

Appendix 1 – Responses to Scoping Report and THC Response

Historic Scotland

Comment	Response
<u>Scope of assessment and level of detail</u> - Provides a clear outline of the proposed approach to the environmental assessment of the plan subject to specific comments below, content with the scope and level of detail proposed for the SEA	<i>Noted</i>
- Note that historic environment is scoped in to the environmental assessment. For info, Scottish Historic Environment Policy (SHEP) (Chapter 1) provides a useful definition of the historic environment. Its definition encompasses built heritage features and the context or setting in which they sit, and the patterns of past use, in landscapes and within the soil. I expect the environmental assessment to take cognisance of these features, both in the collection of baseline data and in considering the likely impact of the plan on the historic environment.	<i>Noted – this will be addressed in the environmental report</i>
<u>Consultation Period</u> - Content with the 10 week consultation period stated in the Scoping Report	<i>Noted – consultation period will be 12 weeks</i>

Scottish Environment Protection Agency

Comment	Response
<p>General Comments</p> <p>Generally, the scoping report provides clear and detailed information on the proposed scope and level of detail of the assessment and covers most of the aspects that we would wish to see addressed at this stage. Subject to the comments below, we are generally content with the scope and level of detail proposed for the ER.</p>	<p>Noted</p>
<p>Detailed Comments</p> <p>1. Relationship with other Plans, Policies and Strategies (PPS)</p> <ul style="list-style-type: none"> - The policy context for the IMFLDP was established through a review of relevant plans, programmes and strategies set out in detail in Appendix 1. We consider that the review is very thorough and includes the relevant plans, programmes and strategies for the SEA topics within our remit. - For national and international PPS relating to air, soil and water we direct you to the new Strategic Environmental Assessment website at www.seaguidance.org.uk/Default.aspx?pid=12. Other PPS which may be relevant are outlined below. To assist you with the process of considering the PPS, we provide a brief synopsis of the PPS aim, and where available, a link to the original document. - The third column of The Water Environment and Water Services (Scotland) Act 2003 on page 29 should also include the need to assess whether the development of a site could result in the deterioration of a waterbody or whether there is an opportunity for improvement of the ecological status of the waterbody in accordance with the North Highland area management plan. - The Flood Risk Management (Scotland) Act 2009. The Act will introduce a more sustainable and modern approach to flood risk management, suited to the needs of the 21st century and to the impact of climate change. http://www.scotland.gov.uk/Topics/Environment/Water/Flooding/FRMAct 	<p>Noted. The appropriate revisions will be made in the Environmental Report.</p>

- Scotland's River Basin Management Plan has now been published and therefore the reference on page 35 should be updated.
http://www.sepa.org.uk/water/river_basin_planning.aspx

The Highland area management plan for river basin planning has now been published so this should be included within regional PPS.
http://www.sepa.org.uk/water/river_basin_planning/area_advisory_groups/north_highland.aspx

- In addition we bring the following PPS relating to climate change, human health and material assets to your attention for consideration. Again we provide a brief synopsis of the PPS aim, and where available, a link to the original document.

Climate Change

- Planning Advice Note 84 Reducing Carbon Emissions in New Development (PAN 84) provides advice on moving towards low and zero carbon developments
(www.scotland.gov.uk/Resource/Doc/214728/0057273.pdf);

Material Assets (including waste management)

- Taking Sustainable Use of Resources Forward: A Thematic Strategy on the prevention and recycling of waste (EU, 2005), one of several sector-focused strategies produced under the Environmental Action Programme
(http://ec.europa.eu/environment/waste/pdf/sec_2005_1682_en.pdf);

- The National Waste Plan on page 33 should be replaced by the Scottish Government's Zero Waste Plan 2010. References to the National Waste Plan should therefore be removed, and this should not be assessed. The IMFLDP should therefore ensure it takes account of the issues, aims and objectives contained within the Zero Waste Plan 2010. Similarly, the Zero Waste Plan superseded all Area Waste Plans in Scotland. Therefore reference to the Highland Area Waste Plan on page 49 should be removed.
<http://www.scotland.gov.uk/Topics/Environment/waste-and-pollution/Waste-1/wastestrategy>

Human Health

- A comprehensive list of primary and some secondary legislation on human health is available

<p>from the following SNIFFER publication - www.sniffer.org.uk/project-search-results.aspx?searchterm=UKCC02</p> <p>- In relation to human health and waste the following reports: Incineration of Waste and Reported Human Health Effects (www.sepa.org.uk/about_us/news/2009/report_on_incineration_of_wast.aspx) and The Impact on Health of Emissions to Air from Municipal Waste Incinerators www.hpa.org.uk/web/HPAwebFile/HPAweb_C/1251473372218 .</p>	
<p>2. Baseline information</p> <p>Appendix 2 provides good specific baseline data for those aspects of the environment where we have an interest. To help this work progress we make a small number of suggested additions.</p> <p><i>Additional information SEPA holds</i></p> <p>- SEPA produces Waste Infrastructure Maps annually, which show all operational waste management facilities in each Local Authority area. The Highland Council map should therefore be included within the baseline data maps list set out in Appendix 2. The map can be used to update the “Existing and Proposed Waste Facilities” map included within Appendix 2, and can be found on SEPA’s website http://www.sepa.org.uk/waste/waste_infrastructure_maps/local_authority_maps.aspx</p> <p>- Baseline data relating to Soil and Waste should include the Zero Waste Plan 2010, in particular the revised Annex B (published February 2011) which provides data relating to additional waste management capacity required in the Highland Council area.</p> <p>- Reference to the National Waste Strategy should be removed as this has also been superseded by the Zero Waste Plan 2010. The recycling target should include the target for 70% recycling by 2025 as the 2010 target should now have been achieved. Key information relating to recycling rates achieved can be found on SEPA’s website http://www.sepa.org.uk/waste/waste_data/waste_data_reports/landfill_allowance_scheme.aspx</p>	<p>Noted. This additional information will be utilised in carrying of the SEA of the Inner Moray Firth Local Development Plan</p>

- The baseline data section on water in Appendix 2 should be updated to reflect the monitoring and classification system for water bodies that was introduced by the Water Framework Directive which is based on the ecological status rather than just water quality. The ecological status of a water body takes account of biological, physico-chemical, hydrological and morphological properties. For further details on the new classification system please refer to our website (www.sepa.org.uk/water/monitoring_and_classification.aspx). This water section should also include all water dependant protected areas e.g. some Special Areas of Conservation, and whether they currently meet WFD standards. You should also take into account the River Basin Management Planning process in the preparation of the Plan. The River Basin Management Plan for the Scotland River Basin District and the draft Area Management Plans describe environmental objectives for each water body to protect and improve the water environment and a Programme of Measures to progress towards achieving these environmental objectives. The draft plans can be viewed on our website at: www.sepa.org.uk/water/river_basin_planning/early_basin_planning_work.aspx.
- In relation to flood risk then we would expect the plan preparation process to be informed and supported by a strategic overview of flood risk management issues, usually in the form of a Strategic Flood Risk Assessment (SFRA). Section 3 of SEPA's Technical Flood Risk Guidance for Stakeholders (available from www.sepa.org.uk/pdf/flooding/planning_flooding.pdf) provides guidance on how to do this with section 3.2 providing a range of relevant information sources for investigation including the Indicative River and Coastal Flood Map (Scotland) which is produced by us and which the Council has a licence to use electronically. The Flood Map provides an indication of the 1 in 200-year (0.5% annual probability) return period flood extent for both fluvial and coastal flooding and provides a useful overview of flood risk for the area. This information should be supported and complemented by other easily derived or readily available information in relation to flood risk from the Council, for example information on historical flood events or the impact of flood alleviation schemes.
- Information on shellfish waters is available from www.sepa.org.uk/water/protected_areas/shellfish_waters.aspx. We are aware that there are no designated shellfish areas within the Inner Moray Firth area however there have been proposals for new shellfish farms in the Cromarty Firth. The SEA could usefully inform that LDP policy on this matter. Up-to-date information on bathing beaches is available from <http://apps.sepa.org.uk/bathingwaters/result.asp?id=233616>.
- In addition to the peatlands data the Soil Survey of Scotland 1:250 000 maps provide

<p>information on soils for other parts of the Plan area. This and other information on Scottish soils is available from www.Macaulay.ac.uk.</p> <ul style="list-style-type: none"> - We welcome your map which indicates SEPA's waste water drainage consultation areas. The term "waste water drainage consultation areas" should replace the term "waste water drainage hotspot" as this is their formal accurate name. - Other local information may also be available from our Access to Information unit at Corporate Office (telephone: 01786 457700). - In addition to this there are other sources of information which may be useful and to try and help this work progress generally, we make the following suggestions. - The new website www.seaguidance.org.uk provides excellent baseline information on air, soil and water. - In relation to climatic factors you may find that the SNIFFER publication "A handbook of climate trends across Scotland" can provide useful information (www.sniffer.org.uk). - The Scottish Climate Change Impacts Partnership (SCCIP) website (www.sccip.org.uk) also offers free access to data on climate trends and their impacts on Scotland which might be helpful. - When considering the effects of climate change on flood risk the most recent climate change information for the UK as a whole is the United Kingdom Climate Change Impact 2009 (UKCIP09) study. This study produced four scenarios (ranging from 'Low Emissions' to 'High Emissions') of climate change, based upon different projected inputs of greenhouse gasses to the atmosphere over the course of the 21st Century. Further information can be found at www.ukcip.org.uk/. - Where information on a plan level is not available our State of the Environment Report for Scotland could provide national information (www.sepa.org.uk/changetomorrowtoday/report/index.html). 	
<p><i>Environmental problems</i></p> <ul style="list-style-type: none"> - We consider that the environmental problems described generally highlight the main issues of 	<p>Noted. The table will be updated accordingly for the Environmental Report.</p>

<p>relevance for the SEA topics within our remit.</p> <ul style="list-style-type: none"> - We recommend that waste is included within SEA Issue Population in Table 1 as a “potential impact”. This is because any increase in population will have a knock-on effect in terms of waste production, and associated environmental effects resulting from the recycling, treatment and disposal of that waste. - We note that whilst waste is included in Appendix 2 under “Soil & Waste”, and key waste information is referred to in the “Soil” section of Table 1, the section does not explicitly refer to “waste”. Perhaps “Generation of waste soils” could be added to the list of potential environmental impacts. - For your information within the water section, flood risk resulting from watercourses is usually referred to as fluvial flood risk. 	
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<p>3.Alternatives</p> <ul style="list-style-type: none"> - We are satisfied with the alternatives outlined. These should be assessed as part of the SEA process and the findings of the assessment should inform the choice of the preferred option. This should be documented in the ER. 	<p>Noted.</p>
<p>4. Scoping in/out of SEA Objectives</p> <ul style="list-style-type: none"> - We agree that in this instance all environmental receptors should be scoped into the assessment. 	<p>Noted.</p>
<p>5. Methodology for assessing environmental effects - policies</p> <ul style="list-style-type: none"> - We are satisfied with the SEA objectives identified and welcome the inclusion of the questions to be considered when answering the SEA objectives. - We note that the SEA process will include the assessment of each spatial strategy and vision alternative and we are content with this. Please note that the environmental assessment should be carried out on all aspects of the Plan that are likely to result in significant environmental effects. This may include the plans themes, objectives, policies and proposals/actions as well as alternatives. - We welcome the proposal to provide justification for the reasons for each of the assessments presented and detail any assumptions you have made. It would also be helpful to set out any difficulties and limitations encountered during the assessment. - Generally when carrying out the assessment please refer to sections 6.3.7 to 6.3.3.12 of the Scottish Government SEA Toolkit which outlines the proposed coverage of the issues expected. - We would encourage you to use the assessment as a way to improve the environmental performance of individual aspects of the final option. Proposals for enhancement would also be supported. 	<p>Noted. This advice has been taken on board.</p>

<p>6. Assessment of land allocations</p> <p>We are pleased to note the proposal to assess all allocations individually and welcome the proposed opportunity for developers to engage in the SEA process. We previously provided advice on this assessment process and welcome the amendments you have adopted. There are a number of issues we still consider need addressed. These are identified below.</p> <p>We are still concerned that a developer may struggle to assess the significance of affect. We recommend that this is carried out by the planning authority and instead give the developer an opportunity to set out any constraints that they can identify along with an opportunity to justify their answers and provide ideas for mitigation. This will enable you to demonstrate how the SEA process has informed the chosen Plan allocations and give a real opportunity for mitigation to be identified up front.</p> <p>We welcome the amendments to question 21 on drainage. We recommend that the interpretation question be amended to <i>“Will there be any change in rate, quantity, quality of surface water run-off and groundwater on or off site? If so, will these affect priority habitats, especially blanket bog?”</i> In addition a link should be provided to information detailing what priority habitats are and how developers can identify them.</p> <p>We welcome the amendments to question 22 on the water environment. We recommend that the following additional question is added to the interpretation questions. <i>“Is there an opportunity to leave the water environment in its natural state or to restore it to its natural state?”</i></p> <p>We recommend that the interpretation questions for question 23 on waste includes the question <i>“Is there adequate space for kerbside collection or recycling facilities?”</i></p>	<p>Noted. Many of these comments have been taken on board to enhance the assessment of the Environmental Report.</p>
<p>Mitigation</p> <p>We welcome the acknowledgement that changes to the draft Plan itself is the clearest form of mitigation. We would like the ER to make it clear how carrying out SEA informed the Plan which is being consulted upon at the same time.</p>	<p>Noted. The mitigation will be summarised in the Environmental Report and additional columns will be included in the assessment matrices to ensure mitigation is recorded.</p>

Where the mitigation proposed does not relate to modifications to the Plan itself then it should be clear how the mitigation will be achieved and by whom. These should follow the mitigation hierarchy (avoid, reduce, remedy or compensate). It would be extremely helpful to set out all mitigation measures in a way that clearly identified: (1) the measures required, (2) when they would be required and (3) who will be required to implement them. A summary table could be included as part of the preparation of the ER. We provide an example below which may be helpful:

Issue / Impact Identified in Environmental Report	Mitigation Measure	Lead Authority	Proposed Timescale
Insert effect recorded in Environmental Report	Insert mitigation measure to address effect	Insert as appropriate	Insert as appropriate
etc	etc	etc	etc

This table is cited as an example, but demonstrates how measures could be clearly identified, allocated to lead authorities and then, through the monitoring process, tracked regarding progress.

Alternatively you could expand the table of page 95 of the scoping report to include the mitigation measure, lead authority and proposed timescale. As above we also suggest the allocation assessment matrix includes space for mitigation measures to be documented.

7. Monitoring

Although not specifically required at this stage, monitoring is a requirement of the Act and early consideration should be given to a monitoring approach particularly in the choice of indicators. It would be helpful if the ER included a description of the measures envisaged to monitor the significant environmental effects of the plan and how you propose to tie this in with the existing monitoring for the Highland Wide Local

Noted.

Development Plan.	
<p>8. Next steps</p> <p>We are satisfied with the proposal for a 10 week consultation period for the ER, but note that the MIR will be consulted upon for a longer period. We suggest you consult on them both for the same period.</p>	<p>Noted. The consultation period will be 12 weeks for both the SEA and the Main Issues Report.</p>
<p>We welcome proposals for the inclusion of a summary of how the comments provided by the Consultation Authorities have been taken into account in the preparation of the ER.</p>	<p>Noted.</p>

Scottish Natural Heritage

Response	Comment
<p>Scope of assessment and level of detail</p> <p>Subject to the specific comments set out below and in annex we are content with the scope and level of detail proposed for the Environmental Report.</p>	Noted
<p>The proposed SEA for Inner Moray Firth LDP is clearly building upon the Council's experience with the SEA for the Highland-wide LDP, and once again we commend this thorough approach. However we are concerned about the potentially large amount of assessment data that may be included in the Environmental Report, given the large number of sites (preferred and alternative) that will have to be covered, and given that two sets of matrices are proposed (Appendices 3 and 4 in the scoping report). The assessment matrix for the vision, spatial strategy and any additional policies to those in the HwLDP (Appendix 3) comprises 61 questions over 18 objectives, while the assessment matrix for sites (Appendix 4) comprises 45 questions over 36 issues. We assume only one of the matrices (rather than both) will be used for the site assessment reporting in the ER, and would strongly advocate this. In addition we would strongly seek to rationalise the number of questions by avoiding any duplication. We have identified some duplicated questions in the annex. Working with two sets of matrices would be simplified if both followed the same main structure of the 18 SEA objectives, the same order. The sub-questions may have to differ slightly between the matrices if one for site assessment is to be completed by landowners, but we believe they should be as similar as possible for clarity.</p>	Noted we have taken this on board and we have streamlined some elements of the environmental report. We would be keen to work with you and the other consultation authorities to streamline the SEA process in line with Scottish Government aspirations to ensure that SEA is proportionate to the scale of plan produced.
<p>There is no information provided on how the Council will decide from the site assessment data which are to be the preferred sites in the Main Issues Report. It is likely that for any particular site, there will be a range of positive and negative scores across the large number of factors. If the Council employs some overall scoring process per site, it is important that this methodology should be explained in the ER. The weighting to be used in the scoring system will be very important and we would appreciate an opportunity to comment on proposed weighting scores in advance. For example, we believe more weight should be attached to effects of proposed allocations on nationally or internationally designated sites.</p>	Noted. In producing the Main Issues Report there have been several factors influencing the decision making process, therefore the council is not employing an overall scoring system as this would not be able to consider other factors in the decision making process.
<p>If the site assessment matrix (Appendix 4) is used in the ER to report on preferred and alternative site allocations, the matrix as set out in Appendix 4 doesn't include a section for justification, assumptions and mitigation. It is important that this should be added for the purposes of the ER, especially the mitigation, which should be able to read across the Plan itself.</p>	This has been included.

<p><u>Consultation period for Environmental Report</u></p> <p>We note that Main Issues Report will be consulted for 15 weeks but the ER will be consulted for 10 weeks. It would be much preferable if the MIR and the ER were published at the same time, especially since the MIR will include alternatives and these will be assessed in the ER. Our strong preference therefore would be for the consultation on the ER to be over the whole of the parallel 15 week period proposed for the MIR.</p> <p>A consultation timescale is not given for the Revised ER accompanying the Proposed Plan, and similarly we consider a parallel process should occur. Although 6 weeks is indicated for the Proposed Plan, our preference would be for a minimum of 8 weeks for the Proposed Plan and the Revised ER, given the large area of the Plan, pressure for development and number of settlements included.</p>	<p>They will be published at the same time and this will be a 12 week period.</p> <p>The proposed plan timetable has not yet been set. We will take your comments on board in bringing forward this timetable.</p>
<p><u>Detailed Comments</u></p> <ul style="list-style-type: none"> • p.6 – Area covered by PPS: The 17 SPAs should be noted alongside the 6 Ramsar sites and 24 SACs There would appear to be 3 rather than 4 NSAs wholly or partly in the LDP area (Kintail NSA would appear to be just outside) Peatland – carbon rich soils should be noted, including deep peat Lochs – Loch Ness and the Great Glen are particular features of this LDP area Special Landscape Areas (SLA) and the Local Nature Reserve (LNR) should be noted – Appendix 2 should include a map of the SLA's and the LNR in this LDP area • Page 8: Table 1 Biodiversity, flora and fauna Impacts – Add fragmentation of the green network Add loss of habitats and roosts for protected species Add spread of invasive non native species 'Loss of landscape character' should be moved to 'Landscape' Implications – Recommend amend text to 'the local development plan will identify areas of native woodland and other components of the green network and ensure that the impact on these areas...' 	<p>The comments made have been taken into consideration in bringing forward the Environmental Report.</p>

<ul style="list-style-type: none"> • Page 8, Table 1: Population Add wastewater treatment as a potential impact • Page 9, Table 1: Human health Another implication is the need for adequate open space provision and linkage into path networks (we welcome reference to green networks here) • Page 9, Table 1: Soil The impact of loss of good quality soils through development should be added. This leads on to the implication of development brownfield land as a preference • Page 9, Table 1: Climatic Factors A key problem for this area is the impact of sea level rising – allocations should avoid sites at risk from sea level rising or which might prejudice coastline management measures to respond to sea level rising. SNH is currently producing a note on sea level change: past, present and future which will shortly be posted on our website . If you wish a draft copy in advance for the purposes of this SEA, please let us know. Movement of species in the face of climate change is another issues to add here, which can be linked as elsewhere to inclusion in the LDP to green networks • Page 10, Table 1: Landscape Impacts – 1. As noted above, ‘loss of landscape character’ should be included here rather under Biodiversity. 2. ‘The challenge of managing access to the natural environment’ should be moved here to ‘Material Assets’ and linked to protection of paths and safeguarding of access rights 3. ‘Wind farm developments affecting scenery and wildlife’ should also note impact on landscape character and cumulative effects. ‘Scenery and wildlife’ should be replaced by ‘landscape’ 4. ‘Development of new housing and infrastructure’ – reference should be added to poor siting and design eroding the quality of both townscapes and landscapes. The LDP should encourage good siting and design, backed up by the Council’s Siting and Design Supplementary Guidance 5. Reference should be added to attrition of wild land and wildness qualities 	
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<p>Implications –</p> <p>We suggest text along the lines of the following –</p> <p>‘ The local development plan should encourage responsible development of all landscapes (as per the European Landscape Convention). Development should be sited and designed to fit with the landscape character, whilst local distinctiveness and identity are retained and/or enhanced as detailed within the relevant Landscape Character Assessments. In crofting areas, developments should respect the character of the crofting settlements, particularly with regard to siting, scale and design’</p> <ul style="list-style-type: none"> • Page 15, Table 4 <p>One of the column headings should be changed from Highland wide LDP to Inner Moray Firth LDP. We note the Main Issues Report will be consulted for 15 weeks but the ER will be consulted on for 10 weeks. It would be much more preferable if the MIR and the ER were published at the same time, especially since the MIR will include alternatives and these will be assessed in the ER. Our strong preference therefore would be for the consultation on the ER to be over the whole of the parallel 15 week period proposed for the MIR.</p> <p>A consultation timescale is not given for the Revised ER accompanying the Proposed Plan, and similarly we consider a parallel process should occur. Although 6 weeks is indicated for the Proposed Plan, our preference would be for a minimum of 8 weeks for the Proposed Plan and the Revised ER, given the large area of the Plan, pressure for development and number settlements included.</p>	
<ul style="list-style-type: none"> • p.16-59 Appendix 1 <p>Various entries to other relevant PPS need updating, especially if this to be referred to by other parties completing a site matrix, e.g. –</p> <p>p.18 Energy Services Directive p.23 UK Biodiversity Action Plan 1995 and 1999 p.32 Climate Change (Scotland) Act 2009 p.35 Draft Scotland River Basin Management Plan</p> <ul style="list-style-type: none"> • p.21 Appendix 1 International <p>The entry for the EC Habitats Directive should also refer to the European Protected Species identified in Annex IV and the need for the IMFLDP also to take the presence of EPS into account when allocating sites for development</p>	<p>Noted, the Environmental Report production has taken these comments on board and made the relevant modifications.</p>

- **p.21-23**

We suggest adding the Disability Discrimination Acts 1995 and 2005

- **p.22 Appendix 1**

Under the Wildlife and Countryside Act 1981 should be reference to considering whether any protected species are likely to be present on sites allocated for development, and making any suitable amendments/ safeguards as necessary

- **p.23-38 Appendix 1 Scotland National**

We suggest adding the Cycling Action Plan for Scotland 2010 – <http://www.scotland.gov.uk/Resource/Doc/316212/0100657.pdf>

- **p.23-38 Appendix 1 Scotland**

The Scottish Soil Framework (2009) should be added – <http://www.scotland.gov.uk/Publications/2009/05/20145602/0>

- **p.26 Appendix 1**

For the entry for the Habitats Regulations, the implications for the IMFLDP relate to the protection of European sites and European Protected Species

- **p.27 Appendix 1**

The entries for 'Let's Make Scotland More Active' need correcting

- **p.29 Appendix 1**

Reference to the Flood Prevention and Land Drainage (Scotland) Act 1997 should be followed by reference to the Flood Risk Prevention (Scotland) Act 2009

- **p.32 Appendix 1**

'Scotland's Scenic Heritage' – reference can be added here to the Special Qualities Reports for the NSAs wholly or partly in the IMFLDP area – see – <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/national-designations/nsa/special-qualities/>

- **p.35 Appendix 1**

<p>Reference to the Draft Scotland RBMP should now be replaced by reference to the adopted Scotland RBMP (2009) – see – http://www.sepa.org.uk/water/river_basin_planning.aspx</p> <ul style="list-style-type: none"> • p.37 Appendix 1 Re the Countryside (Scotland) Act 1967 reference should be added to s.66 which places a duty to conserve the natural heritage • p.41 Appendix 1 Scottish National Planning Policy Tier To the list of Circulars should now be added Circular 1/2011 Tree Preservation Orders. Also Circulars 9/1987 and 20/1980 with regard to National Scenic Areas are still in force and should be added to the list • p.54 Appendix 1 Regional Others in SNH's Natural Futures Series that should be included and considered, especially with regard to the vision of the IMFLDP, as well as the Central Highlands, are the Northern Highlands and the Moray Firth NHFs – see – http://www.snh.gov.uk/about-snh/what-we-do/nhf/nhf-by-la-document/?categor_code=NHF&topic_id=1429 	
<ul style="list-style-type: none"> • p.60 Appendix 2 Under 'Footpath network', this has not been updated to include the information re proportion of population who live within 200m of a footpath – based on the Core Path Plans the subject of Inquiry It would be useful if baseline data on open space was added here e.g. proportion of population who live within 200m of open space – based on the Council's Open Space Audit • p.61 Appendix 2 Under Climatic Factors, UKCIP08 can be updated to UKCP09 – see – http://ukclimateprojections.defra.gov.uk The Scottish Climate Change Bill is not the Climate Change (Scotland) Act 2009, although it is not clear why this entry here is relevant to baseline data • p.63 Appendix 2 Rather than a section headed 'Soil and Waste', it would be preferable if Waste was considered under 'Material Assets'. 	<p>Noted, the Environmental Report production has taken these comments on board and made the relevant modifications.</p>

'Soil' should include some environmental baseline data with regard to the area of brownfield land in the Inner Moray Firth area, to be able to monitor the safeguarding of soil through the development of brownfield rather than greenfield land (e.g. Vacant and Derelict Land Survey)

No soils data is listed – one source may be the Soil Indicators for Scottish Soils (SIFSS) facility held by MLURI – <http://sifss.macaulay.ac.uk>

There should be consideration added of carbon-rich soils – see <http://www.scotland.gov.uk/Topics/Environment/waste-and-pollution/Pollution1/soil/soilpolicy/carbon-rich>

- **p.63 Appendix 2**

The reference to National Scenic Areas under 'Cultural Heritage' should be moved to 'Landscape'. Their special qualities forms a critical baseline – see – <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/national-designations/nsa/special-qualities/>

- **p.64 Appendix 2**

The entries under 'Landscape' appear to be in the wrong place –

Open Space should go under Material Assets

Peatlands should go under either Soil or Biodiversity

Forest and Woodland should go under Biodiversity

Agricultural Land could go under Soil as a measure of soil quality or land capability

Coastal issues may have to be divided up across say Material Assets (re ports and harbours), Climate Factors (re sea level rising and coastal erosion) and Landscape (re classification between development, undeveloped and isolated coast)

As noted above, NSA's should be included here. Also Special Landscape Areas should be added, again with reference to the Special Qualities/Citations work for the SLAs in the Inner Moray Firth

Areas with qualities of wildness should be added here, and you will be aware of current mapping to assist with this

A number of Landscape Character Assessments are listed here that are not relevant to this LDP

<p>The visual extent of wind farms would be a useful baseline indicator to add, e.g. see SNH's visual indicator of built development and land use change – http://www.snh.gov.uk/publications-data-and-research/trends/scotlands-indicators/natural-heritage-indicators/</p>	
<p>• p.65 Appendix 2 Biodiversity, Flora and Fauna</p> <p>Here should be added the baseline data for the green network of the Inner Moray Firth, which is partly available through the A96 Corridor work, but which can be continued to cover the remainder of the key development zone of the LDP area (Inverness – Beaulieu – Easter Ross – Tain). We would be happy to continue discussions about mapping work to identify the green network in the arc from Inverness to Tain</p> <p>This will include spatial data on the Phase 1 Habitat Survey and on the Ancient Woodland Inventory</p> <p>Any sites of Local Nature Conservation Importance from the existing Local Plans could be considered as baseline data to inform the possible identification in the LDP of Local Nature Conservation Sites</p> <p>Species distribution should be considered more thoroughly in the baseline data. The key source of information is the National Biodiversity Network (NBN) – http://data.nbn.org.uk/</p> <p>Also SNHi – http://www.snh.gov.uk/publications-data-and-research/environmental-data/map</p> <p>However absence of a record does not indicate non-presence of a species</p> <p>Baseline data on designated sites can be obtained via SiteLink on our website – this includes information on site condition and on casework – see – http://gateway.snh.gov.uk/portal/page?_pageid=53,910284,53_920284&_dad=portal&_schema=PORTAL</p> <p>p.66-91 Appendix 2 Baseline Maps</p> <p>Other baseline maps that should if possible be included are –</p> <ul style="list-style-type: none"> • Special Landscape Areas • Wild Land/Areas of Wilderness (refer to current work being progressed) • Green Network • Local Nature Reserve • Woodland on the Ancient Woodland Inventory • Tree Preservations Orders 	<p>Noted, the Environmental Report production has taken these comments on board and made the relevant modifications.</p>

<ul style="list-style-type: none"> • Coastal classification • GCR/ Local Geodiversity Sites <p>The coastline SSSI, SPA and Ramsar designations (e.g. Tarbat Ness and Rosemarkie to Shandwick Coast) are not discernable on the maps</p>	
<p><u>Appendix 3 SEA Objectives and key considerations</u></p> <p>General points –</p> <p>1. There are a large number of questions (61 in all) with up to 7 questions per SEA objective. It would be helpful if any possible rationalisation could be achieved to reduce this overall number, especially by avoiding duplication. For example there are two questions on protected species under objective 1, which could be amalgamated ('Will it have a detrimental effect on protected species?' and 'Will it ensure the importance of the protected species of the area is made a priority?'). Some of the questions on green networks under Objective 2 are very similar (e.g. 'Will it prevent the fragmentation of green habitat networks?' and 'Will existing areas of importance for the movement of wildlife and the enjoyment of people be maintained?'). There are two similar questions under Objective 3 re enjoyment ('Will it enhance responsible access to natural areas?' and 'Will it enhance or provide access to areas of high biodiversity value?'). There are identical questions under Objectives 10 and 12 ('Will it enhance natural drainage')</p> <p>2. It will help if answers to the key considerations are always 'yes' for a positive effect and 'no' for a negative effect. Thus instead of 'Will it have a detrimental effect on protected species' this should be 'Will any adverse effect on protected species be avoided?' (see above re selecting one question for protected species)</p> <p>Under 1 (Biodiversity), we would suggest adding – 'Will it avoid the introduction or spread of non-native species?'</p> <p>Under 3 (Enjoyment), the key consideration should be amended to 'Will it provide or enhance responsible access to areas of high biodiversity value?' – though see above re selecting one question for appreciation of the natural environment</p> <p>Under 7 (Soil), suggest change 'Will it reduce the removal of good quality soil from sites?' to 'Will it prevent the sealing of good quality soil on sites?'. This could be amalgamated with 'Will it protect soil</p>	<p>Noted. As state above we would be keen to work with you and other consultation authorities to streamline the process further. At this stage we have taken on board many of the suggestions made.</p>

<p>functions'. There is a similar question under SEA Objective 10 re water, which would appear better placed under Soil and amalgamated here.</p> <p>Under 12 (Climate Change), we suggest the fourth question is amended to 'Will it reduce the risk of impact from coastal inundation through sea level rising?'</p> <p>Under 13 (Renewable Energy), we suggest the question 'Will it consider the cumulative landscape impact of proposals?' is better moved to Objective 17 re landscape character and expressed along the lines of 'Will adverse cumulative effect on existing landscape character be avoided?'</p> <p>Under 17 (Landscape), re the third question ('Will the key characteristics and special qualities of the landscape and scenic value be maintained, enhanced or lost?') – given that the special qualities of designated areas is covered under Objective 16, and that other questions under Objective 17 deal with landscape character and visual impact, this question could be simplified to 'Will scenic value be maintained or enhanced?'</p>	
<p>p.95 Appendix 3 Matrix It is important that mitigation where identified is either clearly included in the 'Justification and Assumptions' column, or set out separately in another part of the Environmental Report. This will allow the mitigation identified to be followed across to the LDP</p>	<p>This has been included in the Main Issues Report.</p>
<p>p.96-99 Appendix 4 Site Assessment Matrix It would be helpful if these questions could be ordered the same as for the SEA Objectives that will be used elsewhere in the plan, i.e. –</p> <p>Objective 1 = Q17, 18 Objective 2 = Q30 Objective 3 = Q31 Objective 4 = Q4, 5, 6, 7 Objective 5 = Q1 Objective 6 = Q32 Objective 7 = Q8, 33, 34, 35, 36 Objective 8 = Q23 Objective 9 = Q21, 22, 24 Objective 10 = ? (no question seems to reflect this SEA Objective)</p>	<p>Noted. This modification has been made.</p>

<p>Objective 11 = Q28 Objective 12 = Q20, 26 Objective 13 = Q19, 27 Objective 14 = Q2, 3 Objective 15 = Q12, 13, 14, 15, 16 Objective 16 = Q10 Objective 17 = Q25 Objective 18 = Q11</p> <p>It is highly desirable that all the preferred and alternative allocations in the LDP are not covered in the ER by matrices both under Appendix 3 and Appendix 4. This would make for a very lengthy and repetitive document. We assume the Council will include site assessment matrices in the ER based either on Appendix 3 or Appendix 4, but not both. If Appendix 4 is to be used as the means of assessment in the ER, it will be important that any gaps that exist compared to Appendix 3 are filled. Such gaps include –</p> <p>Q1 (Objective 5) – add ‘Will the site allow for open space to become more accessible to all?’ Q10 (Objective 16) – amend 1st sentence of interpretation to ‘Does the site fit with the guidance within the relevant Landscape Character Assessment?’ Q18 (Objective 1) – add ‘Will the site avoid the introduction or spread of non-native species’ Qs 20 or 26 (Objective 12) – add ‘Will natural drainage or SUDS be utilised?’ and ‘Can the site be developed while safeguarding other sites from flooding?’ Q25 (Objective 17) – add ‘Will the site avoid being visually intrusive or impacting on scenic views?’</p> <p>If Appendix 4 is to be used in the ER, a column should be added as for Appendix 3 to include justifications, assumptions and mitigation. Some of the questions in Appendix 4 are more to do with compliance with Council policy or good practice than assessing the environmental merits of a proposed site in terms of its natural attributes. Therefore although we can see why they would be useful to consider as part of a site search process, they may not be necessary to include in the ER. Examples are –</p> <p>Q3 – financial contributions Q4 – off-site road improvement works Q5 – provision of road safety measures Q9 – site in relation to Settlement Development Area boundaries Q29 – street lighting</p>	
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