendix 5). However developer requirements already include some reference to nearby designated areas (not complete) and to protected species on the site. The relationship between this part of the SEA and the Proposed Plan is not clear. Badgers are an issue here.</p>	<p>Noted.</p>
<p>+/- score re 3 (enjoyment/understanding) – it is stated that if there are suitable opportunities [for] people to come in contact with and appreciate nature/natural environments this will be identified through the SEA site assessment. However as noted above, SEA Objective 3 is not covered by any of the issue checklist questions considered in Appendix 5. So this assessment is incomplete in this regard. On the other hand, references are already made in the policy to green networks, open space and a recreational management plan, so here again the relationship between this part of the SEA and the Proposed Plan is not clear.</p>	<p>Noted. This will be clarified in the Finalised Environmental Report. As it can be seen fro the final content of the plan the SEA has had influence over the policy in this regard.</p>
<p>Objective 6 (access) – this specifically mentions contributions towards provision of a coastal trail, but this should be reviewed in the light of the</p>	<p>Noted. The HRA of the plan is currently in progress as is a separate HRA of the Coastal Trail.</p>

HRA of the plan (see comments elsewhere on Policy 12).	
Neutral scores re 16/17 (landscape) – it is not clear from this part of the SEA how this assessment has been reached, although it is noted that the policy includes the need for a “Landscape Framework”.	Noted. A neutral score was reached as although there will be a material change in the landscape this could be mitigated through appropriate landscaping, provision of open space and high quality design and place-making.
<b>Policy 13 (Tornagrain)</b> +/- score re 1 (biodiversity) – this compares with neutral scoring in Appendix 5 for the equivalent issue checklist questions, so the methodology approaches between Appendix 4 and Appendix 5 is unclear. We note the developer requirements already included in the policy for Tornagrain, although Loch Flemington SPA is not included. Loch Flemington SPA needs to be added to the policy in the proposed plan and included as part of the HRA of the plan.	Noted. This will be clarified in the Finalised Environmental Report.
Neutral scores re 16/17 (landscape) – it is not clear from this part of the SEA how this assessment has been reached, although it is noted that the policy includes the need for a “design framework”.	Noted. A neutral score was reached as although there will be a material change in the landscape this could be mitigated through appropriate landscaping, provision of open space and high quality design and place-making.
<b>Policy 14 (Whiteness)</b> Neutral score re 1 (biodiversity) - if the site is developed for housing then this objective should be scored negative – as indeed it is in Appendix 5. If this proposed allocation is developed as a renewables manufacturing/assembly base then appropriate mitigation could potentially bring it up to neutral as scored here. The relationship between the scoring of Appendix 4 and Appendix 5 is confusing.	Noted. This will be clarified in the Finalised Environmental Report.
Positive scores re 2 (green networks), 5 (open space) and 6 (access) – given that the site already has outline planning permission, and therefore there are no developer requirements listed, it is unclear on what these scores are based (e.g. the terms of the outline consent, the requirements of masterplans, compliance with supplementary guidance?). This should be clarified.	Noted. This will be clarified in the Finalised Environmental Report. Condition 1 stated that open space, paths, trails and recreation will all be reserved matters to be agreed by a future planning application for Matters Specified in Conditions.
Neutral score re 3 (contact with nature) – it can be noted that plans are already advanced for the housing development to include a hide by the	Noted.

lagoon to enable bird watching.	
<p><b>Policy 15 (Lochloy)</b> Neutral score re 5 (open space) – here and elsewhere as a general point it would be encouraging to see the SEA process used to improve a neutral score to a positive score through modification of the relevant policy.</p>	Noted.
<p><b>Policy 16 (Sandown)</b> This policy contains no developer requirements, in contrast to the adjacent Delnies site. While Appendix 4 doesn't clearly lead towards the need for developer requirements, Appendix 5 does. These include – Objective 1 (biodiversity) – measures to avoid any adverse effects on the nearby Inner Moray Firth SPA, Moray Firth SAC and Whiteness Head SSSI; protected species survey (badger especially) and mitigation plan; Access Management Plan. Objective 2 (green network) – linkage to green network within and around the site Objective 5 (open space) – open space provision Objective 6 (access) – Recreation Management Plan</p>	Noted. The site is subject to an existing allocation in the Nairnshire Local Plan (2000). A development brief will be brought forward which will outline the developer requirements for the site, taken from this SEA. Further detail on this allocation will be brought forward through the Inner Moray Firth Local Development Plan.
<p>Objectives 16/17 (landscape) – there is presently no mention of the masterplan needing to respond to the sensitivities and opportunities of the landscape and visual resource, so it is unclear on what this score is based. It is recommended that this policy is re-worded to require the proposal to respond to landscape and visual issues and for this to be planned through the development of a Landscape Framework Plan and incorporated within the development design objectives.</p>	Noted. This will be brought forward through the Sandown Development Brief and the Inner Moray Firth Local Development Plan.
<p><b>Policy 17 (Delnies)</b> Neutral scores re 16/17 (landscape) – there is presently no explicit developer requirement in this policy for development on this site to relate to the landscape and visual resource, so it is unclear on what this score is based. Addition of a developer requirement for a Landscape Framework Plan and for the design masterplan to respond to the sensitivities of the landscape and visual resource would recognise this site's gateway position at the western approach to Nairn.</p>	Noted. This will be clarified in the Finalised Environmental Report.

<p><b>Policy 18 (Nairn South)</b> Objective 1 (biodiversity) – there is no reference to protected species here, but a protected species survey is required in the policy wording.</p>	<p>Noted. This was an oversight and it will be clarified in the Finalised Environmental Report.</p>
<p><b>Policy 19 (Smaller Settlements in the A96 Corridor)</b> Objective 1 (biodiversity) – this should refer to the HRA of the plan in terms of designated sites Policy 20 (Croy Expansion)</p>	<p>Noted. The HRA of the plan is currently in production.</p>
<p>+/- score re 1 (biodiversity) – this policy needs to include references to nearby designated sites – Kildrummie Kames SSSI and Loch Flemington SPA.</p>	<p>Noted. This will be clarified in the Finalised Environmental Report.</p>
<p><b>Policy 23 (Cawdor)</b> Objective 1 (biodiversity) – this should refer to the HRA of the plan in terms of designated sites, especially re Cawdor Wood SAC.</p>	<p>Noted. This will be clarified in the Finalised Environmental Report. The HRA of the plan is currently in production.</p>
<p>Objectives 16 and 17 (landscape) - the large extent of development proposed could result in negative impacts on these objectives, mainly because of the limited capacity of the area to accommodate new development without appearing incongruous to the existing special qualities of the settlement which are strongly based on its concentrated and small-scale form and rural character.</p>	<p>Noted. It is considered that through appropriate mitigation including landscaping and high quality design that there will be limited affect of this development on the landscape. In addition while the whole site is allocated much of the site will remain open and not be developed.</p>
<p><b>Policy 24 (Nigg)</b> Objective 1 (biodiversity) – this should refer to the HRA of the plan in terms of designated sites, especially re Moray Firth SAC.</p>	<p>Noted. The HRA of the plan is currently in production.</p>
<p><b>Policy 25 (Dounreay)</b> Objective 1 (biodiversity) – this should refer to the HRA of the plan in terms of designated sites, especially re North Caithness Cliffs SPA Extension.</p>	<p>Noted. This will be clarified in the Finalised Environmental Report. The HRA of the plan is currently in production.</p>
<p><b>Policy 32 (Developer Contributions)</b> Objective 2 (green networks) - as discussed elsewhere, it may be clearer if this policy referred explicitly to green infrastructure in order that a clear link is made with open space, green networks, landscaping etc</p>	<p>Noted. This has been taken forward as an outstanding issue to examination.</p>

<p><b>Policy 36 (Housing in the Countryside – Hinterland Around Towns)</b> It is stated that the supplementary guidance on Housing in the Countryside and on Siting and Design Guidelines will be subject to a separate SEA process, but we are unaware so far of the Environmental Reports associated with these.</p>	<p>Noted. This will be carried out in due course.</p>
<p>Neutral score re 1 (biodiversity) – this policy encourages the conversion of traditional buildings into dwellings. Protected species, for example bats, are often found in old steadings. This should be taken into account. Thus a negative score on this factor would have enabled consideration of whether the ‘catch-all’ reference to the general policies in the plan is sufficient mitigation.</p>	<p>Noted. It is considered that as the plan must be read as a whole that there would not be the need for a cross reference to other policies in the plan.</p>
<p>Neutral scores re 16 and 17 (landscape) – the basis for this is unclear.</p>	<p>Noted. This will be clarified in the Finalised Environmental Report.</p>
<p><b>Policy 37 (Development in the Wider Countryside)</b> It is stated that the supplementary guidance on Housing in the Countryside and on Siting and Design Guidelines will be subject to a separate SEA process, but we are unaware so far of the Environmental Reports associated with these.</p>	<p>Noted. This will be carried out in due course.</p>
<p>Objective 1 (biodiversity) - as discussed elsewhere, there is no reference in this policy to the other general policies of the plan, nor to the Siting and Design Supplementary Guidance</p>	<p>Noted. It is considered that as the plan must be read as a whole that there would not be the need for a cross reference to other policies in the plan.</p>
<p>Therefore we believe in order to score this as neutral rather than negative, an addition should be made to the policy as for Policy 36 – ‘All proposals should accord with the general policies of the Plan and the Siting and Design Guidance’.</p>	<p>Noted. It is considered that as the plan must be read as a whole that there would not be the need for a cross reference to other policies in the plan.</p>
<p>Neutral scores re 16 and 17 (landscape) – the basis for this is unclear.</p>	<p>Noted.</p>
<p><b>Policy 39 (New Settlements)</b> Neutral scores re 16 and 17 (landscape) – the basis for this is unclear.</p>	<p>Noted. This will be clarified in the Finalised Environmental Report.</p>
<p><b>Policy 42 (Business and Industrial Land)</b> Neutral scores re 16 and 17 (landscape) – these scores are unclear, given that the policy offers scope for currently non-allocated land to be used for business and industry.</p>	<p>Noted. As the policy makes provision for development of alternative sites this at present can not be assessed in terms of its impact on landscape because the sites are not yet known.</p>

<p><b>Policy 45 (Tourist Accommodation)</b>  +/- score re 1 (biodiversity) – mitigation would be possible for this score if more reference was made to other plan policies or to avoidance of adverse effects on natural, built or cultural heritage. The cross reference to Policy 37 (wrongly referred to in the plan as Policy 36) can be boosted by this policy being amended as noted above.</p>	<p>Noted. It is considered that as the plan must be read as a whole that there would not be the need for a cross reference to other policies in the plan.</p>
<p><b>Policy 48 (Inbye/Apportioned Croftland)</b>  Positive score re 1 (biodiversity) – this could alternatively be +/- because both in-bye and common grazings land may be valuable for biodiversity, so depending on where housing is directed, there could be an effect under either scenario.</p>	<p><u>Noted.</u></p>
<p>Positive score re 16/17 (landscape) – the policy allows for single housing development both on in-bye land and common grazings land, depending on particular circumstances. This would have differing landscape effects in crofting areas. Also the reference to the Siting and Design Guidance is limited in that this guidance relates to housing in the countryside generally and at present does not adequately address the specific landscape and visual issues associated with the siting and design of housing in crofting areas. Also the policy implies a flexible approach could be taken to single house developments in crofting areas in NSAs where a wider community interest had been demonstrated. This could have negative landscape effects. Therefore it would appear that a +/- score is more realistic, and mitigation could include production of additional guidance on Siting and Design of Houses in Crofting Landscapes.</p>	<p>Noted. These comments have been considered in preparation of the next draft of the Housing in the Countryside Siting and Design Guidance.</p>

<p><b>Policy 49 (New/Extended Crofting Townships)</b>  Objective 16 (landscape) - the measure of ‘++’, significant positive impacts for this objective is too high and is inconsistent with the judgement of this measure for other aspects. It should be minimal positive impact at most, ‘+’. Principally this over-estimation seems to have resulted from insufficient recognition of some of the typical negative impacts of extending and establishing new crofting townships even where the Siting and Design guidance is applied. For example, new contemporary / extension of townships typically involves greater prominence of access routes, buildings much larger than historic structures, the use of fences rather than stone walls, extensive sheep grazing rather than cropping that created a distinct landscape pattern, and pressure to extend onto open areas and sloped ground that was originally the visual backdrop/ limiting edge to the crofting settlement.</p>	<p>Noted. It is considered that the creation of new/extended crofting townships can lead to a significant improvement to the landscape. The detail of individual proposals impact on the landscape should be dealt with at a planning application stage.</p>
<p><b>Policy 50 (Coastal Development)</b>  Objective 17 (landscape character and scenic value) - it is not clear why it is stated that this policy is not relevant to this objective, especially as the policy refers to coastal scenic views.</p>	<p>Noted. This will be clarified in the Finalised Environmental Report.</p>
<p><b>Policy 51 (Aquaculture)</b>  Neutral score re 18 (wild areas) – the justification reads as though this should be scored as positive. However the justification refers to this policy being tied to the Coastal Development Strategy (in which Isolated Coast is identified), which it isn’t. So this indicates that this policy should be amended to include an explicit reference to the Council’s Coastal Development Strategy Supplementary Guidance.</p>	<p>Noted. This will be clarified in the Finalised Environmental Report.</p>
<p><b>Policy 53 (Development in Woodland)</b>  Positive scores re 1 (biodiversity) and 2 (green networks) – it seems more logical to score these as +/-, because this policy concerns the principle of development in woodland; however it includes protection for more important woodland re biodiversity and green networks</p>	<p>Noted. This score is considered appropriate as the policy restricts the development in woodland, therefore having a more positive affect on biodiversity and green networks.</p>

<p><b>Policy 54 (Minerals)</b>  Positive scores re 1 (biodiversity) and 16 (landscape) – these are scored as positive because of biodiversity, geodiversity and landscape benefits in the longer term after restoration. However in the shorter term during extraction of minerals they might have to be scored as negative. Geodiversity should more properly be considered under SEA Objective 7 than SEA Objective 1.</p>	<p>Noted.</p>
<p><b>Policy 56 (Peat and Soils)</b>  Objective 12 (climate change) – a link with climate change adaptation could be considered here re the carbon storage value of peat soils.</p>	<p>Noted.</p>
<p><b>Policy 62 (Landscape)</b>  Objective 18 (wild land) - the sensitivity for this objective should not be low – it should be medium. Although this policy is not focused on wild land qualities, these can form part of the key characteristics and special qualities of the landscape and thus will be covered in part by this policy. Thus it is believed that this policy would result in slight positive impact on this objective.</p>	<p>Noted. This will be clarified in the Finalised Environmental Report.</p>
<p><b>Policy 63 (Geodiversity)</b>  As per previous comments the focus should be on Objective 7 rather than Objective 1.</p>	<p>Noted.</p>
<p>Objective 12 (climate change) – a link with climate change adaptation could be considered here re geodiversity including natural coastal processes.</p>	<p>Noted.</p>
<p><b>Policy 66 (Waste Water Treatment)</b>  Neutral score re 1 (biodiversity) – here should be picked up discharge into SACs, such as the Moray Firth SAC (bottlenose dolphin). In situations where the area over which discharge of waste water is likely to disperse in 12-24 hrs overlaps with areas known to be frequently used by dolphins, the treatment level should meet a bathing water standard (applied throughout the year rather than just for the June-September period). To mitigate this potential negative effect, we have recommended text to this effect be added to the plan.</p>	<p>Noted. This will be clarified in the Finalised Environmental Report. The HRA will address this issue further and recommend wording.</p>



<p><b>Policy 67 (Surface Water Drainage)</b>  Neutral scores re 1 (biodiversity) and 2 (green networks) – we would have expected these to be scored as positive in view of their promotion of SuDS, e.g. watercourses are one of the habitats included in the Green Network Supplementary Guidance.</p>	<p>Noted.</p>
<p><b>Policies 68 (Renewable Energy Developments) and 69 (“Community” Renewable Energy Developments)</b>  Positive scores re 1 (biodiversity) and 3 (contact with nature) – it is unclear why these have been scored as positive, and a more understandable score would be neutral. ‘++’ score re 17 (landscape character and scenic value) - it is not clear how this policy would have significant positive impacts on this objective. It is judged that this would have at best only slight positive impact. This is partly because of the inherent impacts of many types of renewable energy development and the sensitivity of the Highland landscape to this, and because of the threshold of acceptability being set at ‘significantly detrimental’. In addition, the measures for Objective 17 seem inconsistent with those for Objective 18 when protection for both is offered in relation to the policy on ‘natural, built and cultural heritage features’.</p>	<p>Noted. This will be clarified in the Finalised Environmental Report.</p>
<p><b>Policy 70 (Electricity Transmission Infrastructure)</b>  Neutral score re 18 (wild land) – the basis for stating that ‘it is unlikely that this policy will have a direct effect on this objective’ is unclear. It is believed that this policy may have an impact on this objective as electricity transmission infrastructure may be located through or adjacent to wild areas and it may not be possible to mitigate impacts by a significant level as these result from any structure being visible whatever its design.</p>	<p>Noted.</p>
<p><b>Policy 71, 72 (Waste Management Facilities and Sites)</b>  Neutral score re 1 (biodiversity) - it is stated that it is unlikely these policies will directly affect this objective. However these policies include reference to the former Longman Landfill Site for new waste management facilities. This could have effects on habitats and species, including the Inner Moray Firth SPA and Ramsar.</p>	<p>Noted. This will be brought forward through the HRA of the policy.</p>

<p><b>Policy 75 (Green Networks)</b> Neutral score re 12 (climate change) – one of the functions of green networks is to help species to adapt to climate change through enabling them to move about. So this should be scored positive or even ++.</p>	Noted.
<p><b>Policy 77 (Playing Fields and Sports Pitches)</b> Objective 2 (green networks) – the contribution these areas make for wildlife and informal recreation will depend heavily on good practice design. As part of this process it will be important to minimise potential conflict between the use for formal recreation and the potential also for wildlife and informal recreation.</p>	Noted. This good practice design is encouraged through the Open Space in New Residential Development which this policy is linked to
<p><b>Policy 79 (Long Distance Routes)</b> Neutral scores re 4 (human health) and 14 (active travel) – the assessment here considers LDRs are used by tourists rather than residents, but this fails to recognise the local use made by residents of parts of LDRs on their doorsteps, e.g. the Great Glen Way on the edge of Inverness. Under this policy would also presumably be developed more localised trails, such as between Inverness and Nairn.</p>	Noted.
<p><b>Alternatives</b> General point – it would be helpful if the basis for the assessment of alternatives was made clearer. The scoring could be based on either (a) deleting the policy in question, or (b) how the issue would be covered in the absence of the policy in question. We presume the latter is the intent.</p>	Noted. This clarification will be brought forward in future Local Development Plans.
<p><b>Alternative to Policy 27 (Castletown)</b> Objective 7 (soils) – this refers to the Inverness Local Plan rather than the Caithness Local Plan. details of proposals for new crofting townships to be brought forward through the Area LDP process;</p>	Noted. This is a typographical error and will be corrected prior to adoption of the plan.
<p><b>Alternative to Policy 49 (New/Extended Crofting Townships)</b> It would appear there are two alternatives here, but they have been assessed as one: new crofting townships only to be located outwith the hinterlands of towns It would be clearer if these were separated out.</p>	Noted. The alternatives as presented at the Main Issues Report stage have been consolidated as an alternative.

<p><b>Alternative to Policy 53 (Development in Woodland)</b> An issue here is how this policy compares to the standing policy under the Control of Woodland Removal Policy.</p>	Noted.
<p><b>Alternative to Policy 54 (Minerals)</b> Objective 1 (biodiversity) – this includes consideration of geodiversity, but this should be covered under SEA Objective 7 (soils) and indeed is so (so at present is being double counted).</p>	Noted.
<p><b>Alternative to Policies 59-61 (Habitats and Species)</b> Objective 1 (biodiversity) – although the alternative of one combined policy has been scored as ++, there is likely to be confusion as to which habitats and species are covered by which legislation or strategy, and what policy protection is afforded by the relevant legislation/strategy. We agree with the concluding commentary.</p>	Noted.
<p><b>Alternative to Policies 73-74 (Pollution and Air Quality)</b> This is incorrectly headed with reference to Policies 75-79.</p>	Noted. This typographical error will be corrected prior to the adoption of the plan.
<p><b>Alternative to Policies 75-79 (Green Networks, Open Space, Playing Fields, Sports Pitches, Access and Long Distance Routes)</b> We agree with the concluding commentary.</p>	Noted.
<p><b>Appendix 5</b> General points - It is unclear how these 'issue checklist questions' relate to the 'key considerations' listed for each SEA Objective at the beginning of Appendix 4.</p>	The two appendices of assessments, appendix 4 dealt solely with the policies, spatial strategy and visions and appendix 5 dealt with site allocations only. The planning authority felt that the this methodology would make it clearer and easier to understand the assessments as each has separate considerations under the same SEA objectives.
<p>While there are a number of 'key considerations' for each SEA Objective, there are not 'issue checklist questions' for all SEA Objectives – for example it would appear as though there are gaps in respect of Objectives 2 (green networks), 3 (enjoyment/understanding), 6 (access) and 10 (water abstraction), SEA Objective 7 re the safeguarding of soil quality and quantity is not covered. There is an issue included re brownfield land (no 8) but no equivalent issue re greenfield land. Therefore the significant effect (including cumulatively) on greenfield land is not being picked up in this part of the SEA. Also any effects on peat and geodiversity are not being</p>	Noted. This will be taken on board for all future SEA work and it will be made clear which questions relate to which SEA objective(s).

picked up	
The ordering is not easy to follow – they do not follow the sequence of the SEA Objectives and similar aspects are separated, e.g. landscape issues are numbered 10, 11 and 25	Noted. This will be taken on board for future SEA work.
Issue 10 makes no reference to areas designated for landscape (NSAs and SLAs) in terms of assessing effects on their special qualities	Noted. This will be taken on board for future SEA work.
Issue 11 could now refer to wild areas as opposed to remote landscapes of value for recreation	Noted. This will be taken on board for future SEA work.
Issue 18 should be amended to: “Will the allocation affect any protected species or any priority habitat or species?” – (priority habitats and species has a very specific meaning in relation to the Habitats Directive, whereas references in the Interpretation box to the Wildlife and Countryside Act, the Birds Directive, EPS and BAP relate instead to protected species (to which should be added badgers under the Protection of Badgers Act) On several occasions the assessment here identifies a negative effect and simply says that ‘due consideration’ should be given to this issue, or that ‘appropriate mitigation’ should be provided. While it is useful to have identified the issue, the SEA is not then fully providing measures to prevent, reduce and as fully as possible offset these adverse effects	Noted. This will be taken on board for future SEA work.
The sites are not assessed in the order they appear in the Proposed Plan – it would be much easier if they followed the same order	Noted. This will be taken on board for future SEA work.
There should be references where applicable to the need to take account of the Habitats Regulations Appraisal of the plan, including European sites that may be affected by the wider cumulative impacts	Noted. This will be taken on board for future SEA work where we intend to carry out the HRA of the plan in tandem with the SEA.
The entries here frequently comment that ‘Developments with residential issues are likely to be required to deliver additional open space provision in line with the Open Space in New Residential: Supplementary Guidance’ (under issue 1) and that ‘protected species are known to be present and that surveys may be required’ (under issue 18). This phraseology is non-committal and therefore does not provide confidence that these measures will be implemented and certainly does not promise the positive impacts suggested by the assessment.	Noted. By carrying the outcomes of these assessments forward in to the plan as developer requirements it is intended that a commitment to the mitigation will be made.

Under Issue10 there is frequent reference to the relevant Landscape Character Assessment for the landholding but no action or mitigation is listed.	Noted. This will be clarified in the Finalised Environmental Report.
The Green Network Supplementary Guidance is under-represented throughout this appendix. Where it is referred to this is under issue 10 as opposed to issues 2 and 18.	Noted.
It is disappointing to see developments being dealt with in isolation in relation to issue 18 (priority habitats and species). Badgers are present on many of the proposed allocation sites around Inverness and along the A96 corridor (Policies 1 (all allocations), 8 (both allocations), 9 (all allocations), 10, 11, 13, 15, 16, 17, 18, 20, 21 and 23 are all relevant).	Noted.
A collaborative, strategic approach to surveying and mitigation at the pressure points would be beneficial for both the species and the developers working in the following areas:	Noted. This type of approach will be taken forward in future SEA work.
Southern Distributor Corridor, the 'Golden Mile', Tornagrain and Nairn sites. This approach is advocated by the Green Networks Supplementary Guidance as well as the Badger Policy Guidance Note. Joined up thinking is not explicitly encouraged here and we see this as a missed opportunity. Without a joined up approach the impact on the badger population for many of the policies will be negative. With a joined up approach a neutral score may be possible.	Noted.
The Inner Moray Firth Ramsar site is frequently not referred to where it is applicable and where the Inner Moray Firth SPA is listed. Also please note that Ramsar is a place rather than an acronym.	Noted
There are a few typos in the document where SDA is used rather than the correct SPA.	Noted. These typographical errors will be corrected prior to the adoption of the plan.
Policy 8 (Ness-side and Charleston) No developer requirements are set out here because it is stated that the areas may have planning permission already. However the policy says that masterplans should be prepared to be adopted as supplementary guidance to this plan. Therefore this SEA can set out the elements to be addressed in the masterplan e.g. protected species survey and mitigation plan and a landscape plan	Noted. The mitigation which can be identified from these assessments will be brought forward through both the development brief for the site and the Inner Moray Firth Local Development Plan.

Policy 7 (Inshes/Raigmore) Issue 1 comments that as residential issues are unlikely within this allocation the Council would not need to apply the Open Space Supplementary Guidance. However open space in non-residential areas is also beneficial, especially near hospitals, where research has shown that they are an important factor in relation to people's recovery from illness.	Noted.
Policy 3 (Inverness City Centre) - The footprint of this allocation includes part of the Inverness Escarpment which is a green space. We are aware that Greeninverness were investigating the possibility of an enhancement project for the escarpment.	Noted.
Policy 6 (Muirtown and South Kessock) The identified mitigation is not copied across to the Proposed Plan, and it is unclear why this is so – even the need for a masterplan for these sites could be informed by such mitigation steps in the plan. There is a particular issue with regard to the nearby European sites, which must be addressed through the Habitats Regulations Appraisal.	Noted. The detailed mitigation for this site will be brought forward through the development brief for the site and Inner Moray Firth Local Development Plan.
The community parkland option for the Former Longman Landfill allocation does not come across strongly here.	Noted.
For Muirtown and South Kessock we welcome recognition of the LNR here. In relation to Issue 1 (open space) this score could be neutral or positive (+) rather than negative if the necessary safeguards were included in the policy.	Noted.
Policies 9 (Stratton Lodge) and 12 (Stratton Farm) Reference to the Inner Moray Firth SPA should be carried across to the Proposed Plan – this needs to be addressed within the Habitats Regulations Appraisal of the Plan.	Noted. THE HRA of the plan is currently in production.
The assessment for Ashton Farm as part of this allocation should also include reference to proximity to the Inner Moray Firth SPA and Ramsar, Moray Firth SAC and Longman & Castle	Noted.
Stuart Bays SSSI and hence also be included in the HRA of the Plan. There is no reference under Ashton to green networks and this should be rectified – a need to link to the green network both within the site and	Noted. This will be brought forward through the Inner Moray Firth Local Development Plan.

linking to the wider green network around the site.	
The assessment for Land between Beechwood and Ashton Holdings as part of this allocation discounts the nearby European sites and SSSI. However this site as part of the Stratton allocation should be considered within the individual and cumulative assessment under the HRA of the Plan.	Noted. The HRA of the plan is currently in production.
The assessment for Milton of Culloden Smallholdings as part of this allocation notes proximity to European sites and protected species, but omits to note the need to comply with green network principles both within the site and linking to the wider green network. This is however included in the overall policy in the plan for Stratton.	Noted. Detail of the detailed mitigation for this site will be brought forward through the Inner Moray Firth Local Development Plan.
The assessment for Stratton Farm as part of this allocation should include reference to the nearby Inner Moray Firth SPA and Ramsar. This should be considered as part of the HRA of the plan. The mitigation is incomplete when compared to that included in Policy 12 of the plan, e.g. with reference to green networks, a Badger Protection Plan, other protected species survey and mitigation plans. There is a need to include reference to the Inner Moray Firth	Noted The HRA of the plan is under preparation. The developer requirements in the plan have been informed by the SEA and as such the additional mitigation will be set out in the final version of the ER.
SPA and Ramsar (for which an HRA is needed) and avoid reference to contributing to Inverness-Nairn Coastal Trail pending the outcome of the HRA.	Noted. Contribution to the Coastal Trail is a priority of delivering the green network therefore it is specifically mentioned. The HRA work for the Plan and the Coastal Trail are currently in production.
Policy 10 (Beechwood Campus) There is no reference in the mitigation to protected species surveys or compliance with green network principles. These should be added (although they are included in the plan policy). There is a need to include reference to the Inner Moray Firth SPA and Ramsar (which should be included in the HRA of the plan).	Noted. The developer requirements in the plan have been informed by the SEA and as such the additional mitigation will be set out in the final version of the ER.
Policy 11 (Inverness Retail and Business Park) There is no reference as such to green networks – as mentioned this is because this SEA Objective is not being picked up by this assessment – however green networks are referred to in the plan policy itself.	Noted. The developer requirements in the plan have been informed by the SEA and as such the additional mitigation will be set out in the final version of the ER.
Policy 14 (Whiteness) It is unclear how this detailed site assessment relates to the consideration and approval of the current outline approval for	Noted. The outline consent condition 1 gives detail on what will be considered at a detailed stage and therefore there is scope for the

residential development here.	mitigation identified in the site assessment to be considered and brought forward in and Matters Specified in Conditions application. The detailed mitigation will be brought forward through the Inner Moray Firth Local Development Plan.
A negative effect is identified on adjacent European and national nature conservation designations, and it is blandly stated that 'suitable mitigation measures may be required to ensure the allocation does not negatively affect these designations'. This need to be assessed further as part of the HRA for the plan.	Noted. The HRA of the plan is under preparation.
With reference to Issue 25 (landform), this could be negatively affected by this policy. Whiteness Head SSSI includes the shingle spit immediately north east of this allocation. This spit is likely to be affected if the channel into the harbour is dredged.	Noted.
Policy 13 (Tornagrain) Proximity to Loch Flemington SPA should be added – to be considered as part of the HRA of the plan. The mitigation does not refer to the area of Ancient and Long Established Woodland, nor to a design framework for landscape character, both of which are included in the plan policy.	Noted. The developer requirements in the plan have been informed by the SEA and as such the additional mitigation will be set out in the final version of the ER.
Issue 18 states that protected species may be present and also states that badgers are present. Badgers are protected species. Therefore it should read that there are protected species within the allocation area.	Noted. This error will be corrected in the final version of the ER.
Policy 20 (Croy Expansion) This has omitted reference to Kildrummie Kames SSSI and Loch Flemington SPA, with suitable developer requirements and inclusion as part of the HRA of the plan. Also there is no reference to complying with green network principles within the site and linking to the wider green network, although this is included in the plan policy.	Noted. The developer requirements in the plan have been informed by the SEA and as such the additional mitigation will be set out in the final version of the ER. The HRA of the plan is under preparation.
Policy 21 (Culloden Moor) There is no reference to complying with green network principles within the site and linking to the wider green network. However this is included in the plan policy itself. This seems particularly relevant here given the existing land cover appears to be woodland.	Noted. The developer requirements in the plan have been informed by the SEA and as such the additional mitigation will be set out in the final version of the ER.
With reference to Issue 18 it is important to note that there are protected	Noted.



species in this location, including badgers.	
Policy 22 (Ardersier Expansion) Reference to 'due consideration [being] given to the potential impact on the Moray Firth SAC' should be taken forward as part of the HRA of the plan	Noted. The HRA of the Plan is under preparation.
Policy 23 (Cawdor) There is no reference to green networks. However this is included in the plan policy itself. Reference to the need for protected species survey should be expanded to include mitigation plans if necessary. The reference to Cawdor Wood SAC and a Recreational Management Plan should be taken forward as part of the HRA of the plan.	Noted. The developer requirements in the plan have been informed by the SEA and as such the additional mitigation will be set out in the final version of the ER. The HRA of the plan is under preparation.
Policy 16 (Sandown) The developer requirements identified as mitigation in the SEA are not translated across to the policy in the plan, and we recommend this is done. This includes the need for a protected species survey and mitigation plan, and open space provision in line with supplementary guidance. The SEA refers to 'due consideration [being] given to the proximity of the Moray Firth SAC and Whiteness Head SSSI', and to this should be added the Inner Moray Firth SPA. Such consideration should be carried out now as part of the HRA of the plan, both individually and in combination. There is no reference in the SEA developer requirements to complying with green network principles within the site and linking to the wider green network. This should also be added to the developer requirements in the plan policy.	Noted. The mitigation identified in the SEA will be brought forward through the development brief for the site and the Inner Moray Firth Local Development Plan. The HRA of the plan is under preparation.
Issue 18 - there are protected species present within this site – badgers.	Noted.
Policy 17 (Delnies) The SEA refers to 'due consideration [being] given to the proximity of the Moray Firth SAC and Whiteness Head SSSI', and to this should be added the Inner Moray Firth SPA and Ramsar. Such consideration should be carried out now as part of the HRA of the plan, both individually and in combination. With reference to issue 18 we are not aware of any great crested newts within this allocation. However other protected species are present, including bats and badgers.	Noted the HRA of the plan is under preparation.
Policy 15 (Lochloy) It is unclear why developer requirements have been identified for this site in the SEA when the plan policy indicates the site already has planning permission and provides no developer requirements.	Noted. The detail and mitigation will be brought forward through the Inner Moray Firth Local Development Plan.

<p>If developer requirements can be added to the policy, then as well as those listed should be bullet points relating to protected species, green networks and proximity to international and national designated areas (Moray and Nairn Coast SPA, Moray Firth SAC and Culbin Sands, Culbin Forest and Findhorn Bay SSSI). Please refer to comments regarding HRA of the plan.</p>	
<p>Policy 24 (Nigg) Developer requirements are identified in this assessment but are not transposed into the plan policy, presumably because there is already a masterplan for this site. Perhaps it would have been more useful to assess the masterplan against these criteria and identify any further mitigation measures that should be included in the plan policy. The area of ancient/seminatural woodland and protected species hasn't been picked up (though picked up by the masterplan). The 'due consideration' to the proximity of European sites should be addressed in the HRA of the plan.</p>	<p>Noted. The HRA of the plan is under preparation.</p>
<p>Policies 26 (John O' Groats), 27 (Castletown) and 28 (Dounreay) Here again developer requirements have been identified but the policy simply refers to adoption of a masterplan. Have these factors been duly taken forward in the masterplan, or should they be added as additional developer requirements in the policy? For John O' Groats the adjacent SSSI is a fossil fish site in the hard rock of the intertidal zone, and so tourism effects on this SSSI are unlikely, although the impact on the nearby SPA should still be monitored.</p>	<p>Noted. The mitigation identified will be considerations in the masterplanning process.</p>
<p>For Castletown the allocation intrudes into the Dunnet Links SSSI at the NE corner. Recreational impacts are possible here, and we have advised in our response to the Proposed Plan that the SSSI should be omitted from the allocation.</p>	<p>Noted. This has been taken forward as an outstanding issue to examination.</p>
<p>Policy 71 (Waste management facilities) We note the developer requirements identified through this assessment have not been taken across into the plan policy, and would assume they should be.</p>	<p>Noted. The mitigation will be brought forward through the appropriate area local development plan.</p>

<p><b>Alternative sites</b>  We have not considered these in any detail at this stage, but would highlight the following sites where there are key issues needing further consideration and discussion with us should they be considered further as part of the preparation of the Inner Moray Firth LDP – Brahan Farm, Maryburgh – adjacent to the Conon Islands SAC and Lower River Conon SSSI. Please note that this site is not adjacent to the Moray Firth SAC. East of Croy – proximity to Loch Flemington SPA and Kildrummie Kames SSSI (consideration should be both individually and in combination).</p>	<p>Noted. As mentioned in the Environmental Report these will be given further consideration at the Interim Environmental Report stage of the relevant area local development plan.</p>
<p>Druim Farm, Nairn - proximity to Moray and Nairn Coast SPA, Moray Firth SAC and Culbin Sands, Culbin Forest and Findhorn Bay SSSI (consideration should be both individually and in combination).</p>	<p>Noted. As mentioned in the Environmental Report these will be given further consideration at the Interim Environmental Report stage of the relevant area local development plan.</p>
<p>Flemington – close proximity to Loch Flemington SPA and Kildrummie Kames SSSI (consideration should be both individually and in combination).</p>	<p>Noted. As mentioned in the Environmental Report these will be given further consideration at the Interim Environmental Report stage of the relevant area local development plan.</p>
<p>Balloch Farm, Inverness – individual and cumulative effects on European sites and protected species (including badgers) in terms of overall development in the A96 Corridor area and in particular the Inverness East area. There is a typo under issue 17 where SAC is used once rather than SPA.</p>	<p>Noted. As mentioned in the Environmental Report these will be given further consideration at the Interim Environmental Report stage of the relevant area local development plan.</p>
<p>Achnareidh, Nairn – cumulative effect on Inner Moray Firth SPA and Whiteness Head SSSI.</p>	<p>Noted. As mentioned in the Environmental Report these will be given further consideration at the Interim Environmental Report stage of the relevant area local development plan.</p>
<p>Fairways, Inverness – individual and cumulative effect on protected species, especially badgers.</p>	<p>Noted. As mentioned in the Environmental Report these will be given further consideration at the Interim Environmental Report stage of the relevant area local development plan.</p>