

## APPENDIX 2: Draft Environmental Report October 2007: Consultation Authorities' Comments & Council's Responses

Responses from the Consultation Authorities were received and are outlined in the table below along with the Council's response to how the points have been addressed in the work to produce a Revised Environmental Report with the Deposit Draft Plan November 2008.

Overview of Key Points on the Draft Environmental Report	How Points Have Been Addressed in Environmental Report
<b>Historic Scotland</b>	
<p><u>Non technical Summary</u> The non technical summary would be more helpful if it provided an overview of the SEA process and the results of the assessment.</p>	Noted. The non technical summary has been revised.
<p>Scope of SEA is not limited to flora and fauna. The relevant environmental parameters are identified in Schedule 2 to the Regulations.</p>	Para 1.1 Change last sentence in paragraph to read: This procedure looks at the natural, built and cultural heritage of an area and assesses whether or not these will be negatively or positively affected by development plan proposals.
<p><u>Purpose of SEA and Local Plan Context</u> More explanation of the Local Plan context and its relationship with the Structure Plan and national planning policy would have been helpful, particularly in explaining the structure and content of the Local Plan policy framework.</p>	Para 4.3 Addition to paragraph after first sentence: This Highland-wide document, approved by Scottish Ministers, provides the regional policy framework for local plan objectives and policy content.
<p>Local Plan does not contain the detailed policies and information identified as arising from the requirements of NPPG 18.</p>	This has been superseded by SPP23 which has been taken account of when preparing the Local Plan.
<p>SPP 23 has not yet been published.</p>	Published October 2008 – text amended.
<p><u>Methodology</u> Table 5.1 provides no explanation to accompany the scoring so it is difficult to understand how conclusions have been reached. For example Objective P could result in an adverse effect on the historic environment, if development were taken forward on an inappropriate site. However, assuming that development is undertaken in line with the requirements of Policy 4, significant effects on features of national importance could be avoided. The assumptions made in undertaking the environmental assessment should have been described in the Environmental Report.</p>	See changes made to revised Environmental Report. Additional commentary has been provided for the tables and scores have been amended.

Overview of Key Points on the Draft Environmental Report	How Points Have Been Addressed in Environmental Report
<p><u>Predicted Environmental Baseline and Issues</u> Table 6.1 summarises the historic environment baseline. It does not reflect the information provided at scoping stage which included 294 SAMS and 4 Gardens and Designed Landscapes. The Scoping Report also gave the total number of Listed Buildings along with a breakdown by category.</p>	<p>Table 6.1 add 4 Gardens and Designed Landscapes. Change listed buildings to 322 (A 19, B 187, C116).</p>
<p>Table 6.3 Potentially negative impacts can apply to the historic environment as well as to habitats and species.</p>	<p>Table 6.3 change second potential environmental problem to: Negative impact of development on natural, built and cultural heritage features. Change second Implications for Local Plan to: The Local Plan will seek to maintain a high quality natural heritage and taking account of built/cultural heritage sites. Change fourth potential environmental problem to: Negative impact of access on habitat, species and the historic environment.</p>
<p><u>Local Plan Strategic Alternatives</u> Would have expected alternative land allocations, where considered in the course of the plan preparation to have been assessed.</p>	<p>Confirm addition of site matrices within and rejected from previous Plan drafts.</p>
<p>The SEA Objectives used in the assessment are those prepared for the Wester Ross Local Plan SEA. However, in the light of experience gained since 2004, I would recommend reducing the number of SEA objectives and focusing them on environmental issues.</p>	<p>For consistency we can not change the number of SEA objectives in the middle of a process. However this comment will be taken on board for future Local Plans.</p>
<p><u>The Plan's General Policies and their compatibility with the SEA Objectives</u> Section 8.3 would benefit from a commentary to assist in making the results of the assessment accessible to the reader.</p>	<p>A fuller summary of scoring and mitigation assumptions has been provided to make the matrices more meaningful.</p>

Overview of Key Points on the Draft Environmental Report	How Points Have Been Addressed in Environmental Report
<p>There appears to be inconsistency in the way the assessment is scored. Some policies have been scored as positive while others have been scored as neutral. The following detailed comments are offered:</p> <ul style="list-style-type: none"> <li>• Policy 1 is considered to have a neutral effect on the historic environment (assumed that this is because the effects of development proposals on cultural heritage features are explicitly identified as part of decision making);</li> <li>• Policy 2 is identified as having positive effects on the historic environment, presumably because these features can be identified in the Development Factors and Developer Requirements and therefore taken into account in proposal development. However this is inconsistent with the assessment of Policy 1.</li> <li>• It is not clear why Policy 3 is considered to have negative effects on wildlife but no effects on the historic environment or landscape, particularly in light of the identified mitigation. Land take is a potential source of impact for all three topic areas.</li> <li>• Policy 4 is considered to have a strongly positive effect on the historic environment but no definition of “unreasonable” impact is provided, so impacts on locally and/or regionally important features could occur as a result of this policy.</li> <li>• Policy 5: same comments as Policy 2.</li> <li>• Policy 6 scores positively against the historic environment, but Policy G2 in the Structure Plan only mentions archaeology.</li> <li>• Policy 16 has potential for positive impacts through appropriate conversion or re-use of traditional buildings; this policy also specifies a requirement to avoid conflict with cultural heritage interests.</li> <li>• Policy 17 has the potential for negative impact if such development is taken forward in the wrong location, but this is offset by Policy 4.</li> </ul> <p>In addition there is no mention of the importance of Policy 4 as a balancing policy, yet this is a mitigation measure.</p>	<p>The comments on the General Policies and their compatibility with the SEA Objectives have been taken on board and changes made.</p> <p>Historic Environment score should be O not +ve</p> <p>Wildlife now O.</p>

Overview of Key Points on the Draft Environmental Report	How Points Have Been Addressed in Environmental Report
<p><u>Assessment of Plan Allocations</u></p> <p>The checklist is clearly set out, but suffers from a lack of explanation as to how the conclusions have been reached. Comments on the assessment of site allocations are set out below:</p> <ul style="list-style-type: none"> <li>• Golspie MU4: There is a SAM (Index No. 1814) to the north-east of this land allocation which comprises of a chambered cairn. There is potential for the design of the development to have an adverse effect on the setting of this nationally important site and this should have been identified in the assessment. Mitigation could comprise inclusion of text in the Developer Requirements for this site so that such effects can be avoided.</li> <li>• Helmsdale MU1: There is a Category A listed bridge (Helmsdale Bridge) to the north-west of this land allocation. There is potential for the scale and density of this development to affect the setting of the bridge and this should have been identified in the assessment. Mitigation could comprise inclusion of text in the Developer Requirements for this site so that such effects can be avoided.</li> <li>• Edderton H1: There are two SAMs to the north-east of this land allocation. The first, Clach Chairidh or Clach Biorach (Index No. 1673) comprises a symbol stone. The second, Carriblair 9 (Index No. 2971) is a stone circle and cist (shown as a cairn on Inset 6.1). There is potential for the design of the development to have an adverse effect on the setting of these nationally important sites and this should have been identified in the assessment. Mitigation in the form of text in the Developer Requirements has already been provided; however, in Historic Scotland's response to the plan, suggestions have been made for the strengthening of this text.</li> <li>• Tongue MU2: The Tongue House Designed Landscape sits to the north of this land allocation. There is potential for the design of the development to have an adverse effect on the setting of this nationally important site, and this should have been identified in the assessment. Mitigation in the form of text in the Development Factors has already been provided; however, in Historic Scotland's response to the plan, suggestions have been made for the inclusion of text in the Developer Requirements as well to strengthen this.</li> </ul>	<p>Golspie MU4: The developer requirements for this site have been amended to take into account the presence of the nearby SAM and requirement to consider this in proposals.</p> <p>Helmsdale MU1: The developer requirements for this allocation to take into account the proximity of the A listed Helmsdale Bridge when developing proposals.</p> <p>Edderton H1: As indicated the developer requirements indicate the need to address the setting of the SAMs. Policy 4 Natural, Built and Cultural Heritage indicates the tests which proposals must address. It is felt that the existing policies clearly set out the need to consider impact of proposals.</p> <p>Developer requirements have been added to safeguard the setting of the church and address any impact on the setting of Tongue house designed landscape. A design statement should accompany any application here.</p>

Overview of Key Points on the Draft Environmental Report	How Points Have Been Addressed in Environmental Report
<p>There are several sites which have the potential to affect the setting of B-and C (S) – listed buildings, but which have not been identified as such in the assessment.</p> <ul style="list-style-type: none"> <li>• Golspie H2 (three B-listed buildings)</li> <li>• Golspie H3 (one B- and C (S)- listed building)</li> <li>• Golspie MU1 (two B – listed buildings)</li> <li>• Golspie MU4 (one B – listed building)</li> <li>• Golspie MU2 (one B – listed building)</li> <li>• Brora H4 (one B – listed building)</li> <li>• Ardgay H2 (two B – listed buildings)</li> <li>• Ardgay B1 (one C(S) – listed building)</li> <li>• Lochinver H2 (three B – listed buildings)</li> <li>• Durness MU3 (one C(S) – listed building)</li> </ul>	<p>Golspie H2, H3, MU1, MU2 and MU4 are now mentioned in Q14.</p> <p>Brora H4 is now mentioned in Q14.</p> <p>Ardgay H2 and B1 are now mentioned in Q14.</p> <p>Lochinver H2 and Durness MU3 are now mentioned in Q14.</p>
<p><u>Monitoring</u> Proposals for the monitoring of impacts should be set out in the SEA Adoption Statement. The indicators chosen for the historic environment should reflect both the actions to be taken within the plan and the potential impacts identified in the course of the SEA.</p>	<p>A section on monitoring has been included in the revised Environmental Report. The specific intentions for monitoring will be developed and set in the SEA Adoption Statement. This monitoring will be developed as an integral part of the monitoring of the Local Plan and other Highland Council Planning Policy and Guidance documents.</p>

Scottish Natural Heritage	
<p><u>Non-technical Summary</u> SNH does not consider that this meets the requirement of a non-technical summary as it does not provide a summary of the conclusions of the SEA. In addition, the reference in para 1.1 that the <i>'procedure looks at the flora and fauna of an area and assesses whether or not these will be negatively or positively affected by development plan proposals.'</i>, and in para 1.2 that <i>'this report offers possible mitigation measures should there be potential harm to human, animal or plant life'</i> may suggest that the full breadth of the SEA process is not fully understood. The SEA report should consider more than the impacts on flora and fauna, for example, landscape impacts.</p>	<p>Noted. The non technical summary has been revised.</p> <p>Para 1.1 Change last sentence in paragraph to read: This procedure looks at the natural, built and cultural heritage of an area and assesses whether or not these will be negatively or positively affected by development plan proposals.</p>
<p><u>Summary of Likely Significant Effects of the Deposit Local Plan</u> There are some negative potential effects listed in para 2.4 and it is not clear that there are policies and proposals in the Draft Local Plan to offset these. This could be better presented.</p>	<p>Paragraph 2.5 has been expanded.</p>
<p><u>The Purpose of the SEA and Local Plan Context</u> Para 4.6 Objective m. states that <i>'An Action Programme will seek to guide implementation and track progress.'</i> It is our understanding that this refers to the intention to provide more detail regarding who does what and when, rather than additional recommendations. However, should the latter be the case then any new actions would also require to be subject to the SEA process.</p>	<p>The Action Plan will be a document providing information on who does what and when. As such it is not subject of SEA requirements.</p>
<p><u>Methodology</u> The SEA Process as detailed in Section 5.3 was perhaps written up at an early stage and not updated, as there has been no Consultative Draft stage. Similarly, the requirement for SEA is now mandatory for all development plans as part of the Environmental Assessment (Scotland) Act 2005 and the Responsible Authority can go straight to the Scoping stage and omit the Screening stage. These bullets should be revisited and relate to the current process. Clarification as to what the bullet <i>"Collating and forecasting baseline data"</i> means would also be helpful, since baseline data should already have been established, rather than still forecasting what might be needed (we say more about monitoring later).</p>	<p>Para 5.3 Remove first bullet point about screening. Add bullet point: Publication of a Draft Environmental Report with the Pre-Deposit Draft Local Plan. Change sixth bullet point with: Preparing the Deposit Draft Local Plan with the revised Environmental Report.</p> <p>Para 5.4 Change to: Section 5 (3) (a) of the Environmental Assessment (Scotland) Act 2005 has now established that all statutory development plans require an SEA.</p>

<p>Para 5.8: Stronger policies are required to protect key, non-designated, habitats and species from development as stated. SNH's advice on the relevant Local Plan Policies (as set out in our response to the parallel consultation on the Deposit Draft Plan) would help meet this statement. We would also suggest that the findings, included here (in para 5.8) on local plan objectives, might be better located in a later section dedicated to 'findings'.</p>	<p>General Policies 11, 12 and 13 have been amended to make them stronger. Paragraph 5.8 has been amended and an explanation of mitigation has been added to table 7.1</p>
<p>Para 5.10: It is disappointing that the opportunity was not taken to progress the requirements of the Habitats Directive at the same time as the SEA process. While this is not a legal requirement, advantages include: sharing baseline information gathering; prediction of plan effects; consideration of alternatives and sharing the consultation stage. We would strongly recommend that this approach is used in future.</p>	<p>Appropriate Assessment is in progress and will be completed prior to adoption of the Local Plan. The intention is that it will be available in time for Committee's consideration of representations on the Plan in March 2009.</p>
<p>Para 5.13: It would be helpful if the Report identified which allocations might be subject to EIA at a later stage.</p>	<p>In the revised Environmental Report we have added a link to the EIA Regulations and some explanatory text has also been added.</p>
<p><u>Table 5.1 Local Plan Objectives and their relation to SEA Objectives</u>  Table 5.1 would benefit from further clarity on what the SEA objectives mean, at the very least, by cross reference to Section 8. It is confusing to reach Table 5.1 before the SEA objectives are described and listed in the Report. As currently presented this aspect of the assessment is rather limited. It should be recognised by the Council that the plan objectives could each have all three positive, neutral or negative impacts on the SEA objectives, depending on the circumstances in which they are pursued. It would be particularly useful if the table recognised this and where potential negative impacts could be envisaged, that this was recognised and possible mitigation measures identified. For example, local plan objective h), <i>promote opportunities of renewable energy development.....etc.</i> could potentially have neutral or negative impacts on biodiversity and landscape character. Rather than ignore this simply as a neutral effect, it should be recognised that there could be negative impacts and some indication included in the mitigation column that measures should be put in place to protect natural heritage interests.</p>	<p>See changes made in revised Environmental Report. Additional commentary has been provided for the tables and scores have been amended.</p>
<p>In terms of presentation, the SEA objectives should be carried forward on each page of the table to allow the reader to see at a glance the scoring for each named objective.</p>	<p>Noted. The assessment has been amended.</p>

Detailed comments on the compliance of Local Plan Objectives with SEA Objectives are included below, always allowing for the above point that a more transparent process could see more than one type of effect identified for each.

a: This objective should be “+” for designated areas and biodiversity.

b: Suggest a “+” for Landscape/Townscape

c: The possible mitigation for the “-“ score for Housing in the Countryside seems to miss the point. More appropriate mitigation would be for any new houses in the countryside to respect the crofting pattern of settlement and not impact on the positive attributes that crofting land brings to landscape, habitats and species.

e: This could get a “+” for landscape character and maybe even a “+” for health

h: If it is large scale rather than small scale renewable energy, then there could be “-“ scores for noise, landscape character, local distinctiveness and biodiversity. This should have some discussion under possible mitigation, which is likely to be reference to the Highland Renewable Energy Strategy and Planning Guidelines or whatever Highland-wide supplementary guidance document might replace this.

On the other hand, the SEA objective for renewable energy should presumably get a “++” score.

i: “-“ for social inclusion? (bias towards car owners)  
“-“ for public transport?

The mitigation discussion here does not follow on from the negative effects identified. More relevant mitigation would concern seeking to focus development towards the larger settlements, and encouraging innovative solutions for rural accessibility to services.

l: Perhaps the Sustainable Travel SEA objective can be “+” scored too

n: This has been scored as neutral across the board, saying that impacts are picked up via Local Plan policies; however it would seem that this plan objective would yield positive effects for at least local distinctiveness and Housing in the Countryside?

<p>o: There may be a negative effect for landscape and townscape character – mitigation of this should be discussed – perhaps reference to design briefs, masterplans, design guidance notes – at the strategic scale the role of the Housing Landscape Capacity Study should be reflected here. Also possible negative effect on biodiversity.</p> <p>p: Could the Social Inclusion SEA objective get a “+” score here too?</p> <p>q: Unsure why this merits a “+” score for energy and sustainable travel</p> <p>r: As for (q) – however perhaps Local Distinctiveness SEA objective can get a “+” score, given reference to traditional industries</p> <p>t: It is a matter of opinion whether one can go as far as scoring Designated Sites and Biodiversity as “+” rather than “0”. On the other hand, ought not Crime Reduction get a “+” score if the guidance in PAN 77 is applied? Also it is to be hoped that Open Space should be able to be scored “+” rather than “0”</p>	
<p><i>Predicted Environmental Baseline and Issues</i>  The provision of baseline data is of limited use in its own right and further information is required to clarify how this will be used to inform the SEA objectives. Is the relevant information being collected to be able to assess impacts on objective 23 for example – “improve biodiversity, avoiding irreversible losses” and, is the relevant information being collected to enable effective monitoring of the impacts of the policies on the environment in 5 or so years time?</p>	<p>The collection of baseline data and its refinement is discussed in the new section on monitoring.</p>
<p>Table 6.1 Designated Nature Conservation Sites appears to include several categories of site which are not strictly covered by the heading “Nature Conservation”. These are NSAs, AGLVs, SAMs and TPOs. We would suggest moving SAMs to “Historic Environment” and re-titling this box “Designated Natural Heritage Sites”.</p>	<p>SAMs moved to Historic Environment.   Box retitled to “Designated Natural Heritage Sites”, therefore, AGLVs, SAMs and TPOs can remain.</p>
<p>Map 6.3 These maps are of poor quality and, despite the title, no map of SACs in Sutherland is included here. SNH suggests that better quality maps showing the extent of NSAs, SPAs, SACs and SSSIs in Sutherland are included here.</p>	<p>Better quality maps are available within the Map Booklet of the Local Plan and a cross reference to this has been included within the Environmental Report. The maps available in the Environmental Report are now smaller scale versions of the ones in the Map Booklet of the Local Plan.</p>

<p>Table 6.3 This table seems to include a fairly random set of Environmental problems and some comment on how representative they are for Sutherland as a whole should be included. They do not appear to have come out of the assessment of plan objectives, policies and proposals against SEA objectives. Also, the references to Table 6.3 seem to vary throughout the text between Table 5.3 and Table 7. We would also make the following observations with regard to following through mitigation:</p> <ul style="list-style-type: none"> <li>• Under “negative impact of inappropriate aquaculture development” it is stated that “clear cross reference to Aquaculture Framework Plans will be provided”. This does not appear to be the case, and so there is the need for a section on other plans and strategies to be added to the Local Plan.</li> <li>• “loss of peatland cover” - this implies that the Local Plan will provide protection to peatland, but at present this is only apparent for designated areas rather than significant non-designated areas too – an additional policy has been recommended in SNH’s response for the Local Plan.</li> <li>• “loss of land for recreation” – it is stated that the Local Plan will seek to put in place a policy framework which reflects the importance of recreation and tourism. There is however no policy for recreation and tourism in the Deposit Draft Plan and so our comments on the Deposit Draft Plan strongly recommend that an additional policy and identified features are added.</li> <li>• “negative impact on key species and habitats in the LBAP” – once again it is stated that the Local Plan will take the LBAP into consideration, but we recommend in our comments on the Local Plan that a more explicit cross-reference is made to the Sutherland LBAP and that policies for wider species and habitats are strengthened.</li> </ul>	<p>All references to table 6.3 corrected.</p> <p>The Environmental problems were identified early on in the SEA process before the Plan objectives, policies and proposals had been formulated. Identification of the problems helped to inform the content of those parts of the Plan.</p> <p>The section of the Local Plan dealing with “Other Factors” paragraph 2.7 has been amended to highlight the existence of other plans and strategies.</p> <p>General Policies 11, 12 and 13 in the Local Plan have been amended as per SNH’s suggestions.</p> <p>General Policy Land Allocations provides for Public Open Space. As stated in the response to the Local Plan, Supplementary Planning Guidance on Open Space is currently being prepared.</p> <p>General Policies 11, 12 and 13 in the Local Plan have been amended as per SNH’s suggestions.</p>
<p>6.3 It is acknowledged here (and in 5.11) that there are limitations in the availability of data. It would be helpful if actions were identified to address this problem, especially with regard to monitoring purposes.</p>	<p>This is discussed in the new section on monitoring.</p>

<p><u>Local Plan Strategic Alternatives</u>  In para 7.1 it is stated in the second sentence that “alternatives are outlined..”, however, this does not appear to be the case. The SEA guidance does state that only reasonable alternatives should be considered and the Council should not feel obliged to add some contrived alternatives. It might be useful, at one level of alternatives, to mention those specific sites allocations which have been dismissed from the Deposit draft and detail the reasons why they have been excluded. The ‘do-nothing’ approach is more or less considered in 6.4. The obvious strategic alternative of preparing the Local Plan on the basis of the population and housing estimates in Table 1 of the Draft Local Plan rather than Table 2 – which would require sites for 557 houses rather than 1304 houses - should also be considered.</p>	<p>Site matrices for rejected sites and expanded commentary are provided.</p> <p>Strategic alternatives are also provided.</p>
<p>Paras 7.2 – 7.4 seem to be out of place here and might be better placed in the next section.</p>	<p>Amended.</p>
<p><u>The Plan’s General Policies and their compatibility with SEA Objectives</u>  The SEA Objectives should be considered for their relevance to each plan since these may vary in their geographical coverage and the breadth of policy issues being included.</p>	<p>By using the same SEA Objectives in each local Plan we are providing consistency, however we accept that it is not always appropriate to have the same SEA Objectives for every Plan. We will note this observation for future Local Plan. We are however satisfied that the existing SEA objectives have provided adequate cover and relevance for this Plan.</p>
<p>8.3 This section might be more appropriately titled “assessment of environmental impacts of Local Plan general policies”. It should be acknowledged once again that there may be all three effects (positive, neutral and negative) on any one of the SEA objectives. Commentary should then be provided in the end box illustrating why this might be the case and identifying likely mitigation for the negative impacts, even if it is simply a reference to another policy which might offer protection. This would make the whole process much more transparent and it would be easier to conclude at the end which policies if any, are likely to still have a residual negative impact despite mitigation measures.</p>	<p>Change heading of paragraph 8.3 as suggested.</p> <p>The comments on the General Policies and their compatibility with the SEA Objectives have been taken on board and changes made.</p>

<p>Against that background some more detailed comments are provided by policy –</p> <p>1: Clarification as to what is “significantly detrimental” would be useful here.  The proposed mitigation is unclear and should be clarified and expanded, given that this is one of three policies where a number of potentially negative effects are identified.  Unclear why “+” rather than “0” for e.g climate change, renewable energy, energy and designated sites.  Possible “+” for open space, since the policy provides a level of protection for existing open space (though SNH recommends more is required on this in the Local Plan, especially in light of SPP 11).</p> <p>2: This is difficult to assess as the policy itself says very little. If developers are not taking into account the details set out in the Proposals Map, will this be considered not to comply with the plan and therefore not be considered favourably?  Unclear why so many have been scored “+” rather than “0” – are there specific examples of positive provisions for various settlements? e.g. health, noise, crime, renewable energy, energy conservation, designated sites, biodiversity and wildlife access.</p> <p>3: This should consider more mitigation, such as wider biodiversity issues.  More “-“ or even “- -“ scores could be given here; suggest social inclusion is “- -“, landscape is “-“, local distinctiveness is “-“, Housing in Countryside is “- -“, sustainable travel is “- -“, public transport is “- -“ and biodiversity is “-“. Thus more mitigation requires to be spelt out here, e.g. biodiversity – the protection of valued habitats and species in the wider countryside; landscape character – have regard to advice contained in HLCS and PAN 72.</p> <p>4: This would benefit from further guidance as to what is meant by an “unreasonable impact”.  This policy should be reworded then reassessed. See SNH comments on Deposit Draft Plan.  Not clear why health, noise, air pollution and contamination are scored as “+” here rather than “0”.</p> <p>5: Might Social Inclusion be given a “++” score here?  Not sure why Historic Environment is “+” rather than “0”. This could be a slip of columns as these are adjacent.</p>	<p>Noted. Changes have been made to the Environmental Report.</p>
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<p>6: Clarification required here as to assessment when a “design for sustainability statement” will not be required. In theory all the SEA objectives should be scored as “+” here, so the fact that noise and crime are only scored as “0” could indicate that the Council’s supplementary guidance on designing for sustainability should be expanded to cover these important issues.</p> <p>8: Clarification of “+” for designated sites required: should this not be “0”?</p> <p>10: Safeguarding area around large wind turbines and from overhead power lines could merit a “+” for renewable energy. Climate change could also score a “+” in view of the steering-away of development from areas susceptible to erosion, poorly drained areas and steeply sloping ground – all vulnerable to heavy rainfall events.</p> <p>11: This policy should be reworded then reassessed. See SNH comments on Deposit Draft Plan.</p> <p>12: Climate change could be scored as “+” because these are wildlife corridors that can be used by species to migrate as a result of the effects of climate change? This policy should be reworded then reassessed. See SNH comments on Deposit Draft Plan.</p> <p>13: This policy should be reworded then reassessed. See SNH comments on Deposit Draft Plan.</p> <p>16: As for Policy 3, some more negative effects could be anticipated. So perhaps “-“ scores for landscape character, local distinctiveness and biodiversity. Should Housing in Countryside not be “- -“? So more discussion on mitigation needed – for landscape character and local distinctiveness references to design guidances for single houses in the countryside, especially PAN 72 Housing in the Countryside; for biodiversity references to policies to protect important habitats and species in the wider countryside. See SNH comments on Deposit Draft Plan.</p> <p>18: Would expect a “++” for Local Distinctiveness here and a “+” for Sustainable Housing Techniques.</p>	<p>See Local Plan response to representations on General Policy 6.</p>
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<p>8.4 This is a weak paragraph, and more should be said with particular reference to Policies 3 and 16 (especially landscape character and good siting and design and the protection of biodiversity) and Policies 1 and 17 (plus possibly 8) where noise is coming out as a potential negative effect. There is an opportunity to provide a good practice in the designing for sustainability note.</p>	<p>This paragraph has been amended following re-assessment of the general policies.</p>
<p><b>SNH strongly recommends</b> having one large matrix that assembles all these 18 lines together, so that the overall scoring for each of the SEA Objectives can be seen. Which ones frequently get a “-“ score? (public transport? Biodiversity?). Which ones fail to get many “+” scores? (open space? Renewable energy?). This could then lead to consideration of how this outcome could be improved by modifications to the Local Plan. Hence this SEA should include <b>cumulative effects</b> in its consideration, not only in respect of policies, but also in respect of plan allocations on particular areas or on environmental features.</p>	<p>We have added an additional table to try and show at a glance the overall scoring for each SEA Objective. This is to be read alongside the amended paragraph 8.4</p>
<p>8.7 Mitigation has not been comprehensively considered in this report and this needs to be rectified.</p>	<p>A fuller summary of scoring and mitigation assumptions has been provided to make the matrices more meaningful.</p>
<p><u>Future Development of the Local Plan and SEA</u>  <b>Monitoring</b> is a requirement of Section 19 of the Act which requires the Council to monitor the significant effects of the implementation of the development plan. As presented there is no commitment to monitor. Limitations on the availability of data have been acknowledged earlier (6.3) and this all needs to be looked at together and linked to a monitoring plan. For this to be effective, the baseline information has to be useful and relevant.</p>	<p>A section on monitoring has been included in the revised Environmental Report. The specific intentions for monitoring will be developed and set in the SEA Adoption Statement. This monitoring will be developed as an integral part of the monitoring of the Local Plan and other Highland Council Planning Policy and Guidance documents.</p>
<p><u>Appendix 1: Relevant Documents for Sutherland</u>  Although the list is fairly comprehensive, there are still some omissions e.g.:</p> <ul style="list-style-type: none"> <li>• Conservation (Natural Habitats &amp;c) Regulations 1994 (as amended) – in particular the introduction of Part IVA with regard to the appropriate assessment of land use plans – how has/will the Sutherland Local Plan taken/take this into account?</li> <li>• European Landscape Convention</li> <li>• Natural Heritage Futures – not only the North West Seaboard but also the Peatlands of Caithness and Sutherland, the Northern Highlands (part) and the Moray Firth (part)</li> <li>• Wildness in Scotland’s Countryside – SNH policy paper (although covered to a degree by proposed Remote Landscapes of Value for Recreation)</li> <li>• Scotland’s Scenic Heritage – NSA qualities and objectives – to be updated shortly with new SNH work</li> </ul>	<p>All added to appendix.</p>

<p>EPS document (page 50) – this refers to licence requirements, but this should be a last resort, with other mitigation sought first in order to avoid the need for a licence. The wording in the last column should therefore read – “Any instances of protected European species should be highlighted in the Local Plan should they be within or affected by a proposed development site, and proposals should be designed to avoid any impacts, failing which it will be necessary to satisfy licencing requirements”.</p>	<p>Change made.</p>
<p>Habitats and Birds Directive (page 51) – the wording is not correct with regard to the requirements of the Conservation (Natural Habitats &amp;c) Regulations 1994 as amended – need to ascertain that there will not be any adverse effect on the integrity of European sites – this can be indirect as well as direct. The last sentence in the last column for the entries for the Habitats and Birds Directives should therefore read – “The Plan must not designate projects to be constructed in or affecting SACs or SPAs unless it is ascertained that there will not be an adverse effect on the integrity of the site, or else there are no alternative solutions and there are imperative reasons of overriding public interest. Where a priority habitat would be affected, planning consent can only be issued where reasons of overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission”.</p>	<p>Change made.</p>
<p>UK BAP (page 54) – the last column needs to be reflected in the Local Plan through appropriate policies and cross-references.</p>	<p>General Policies 11, 12 and 13 have been revised.</p>
<p>NPPG 6 (page 72) – now replaced by SPP 6; important consequences in terms of the need for a spatial framework for windfarms &gt;20 MW.</p>	<p>Removed and replaced with SPP6 Renewable Energy.</p>
<p>NPPG 11 (page 74) – now replaced by SPP 11; need to reflect in terms of audit and strategy for open space.</p>	<p>Removed.</p>
<p>Dornoch Firth and Morrich More SAC reference (page 98) – why is this specifically referred to but no citations for other SACs and SPAs?</p>	<p>This has been removed a generic reference to all SACs and SPAs has been inserted along with links to the SNH website and SNHi.</p>

<p><u>Appendix 3 – SEA assessment for site allocations</u>  In many instances there are negative scores for landscape impact, and proposed mitigation is often through sensitive siting and design. However this isn't always reflected in the Developer Requirements and Development Factors in the Draft Local Plan. Although General Policy 18 promotes good design, it is recommended that further mitigation should be added for the settlements and proposals in question. The need for sensitive siting and design of houses should be added as a developer requirement for proposals where it does not so far appear in cases where a negative effect on landscape has been identified in the SEA.</p>	<p>In some cases sensitive siting and design is stated as a developer requirement and for other settlements it is included as a development factor for the entire settlement.</p>
<p>In many instances too there are negative scores for impact on protected or priority habitats and species (though this appears not to be completed for the proposed allocations at Strathy, Melvich and Portskerra). No meaningful mitigation however is offered. This should be strengthened if possible. SNH's comments on the Draft Local Plan recommend more explicit linkage to the LBAP and stronger policies for habitats and species.</p>	<p>We will use revised GPs 11, 12 and 13 as mitigation. The matrices for Strathy, Melvich and Portskerra have been completed.</p>
<p>For long term allocations (such as at Lairg, Bonar Bridge and Ardgay), the impacts are scored as "n/a" and so no mitigation is discussed. If there is any prospect of these sites coming forward during this plan period, and their inclusion would suggest that there is, an impact assessment should be made and mitigation explored.</p>	<p>Long term sites now do have mitigation included.</p>
<p>It would have been useful if alternative possible sites were considered as part of the SEA process where negative impacts are predicted for the proposed allocations. This would assist with options appraisal in terms of the acceptability of negative effects, especially if the proposed allocation is within an NSA.</p>	<p>Alternative site option matrices and commentary provided.</p>
<p><b>Scottish Environmental Protection Agency</b></p>	
<p><u>General Comments</u>  SEPA is pleased to note that all aspects of the current Plan, i.e the objectives, policies and allocations have been assessed. SEPA considers that this level of assessment also represents good practice. However, as was discussed at the meeting of 11 January 2008, SEPA is disappointed in some of the execution.</p>	<p>Noted.</p>
<p>There is a lack of information on how the results of the assessments were reached. SEPA requests that any future work by the Authority provides full justification for the assessments presented.</p>	<p>Noted.</p>

<p>Although alternatives have been vaguely identified it is noted that they have not been assessed.</p>	<p>Alternatives and a commentary have been provided for strategic alternatives and site options.</p>
<p><u>Assessing the Local Plan against the SEA (Section 5.7)</u> SEPA is generally satisfied with the assessments made, although no information is provided to ascertain how the results were reached and this would have been very helpful.</p>	<p>A fuller summary of scoring and mitigation assumptions is now provided.</p>
<p>SEPA would have expected the principle of Plan objective (b), which supports growth in a planned way ensuring that Sutherland's valuable assets are conserved, and Plan objective (e) which safeguards important natural environmental assets, to have a range of positive effects against the water, air and related SEA objectives. Similarly, Plan objective (f) makes specific reference to flood avoidance and Plan objective (s) to infrastructure investment, (which could include drainage infrastructure) the principles of which are likely to have a positive effect against the water SEA objective. In addition it is not clear how Plan objective (q) and (r) would have a positive impact against the SEA objectives for waste management.</p>	<p>See changes made to revised Environmental Report. Additional commentary has been provided for the tables and scores have been amended.</p>
<p>In relation to identifying issues not covered by the Plan then it is noted that none of the Plan principles are likely to have any effect against the air pollution SEA objective. SEPA considers that amendments to the Plan are required to ensure potential impacts on air quality are mitigated; detailed comments on this are made in SEPA's response to the Plan.</p>	<p>Reference may be made to the Council's response to this issue in the Local Plan. Air quality is a policy in the Highland Structure Plan.</p>
<p><u>SEA matrixes (Section 5.12)</u> SEPA notes the comments related to the difficulty in separating environmental effects from the socio-economic effects and the fact that environmental and socio-economic effects often conflict greatly and it is difficult to decide which should be assigned more importance in a given situation. SEPA agrees that this is indeed the case in the Plan making process but the Authority are reminded that the SEA should clearly focus on the environmental aspects of this assessment.</p>	<p>The matrices no longer contain social and economic questions.</p>
<p><u>Predicting Environmental Baseline and Issues (Section 6)</u> A very limited baseline is provided with no real information on, amongst other issues, air quality and climate change. To allow an assessment of effects SEPA would have expected information to answer questions such as, for example, are many of the main settlements in flood risk areas, how is Sutherland being effect by climate change, is land contamination wide spread in Sutherland just now?</p>	<p>This information is supplied in the new section on monitoring.</p>

Notwithstanding the above, Table 6.3 provides a useful summary of the environmental problems in the area. SEPA agrees that flood risk, water quality, inappropriate waste management facilities and loss of peatland cover represent a good range of the issues which are important in the area. In future work the Authority may wish to consider an additional column in this table to identify which environmental receptors, e.g. air, the problem relates to.	Noted. An additional column has been added to this table.
Acknowledging the limitation of the data available is good practice. As there is a 'wealth of data on offer', however, it would have been helpful if slightly more had been provided in the ER or referenced to.	Noted.
<u>Alternatives (Section 7.1)</u> The Responsible Authority should note that the ER should identify, describe and evaluate the likely significant effects on the environment of implementing the Plan and reasonable alternatives.	Further strategic alternatives are provided.
SEPA agrees that there is no reasonable alternative to development of a new Local Plan. SEPA therefore queries whether the 'do nothing' approach is a reasonable alternative.	Further strategic alternatives are provided.
In circumstances such as this it is usually the case that reasonable alternatives take the form of the alternative strategies that have been considered as part of the Plan preparation process. These can take the form of, for example, the different high level scenarios considered such as 'no growth' or 'development only in key settlements', or at a lower level the alternative ways the Plan components, such as different policy positions or allocations, have developed.	Further strategic alternatives are provided.
SEPA understands that all the allocations which were considered in the Futures consultation, which includes alternative allocations which did not make it to the deposit Plan, were assessed using the SEA site assessment matrix. The Authority may wish to consider presenting these as reasonable alternatives.	These are now provided in the Environmental Report.
<u>Local Plan General Policies (Section 8.3)</u> Again no information is included in the tables to explain how the results have been reached and this makes it difficult to gain a full understanding of the thought processes behind the assessments. However, SEPA provides the following specific comments on the individual assessments.	Information has now been included in the tables.
Policy 3: SEPA notes that the policy may have a negative impact against the water environment SEA objective and would therefore encourage the Responsible Authority to amend the policy to avoid this or provide appropriate mitigation.	Noted.

<p>Policy 6: SEPA agrees that the Policy should have positive impacts against a wide range of environmental receptors, but only if such a statement is submitted – and the current Policy does not require its submission. To ensure that the mitigation offered by the Design for Sustainability statement is always provided SEPA considers that the wording of the Policy should be revised; further comments on this are provided in SEPA’s response to the Plan.</p>	<p>Noted.</p>
<p>Policy 7: SEPA agrees that the Policy should have a positive impact against the water environment SEA objective but that this is only marginal as the Policy does not actually require development to connect to infrastructure when it is available. SEPA therefore considers that amendments to the Policy need to be made to ensure these positive effects are achieved; further details of this are provided in SEPA’s response to the Plan.</p>	<p>Noted.</p>
<p>Policy 8: SEPA agrees that the Policy should have a positive impact against the waste SEA objective. However, SEPA considers that further amendments to the wording can be made to enhance the positive effects; further details on this are provided in SEPA’s response to the Plan.</p>	<p>Noted.</p>
<p>Policy 9: As the Policy does not accurately reflect the avoidance principle advocated in Scottish Planning Policy 7 ‘Planning and Flooding’ SEPA considers that the assessment of a ‘0’ impact against the water environment is accurate but considers that such a policy should deliver a positive impact. For the same reason, SEPA would not consider that the assessment of a positive impact against the Health SEA objective is accurate at present. SEPA advises that to ensure that positive impacts are gained or enhanced for the water, human health and climate change SEA objectives the Policy should be revised to more closely meet the principles of SPP7; again specific advice on this is provided in SEPA’s response to the Plan.</p>	<p>Noted.</p>
<p>Policy 10: SEPA agrees that the policy should have a positive impact against the water, air and contamination SEA objectives, however, slight modifications could be made to ensure that the Plan safeguards existing facilities. Comments on how this could be done are again provided in SEPA’s response to the Plan.</p>	<p>Noted.</p>
<p>Policy 14: SEPA is satisfied with the assessment of this Policy as positive against the sustainable housing techniques, water environmental and water abstraction SEA objectives. However, SEPA considers that further amendments can be made to enhance the positive effects; further details on this are provided in SEPA’s response to the Plan.</p>	<p>Noted.</p>
<p>Policy 15: SEPA is satisfied with the assessment of this Policy but considers that amendments can be made to ensure that it also has a positive impact on the water environment SEPA objective. Again this is detailed in SEPA’s response on the Plan.</p>	<p>Noted.</p>

Policy 16: SEPA is satisfied with the assessment of this Policy but would welcome clearer information on how the negative impacts will be mitigated.	Noted
<u>Summary of Plans General Policies (section 8.4)</u> This summary is rather weak and would benefit from clarification of the significant impacts and what is being offered in the form of mitigation.	This paragraph has been amended following re-assessment of the general policies. We have added an additional table to try and show at a glance the overall scoring for each SEA Objective. This is to be read alongside the amended paragraph 8.4
<u>Assessment of Plan Allocations (Section 8.5 – 8.8)</u> SEPA welcomes the detailed methodology used to assess the individual allocations but is disappointed in its execution. Unfortunately many of the assessment seem to have been carried out inconsistently and the assessments do not accurately reflect the information actually presented in the Plan. This latter issue is especially prevalent for flood risk, where a number of assessments presented in the Appendix suggest that flood risk is not an issue yet the Plan itself identifies it is. Similarly in other assessments even when flood risk is noted as an issue no comment on mitigation is provided, even when the Plan itself offers mitigation.	We have tried to ensure that there is now consistency.
Question 7 (land contamination): SEPA notes that the following are identified in the Plan as having land contamination issues yet this is not reflected in the ER; Brora H4, Brora H6, Helmsdale MU1 and Bonar Bridge I1.	All corrected.
Question 20 (renewable energy): None of the allocations will provide or use energy from a local, renewable source. If this is an aim of the Authority for the Plan then this omission highlights that amendments to the Plan are required to address this.	It is noted that this is an omission. The Council is pursuing renewable energy however the Local Plan is not the vehicle for this work.

<p>Question 21 (flooding): The identification of sites at risk from flooding is poorly recorded in the ER; a greater number of sites are identified in the Plan as potentially at risk from flooding than are highlighted in the assessment. In addition, based on the Indicative River &amp; Coastal Flood Map (Scotland) for floods with a 1 in 200 year return period (i.e. a 1 in 200 chance of occurring in any one year, or 0.5% annual exceedance probability) SEPA considers that there are also sites which neither the ER nor the Plan identify are at risk.</p> <p>The ER identified eight allocations potentially at risk, namely Pittentrail MU1, Bonar Bridge I1, Rosehall H2, Invershin H1, Lairg LT1, Lochinver I2 and LT1, Kinlochbervie H1 and I1.</p> <p>In addition SEPA considers that the following are also indicatively at risk: Dornoch H3, H4, MU1, B1 and LT, Brora H4, H6 and MU1, Helmsdale MU1, Ardgay B1, Lairg H1, H4, B1 and MU1, Lochinver I1, Kinlochbervie H2, Tongue MU1 and MU2, and Melvich H1.</p>	<p>This has been amended.</p> <p>Noted.</p>
<p>Where, based on the best available information at this stage, part of the site is at risk from flooding SEPA considers that the only appropriate mitigation is for the site boundary to be amended to exclude the area at risk and for the Development Requirements to specifically state that a Flood Risk Assessment will be required to demonstrate that the remainder of the proposed site layout can be developed in line with the principles of Scottish Planning Policy 7. Specific proposed wording for this is contained in SEPA's response to the Plan.</p>	<p>See our response to General Policy 9 on Flood Risk.</p>
<p>Where, based on the best available information at this stage, a whole site or most of a site is at risk SEPA considers that there are only two viable options from mitigation; that the allocation is removed from the Plan or alternatively a more detailed Flood Risk Assessment is carried out at this stage to determine whether the principle of development can be confirmed. If the detailed assessment reveals that part of the site can be developed the mitigation described above should be employed; if not the site should be removed from the Plan.</p>	<p>See our response to General Policy 9 on Flood Risk.</p>

<p>Question 22 (drainage): In most cases it is considered that allocations will impact on ground and surface water drainage, that this impact will be negative, and that the negative impact needs to be mitigated through SuDS. SEPA accepts this assessment conclusion, although any proposal for the reuse a brownfield site which is currently developed without SuDS may have the drainage improved by redevelopment with SuDS.</p> <p>SEPA considers that a revised Policy 14, requiring SuDS for all development proposals, is suitable mitigation for any possible negative impacts and additional comment in the allocation 'Development Requirements' is not required.</p> <p>Please note that the assessment of this question does not seem to have been carried out consistently, or at least the reasons for the varying assessments are not provided.</p>	<p>Noted.</p> <p>Noted.</p> <p>This has been revisited and we have achieved greater consistency.</p>
<p>Question 23 (physical impacts on watercourses): SEPA disputes the finding that only two of the allocations (Lairg H4 and Lairg LT1) are likely to have a physical impact on a watercourse. It is clear from the Plan allocation maps that numerous sites either have watercourses running through the middle of the site or have watercourses at the site boundary. These include, for example, Dornoch MU1 and H4, Bonar Bridge H1, Lochinver H1 and Tongue H2.</p> <p>No mitigation is currently outlined in the ER or the Plan for the potential negative impact on the water environment arising from these development sites. SEPA considers that an approach similar to that used for the Western Highlands and Islands Local Plan is acceptable. The ER for this other Highland Council Plan makes comment on minimising impact on the water environment and the Plan includes specific wording in the Developer Requirements as mitigation. Further comments on the exact wording SEPA considers as appropriate for this mitigation are outlined in SEPA's response to the Plan.</p>	<p>Other allocations have been identified and mitigation added to the matrices. Is also mentioned in developer requirements for sites.</p> <p>This has been amended.</p>
<p>Additionally, and unfortunately, the assessments are not carried out consistently; where allocations do not have access to facilities sometimes this is scored as negative and sometimes it is scored as 'n/a'. Where allocations do have access to facilities this is not always accompanied by a positive impact.</p>	<p>The matrices have been revisited and we have tried to ensure that there are no inconsistencies.</p>
<p>Question 25 (public water and sewerage): SEPA is generally satisfied that the assessment of allocations against this question accurately reflects the position for foul drainage, but due to a lack of comment in the table it less clear of the extent of assessment for water supply.</p>	<p>This question is not related to capacity, but rather if allocations are in the locale of pipe networks.</p>
<p><i>Foul drainage</i></p>	

Nearly all the allocations can connect to the public sewerage system, however, currently nothing in the Plan, including Policy 7, actually ensures that this mitigation takes place. To ensure that the ability to connect identified in the ER is achieved in the Plan SEPA requests that as indicated previously, Policy 7 is amended, and in addition the Developer Requirement for each relevant allocation specifies "Connection to public sewer required."

There are currently two different types of allocations in the Plan which the ER assessments have identified cannot connect to public sewer; those in settlements without public infrastructure and those in settlements with public infrastructure but which are remote from the sewered areas.

Allocations Invershin H1 and Point of Stoer H1 and H2 are in settlements or areas which do not have a public sewer. Due to the scale of these proposed allocations and the fact that there is not a better environmental option available SEPA is satisfied that foul drainage arising from them is unlikely to have a significant negative effect on the environment. As this is the case no additional mitigation measures are required apart from a statement to that effect in the Developer Requirement.

Allocations Lochinver H3, Scourie H1, Tongue LT1 and Strathy H1 are in settlements which are served by a public sewage system but which are remote from it. SEPA considers that the best available mitigation is either to enlarge these allocations to make connect to the public sewer economically viable or replace them with other allocations in locations where connection is currently viable.

Again further details on the above are provided in SEPA's response to the Plan.

General Policy 7 has been amended.

Developer requirement added; An environmentally acceptable private sewerage system is required.

If you refer to our Environmental Report and the relevant settlement position statements there is now an explanation of the other sites considered.

In Lochinver there were no viable alternative options that could be considered. Even if you then you look to nearby settlements then most are severely constrained by the road network. However Lochinver also has the benefit of more services and greater employment opportunities than these communities. It therefore needs an adequate land supply to further its role and accommodate growth. Within this context the H3 site was considered appropriate. However various mitigation measures were identified through SEA and became developer requirements in the Local Plan.

In Scourie H1 has been removed as an allocation and if it comes forward it will be for a lower density proposal which can be considered against the general policies.

	<p>In Strathy one of the options considered was below Steven Terrace to make use of the remaining capacity in the public sewerage network. However due to the lands crofting value and an ownership constraint meant it did not progress. It should be noted that H1 Strathy does otherwise come through SEA well.</p> <p>Tongue LT site is now within the SDA with development factors for low density development to suit its location. The nature of the area and its fragility means there is no policy presumption against housing in the countryside. This is therefore an effort to proactively identify some suitable land to direct at least some of the single house development here. The land is comparatively close to the settlement and therefore services, is low value in agricultural terms, the owner supports its development, and it is acceptable in terms of its landscape impact.</p> <p>Any proposal will need to meet the provisions of policy 7 on Waste Water Treatment ensuring proposals must not be likely to result in or add to significant environmental or health problems.</p> <p>There is of course merit in considering the increase of allocations to make connection to the public sewer viable. However unfortunately the market does not exist in these places for the level of development required and so this would effectively stymie development.</p>
<p><u>Water supply</u> Based on the limited information provided SEPA is satisfied with the assessment made, however, it is not clear whether the ability to connect relates purely to proximity to an existing connection or whether it considers the availability of the resource.</p>	<p>It relates purely to proximity.</p>

<p>Question 27 (coastal erosion): SEPA is generally satisfied with the assessment made but notes that erosion is identified in the Plan for the Brora MU1 allocation, but not in the ER. Additionally, SEPA queries whether erosion could be an issue for the Lochinver I1 and Kinlochbervie I1 allocation.</p>	<p>It is considered that whilst Lochinver I1 and Kinlochbervie I1 have a coastal flood risk, erosion is less likely to be an issue. This is due to the harbour and the developed nature of the intervening land in Lochinver; and considering the site is partially developed and rock was used to reclaim land in Kinlochberive. However it is now flagged up in the SEA as a possible concern for consideration by the case officer if/when proposals come forward.</p>
<p>Question 28 (protection from prevailing wind and opportunity for solar gain): SEPA is unclear how the mitigation proposed - 'sites will be designed to maximise solar gain' - will be implemented. Is this required by other Highland Council policy or guidance, for example, the Guideline on Designing for Sustainability? If not, SEPA would welcome further thought on how it will be ensured that the mitigation proposed is implemented.</p> <p>Please note that this question generally seems to have been answered inconsistently. For example, for the Durness H1 allocation the question is answered with a 'No', that this is a negative impact but that the allocation 'makes the most of its southerly aspects.' In comparison, for Lairg LT1 the question is answered with a 'No', but this has no impact (i.e. n/a) and no mitigation is provided and for allocation Brora H5 the question is answered 'Yes', this has a positive impact, and the comment made is 'potential for site design to maximise solar gain' which is essentially the same as the comment provided when the question was answered negatively.</p>	<p>It is acknowledged that officers interpreted the scoring differently from one another.</p> <p>The interpretation has therefore been clarified and unless the site is both sheltered from the prevailing wind and has a principal aspect between SW &amp; SE then it is considered negative. However the fact that it can 'make the most of its southerly aspects' or 'has shelter from the prevailing wind' is highlighted in the mitigation to distinguish from those that meet neither criteria.</p> <p>In addition the SEA acknowledges that applications will be assessed against Local Plan policy 6 on Designing for Sustainability, the emerging development plan policy guideline, and incoming Scottish Government legislation. This may result in further mitigation.</p>
<p>Question 29 (air quality): SEPA notes that all allocations have been assessed as not having an impact on local air quality. In the main SEPA is satisfied with this, however, applying a precautionary approach those sites allocated for industrial uses may result in industrial development which could have a negative impact on air quality.</p>	<p>The Highland Council Structure Plan contains a policy on air quality. Developments that could potentially affect air quality may be subject to EIA.</p>
<p><u>Future Development of the Local Plan and SEA (section 9)</u> It is not absolutely clear from the information provided whether the Responsible Authority intends to provide a finalised ER with the finalised Plan, however, since the Environmental Report is entitled 'draft' it is presumed that this will be the case.</p>	<p>Para 9.2 changes made to timetable.</p>

<p>SEPA requests that all the issues outlined above are taken into consideration in the redrafting of the ER. It would be specifically helpful if amendments made to the Plan as a result of the assessment are highlighted and any other types of mitigation are clearly set out accompanied with the steps required to ensure the actions take place.</p>	<p>This document highlights changes made.</p>
<p>If a finalised ER is not to be produced then the SEA Post Adoption Statement needs to clearly set out the above instead.</p>	<p>A revised Environmental Report will be published alongside the Deposit Draft of the Local Plan.</p>
<p><u>Relevant Documents for Sutherland (Appendix 1)</u> SEPA is satisfied that all the relevant documents have been considered. Please note that NPPG 6 and 10 have been replaced by newer Scottish Planning Policy. In addition, please note that since the scoping stage SEPA has a new relevant policy on foul drainage entitled 'Provision of Waste Water Drainage in Settlements' which available from the SEPA website.</p>	<p>NPPGs 6 and 10 removed and replaced with SPP6 Renewable Energy and SPP10 Planning for Waste Management.  "Provision of Waste Water Drainage in Settlements" added.</p>
<p><u>Other issues – Monitoring</u> SEPA notes that no information is provided on the monitoring proposals which Schedule 2 of the Regulations requires.</p>	<p>A section on monitoring has been included in the revised Environmental Report. The specific intentions for monitoring will be developed and set in the SEA Adoption Statement. This monitoring will be developed as an integral part of the monitoring of the Local Plan and other Highland Council Planning Policy and Guidance documents.</p>