



## Scottish Natural Heritage Dualchas Nàdair na h-Alba

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

Brian MacKenzie  
Planner  
The Highland Council  
Planning and Development Service  
Glenurquhart Road  
INVERNESS  
IV3 5NX

14 July 2011  
Our ref: 00626-SEA

Dear Mr MacKenzie

### **Environmental Assessment (Scotland) Act 2005 00626 Screening - The Highland Council – Housing in the Countryside and Siting and Design Interim Supplementary Guidance**

I refer to your screening consultation submitted on 24 June 2011 via the Scottish Government SEA Gateway in respect of the above plan.

In accordance with Section 9(3) of the Environmental Assessment (Scotland) Act 2005, we have considered your screening report using the criteria set out in Schedule 2 of the Act for determining the likely significance of effects on the environment.

Our view in respect of each of these criteria is set out in the Annex attached. On this occasion we do not agree that the above Plan is not likely to have significant environmental effects. Potential landscape effects are a particular issue, both in respect of the Hinterland areas and in the Wider Countryside. From our letters of response on the Draft Housing in the Countryside and Siting and Design Guides (dated 02 December 2010) you will be aware of our concerns in relation to crofting areas, more rugged settlement areas and areas where the quality of the landscape character is strongly related to a balanced mix of land cover/uses.

When responding to the Environmental Report on the Highland-wide Local Development Plan – specifically Policies 36 and 37 relating to Housing in the Countryside (Hinterland areas and the Wider Countryside) – we queried the ‘neutral’ scoring for the SEA objectives of ‘Value and protect the diversity and local distinctiveness of landscapes’ and ‘Conserve and enhance landscape character and scenic value’. We considered it was unclear how the Council had reached these conclusions. In this regard the HwLDP ER states in terms of these policies that *‘Housing in the Countryside and Siting and Design Guidance will be a key consideration when determining planning applications for housing in the wider countryside. [They] will be subject to a separate SEA process’*. Therefore if the neutral scoring was based on SEA being carried out at the level of supplementary guidance, then we do not consider this guidance should be screened out now.

Scottish Natural Heritage, Fodderty Way, Dingwall Business Park, Dingwall, Ross-shire. IV15 9XB  
Tel: 01349 865333 Fax: 01349 865609 Website: [www.snh.gov.uk](http://www.snh.gov.uk)

Dualchas Nàdair na h-Alba, Slighe Fodhraidh, Pàirc Gnìomhachas Inbhir Pheofharain, Inbhir Pheofharain, Siorrachd Rois. IV15 9XB  
Fòn: 01349 865333 Facs: 01349 865609 Làrach-lìn: [www.snh.gov.uk](http://www.snh.gov.uk)



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Planning Advice Note 1/2010 Strategic Environmental Assessment of Development Plans states in para 4.53 with respect to supplementary guidance –

*“In most cases the parent plan will have been subject to a SEA. It is likely that the guidance will also need an assessment, and the next step is to proceed directly to scoping. It is however possible that some guidance can be exempted through screening:*

- Supplementary guidance in some circumstances may be no more than a minor modification to the parent plan, and so exempted if it is not likely to have a significant environmental effect;*
- Supplementary guidance may relate to a small area at a local level and so exempted as above.*

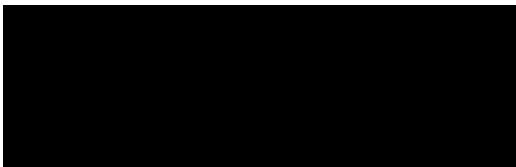
We do not believe either of the above describes the nature of this supplementary guidance.

Any SEA for this supplementary guidance can be tightly scoped to focus in particular on landscape, and can draw upon landscape character assessment (LCA) work for baseline information (which for example would help to identify the landscape character types noted above). For further information please see “Landscape Considerations in Strategic Environmental Assessment” - <http://www.snh.gov.uk/docs/B710441.pdf>.

Please note that this consultation response provides a view solely on the potential for the plan or programme to have significant environmental effects. We cannot comment on whether or not the plan or programme meets other criteria determining the need for SEA as set out in the Act.

If you wish to discuss this screening determination, please do not hesitate to contact Andrew Brown ([andrew.brown@snh.gov.uk](mailto:andrew.brown@snh.gov.uk)) or via SNH's SEA Gateway at [sea\\_gateway@snh.gov.uk](mailto:sea_gateway@snh.gov.uk). When responding to the Draft Siting and Design Guidance we offered to assist with further work on this, and we would repeat this offer now, which would also assist with any associated SEA work.

Yours sincerely



**George Hogg**  
Area Manager  
South Highland  
[george.hogg@snh.gov.uk](mailto:george.hogg@snh.gov.uk)

cc Scottish Government SEA Gateway ([SEA.gateway@scotland.gsi.gov.uk](mailto:SEA.gateway@scotland.gsi.gov.uk))  
SEPA ([sea.gateway@sepa.org.uk](mailto:sea.gateway@sepa.org.uk))  
Historic Scotland ([hssea.gateway@scotland.gsi.gov.uk](mailto:hssea.gateway@scotland.gsi.gov.uk))  
SNH SEA Gateway ([sea\\_gateway@snh.gov.uk](mailto:sea_gateway@snh.gov.uk))

## CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

Schedule 2 Criteria	Section 8(1) determination - Are significant environmental effects likely? (Responsible Authority's assessment)	SNH's Assessment under Section 9(3) Yes/No/Unknown	SNH's Comments and Additional Information
<b>1.The characteristics of plans and programmes, having regard , in particular to:</b>			
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	No	Yes	The guidance will provide the framework for the expansion of housing groups in terms both of their identification and how housing groups should be expanded. Design guidance sets a framework for the nature of housing in rural areas.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	No	Yes	This guidance is fundamental to the application of Policies 36 and 37 of the Highland wide Local Development Plan in the key planning aspect of housing in the countryside.
(c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	No	Yes	The landscape and visual impact of housing in the countryside is a key environmental consideration which will promote sustainable development. Housing in the countryside raises other important environmental considerations relating to sustainable development, e.g. transport, re-use of old buildings
(d) Environmental problems relevant to the plan or programme;	No	Yes	The draft Siting and Design guidance (September 2010) noted several existing environmental problems caused by past development of housing in the countryside, e.g. <i>'While many new houses built in the Highland</i>

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			<i>countryside have respected past traditions of siting and design, many have not and now appear incongruous or intrusive because of poor siting, poor design, poor choice of materials or all three' (p3); 'The continued inappropriate development of dispersed housing groups and townships has led to an erosion of the character of these groups and a move towards the suburbanisation of rural areas' (p8); 'Siting of individual houses and groups of housing has come into focus as we begin to see the results of recent developments in the countryside. Although new development is often well sited, many others demonstrate very poor siting' (p14).</i>
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example plans and programmes linked to waste management or water protection);	No	No	We agree with the responsible authority's assessment.
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -</b>			
(a) the probability, duration, frequency and reversibility of the effects;	No	Yes	There is likely to be continued interest and pressure for housing in the countryside in Highland (both within hinterland areas and the wider countryside), hence probability and frequency are high. By their nature housing developments are long term and irreversible.

Schedule 2 Criteria	Section 8(1) determination - Are significant environmental effects likely? (Responsible Authority's assessment)	SNH's Assessment under Section 9(3) Yes/No/Unknown	SNH's Comments and Additional Information
(b) The cumulative nature of the effects;	Yes	Yes	We agree with the responsible authority's assessment, both with regard to the more pressured hinterland areas and the wider countryside.
(c) the transboundary nature of the effects ( <i>in UK international cases</i> );	No	No	We agree with the responsible authority's assessment.
(d) the risks to human health or the environment (for example due to accidents);	No	No	We agree with the responsible authority's assessment.
(e) the magnitude and spatial extent of the effects (geographical areas and size of the population likely to be affected);	No	Yes	The guidance will relate to housing proposals across the whole of the Highland Council area (except within the Cairngorms National Park) and the Highland wide LDP recognises that there will continue to be demand for housing development outwith settlements (para 19.7.1).
(f) the value and vulnerability of the area likely to be affected due to:			
i. special natural characteristics or cultural heritage;	No	Yes	The guidance will apply to housing in the countryside in areas of Highland with special natural landscape characteristics, such as crofting areas, remoter more rugged areas along the west and north coasts, and areas where the quality of the landscape character is strongly related to a balanced mix of land cover/uses.
ii. exceeded environmental quality standards or limit values; or	No	No	We agree with the responsible authority's assessment.
iii. intensive land-use;	No	No	We agree with the responsible authority's assessment.

Schedule 2 Criteria	Section 8(1) determination - Are significant environmental effects likely? <i>(Responsible Authority's assessment)</i>	SNH's Assessment under Section 9(3) Yes/No/Unknown	SNH's Comments and Additional Information
(g) the effects on areas or landscapes that have a recognised national, Community or international protection status.	No	Yes	The siting and design element of this guidance will encompass housing proposals within National Scenic Areas and Special Landscape Areas.