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INVERNESS  
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Our ref: CNS/SEA/SSEA/00298  
Your ref: CM/LP/IN

13 June 2008

Dear Mr MacKenzie

## **ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005: DRUMNADROCHIT FUTURES SCREENING DETERMINATION**

I refer to your screening consultation submitted on 20 May 2008 via the Scottish Executive SEA Gateway on 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 for determining the likely significance of effects on the environment.

Our view in respect of each of these criteria is set out in Annex 1 attached. Accordingly, we disagree with the screening report from the The Highland Council that states that the Plan is not likely to have significant environmental effects. In our opinion, the above Plan is likely to have significant environmental effects and therefore does require an assessment in accordance with the aforementioned Regulations.

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.

Should you wish to discuss this screening determination, please do not hesitate to contact Tim Dawson on 01349 865333 or via our SEA Gateway at [sea.gateway@snh.gov.uk](mailto:sea.gateway@snh.gov.uk)

Yours sincerely

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## SCHEDULE 2

### 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;	Yes - <i>Drumnadrochit Futures</i> provides a strategic overview of planning issues and options at the community level. It will inform the local development plan and its successive reviews; and provide a framework for implementation of policy, notably a basis for co-ordinating public and private sector funding programmes; preparing Supplementary Guidance in respect of eg. Development Briefs and Design Codes; and community initiatives, including environmental management, all dependent in part on landowner agreements and a comprehensive long-term view about the future of key land holdings.	Yes	We note that <i>Drumnadrochit Futures</i> will inform reviews of the adopted Inverness Local Plan.
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	Yes - <i>Drumnadrochit Futures</i> will be influential in establishing community priorities and each "next phase" of the <i>vision</i> to be articulated as part of the local development plan. It will be able to influence the planning and programming of priorities by the infrastructure/environmental agencies including Scottish Water, the Highland Health Board, SEPA and Transport	Yes	We agree with the Responsible Authority's Assessment, but recommend that other strategies be considered including the Inverness and Nairn Local Biodiversity Action Plan, the Great Glen Way Development and Management Plan and the work of the Partnership for Rural Inverness and Destination Loch Ness.

	Scotland. It will inform the Highland Development Plan – the strategic regional framework – about the role and capacity of outlying centres within the hinterland of the City of Inverness and articulate the role of such places in delivering sub-regional objectives, providing a “template” for a consistent approach in that regard.		
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	<p>Yes - Sustainable development in this context is dependent on a community which is capable of regenerating; supporting local people and an environment which is respected and managed as a resource able to sustain local associations and future needs; and its contribution to the economy, recreation and nature.</p> <p><i>Drumnadrochit Futures</i> eg. integrates the local heritage and acknowledges the passive and active mores which embrace “environmental considerations”, and recognises these as a fluid and evolving influence on the function, shape and character of the village. It identifies designations to be protected and managed, including SAC, SAM, TPO and Woodland Trust estates; it seeks to protect the settlement pattern - holding development to the glen floor and reinforcing a series of “villages” linked/separated by green “buffers”. This is part of a “footprint” for development based on the principle of <u>balance</u> in the “take” and protection of land, thus sustaining functional green-space as the</p>	Yes	<p>We welcome the acknowledgement and identification of designated sites within <i>Drumnadrochit Futures</i>. The potential effect of any proposed flood protection measures on the Urquhart Bay Woods Site of Special Scientific Interest / Special Area of Conservation will need to be considered at the project stage.</p> <p>Protected species, particularly European Protected Species (otter, bats) as well as red squirrel, will need to be considered at the project stage.</p>

	community builds-out to its natural landscape limits. It avoids or diminishes hazards, notably the river flood plains and the dominance of the trunk road. It promotes a walk-able community, connected by segregated, safe routes, the potential for public transport, renewable energy sources, and recycling contributions. It promotes investment at appropriate times in infrastructure to enhance environmental quality, including the treatment of waste water and diversion of trunk road through traffic; and is fully responsive to advances in technology and design change, expected to underpin development.		
(d) environmental problems relevant to the plan or programme;	Yes - A long term "footprint" for the community highlights the need to balance the take-up of green/agricultural land for development, as the village grows; the opportunity to effect protection against flood risk for vulnerable property and to direct development away from natural hazards; the scope to address the dominance in traffic; the potential for alternative energy sources to sustain the community; the need to ensure that amenity, open space, habitat and landscape provisions keep pace and are committed and managed as part of an integrated community; and promotes utility upgrades timeous with growth and development of the village.	Yes	<p>The potential effects of habitat loss / disturbance on the protected species mentioned above will need to be considered at the project stage.</p> <p>The potential effect of any proposed flood protection measures on the Urquhart Bay Woods Site of Special Scientific Interest / Special Area of Conservation will need to be considered at the project stage.</p>
(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	Yes - Drumnadrochit Futures provides a framework for co-ordinating any future initiatives in respect of <i>Catchment Management</i>	Yes in part	The plan may affect European Protected Species including otter and bats. These will need to be considered at the project stage.

management or water protection);	<i>Plans</i> and implementation of the <i>Highland Waste Plan</i> at community level, notably the connection between the use of retained “buffer” land, its role in flood protection; and the design of the built environment to enable waste “servicing” and the location and accessibility of recycling facilities. It provides for programming and implementation of health facilities, water and drainage investments, road improvements, Core Path Network commitments etc.		The potential effect of any proposed flood protection measures on the Urquhart Bay Woods Site of Special Scientific Interest / Special Area of Conservation will need to be considered at the project stage.
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## 2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -

(a) the probability, duration, frequency and reversibility of the effects;	Yes - Drumnadrochit Futures presents a vision for the next 25+ years from a particular time and perspective. It is a flexible and fluid basis on which to promote a community that is <u>balanced</u> in its response to development and environmental provisions. It is probable that it will underpin the allocation of land for development in the first five years through the local development plan, and that if developed, that effect would be irreversible. It will be capable of monitoring, review, updating and adjustment in order to inform successive development plans (and phasing the community's development over subsequent years), and in that regard is able to be adjusted to changing circumstances and could be “reversible”. Equally, it provides eg. for substantial, residual green land, potentially surplus to holdings to be secured and managed undeveloped, to meet wider and related	Yes	We agree with the Responsible Authority's assessment.  Projects within the plan have the potential to have irreversible impacts on the protected species and sites mentioned above.
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	community needs. This could be part of secure planning agreements or “acquisitions”, which may be irreversible in terms of their status, but flexible in their use and management, according to community priorities.		
(b) the cumulative nature of the effects;	Yes - <i>Drumnadrochit Futures</i> provides a “footprint” for the phased evolution of the community. It provides for incremental development, takes account of its requirements and cumulative impacts, and the timing of initiatives or commitments needed to manage such effects. The rate of growth, density of development and release of land are variable and controlled through the development plan. The cumulative nature of effects may be positive and negative. These embrace the gradual take-up of green/agricultural land for development; the delivery an “estate” of residual lands to the community’s control; the potential for enabling bio-diversity, recreation and public access in this regard; the removal of a substandard traffic network and replacement with measures which will create a more cohesive and safer community; the principal of growing the community and sustaining and extending the choice of local services and employment.	Yes	We agree with the Responsible Authority’s assessment.
(c) the transboundary nature of the effects ( <i>in UK international cases</i> )	No - nil	No	We don’t believe there will be any effects on other member states.
(d) the risks to human health or the environment (for example due to accidents);	Yes - The risks – pressure to develop or use the flood plain, to fail to promote traffic and accessibility enhancements, to lack	Yes	We agree with the Responsible Authority’s assessment.

	the foresight needed to effect future utility programmes, eg. – would be less ably identified and addressed by taking a short term, piecemeal approach. The overview taken is consistent with a framework for sustaining the community over the long term.		
(e) the magnitude and spatial extent of the effects (geographical areas and size of the population likely to be affected);	No - Drumnadrochit Futures could enable the village to double in size over 25 years. However, the factors that govern the rate, density and location of development are variable and may increase or contract that timeframe, and the extent of development taking place in any phase of it. The village “footprint” covers some 80 ha., theoretically an additional 600 homes. The current population is around 1,000 people; it is not necessarily the case that the population need double.	No	We agree with the Responsible Authority's assessment.
(f) the value and vulnerability of the area likely to be affected due to:	Yes - The “footprint”	Yes	We agree with the responsible authority's assessment.
i. special natural characteristics or cultural heritage;	(i) avoids statutory and non-statutory designations - SAC, SSSI, TPO, SAM and the flood plains, rising land, other woodland and habitats, the main corridors and paths - but lies in close proximity and could generate pressures on these. Most of the area identified for development is open field; occasionally, land/features (not protected by designation) – usually raised beach or discrete woodland, small scale with localised impacts – may need to be supplanted to facilitate connectivity, long term benefit and sustainability. Where		Whilst the proposals within <i>Drumnadrochit Futures</i> take account of designated sites, we note that, for example, two of the golf course options lie adjacent to the Urquhart Bay Woods SAC. The need for appropriate assessment extends to plans or projects <u>outwith</u> the boundary of the site in order to determine their implications <u>within</u> the site.

	this is the case, the thrust of the vision is to bring other for development land/features into public control and effect compensatory measures;		
ii. exceeded environmental quality standards or limit values; or	(ii) is responsive to and informs, management and investment needed to address any threat to environmental quality or the capacity limits of infrastructure or land use;		
iii. intensive land-use; and	(iii) promotes more productive land use, addresses long term community needs, including potentially large scale development, with growth of the village controlled to five year increments, and any regulatory mechanisms, as necessary.		
(g) the effects on areas or landscapes that have a recognised national, Community or international protection status.	<p>Yes - The effects of the <i>vision</i> – include on an Area of Regional Landscape Importance (Highland Structure Plan 2001), a national tourist route, SAC, SSSI, SAM, and TPO. The effects are positive and negative, and depend on the community evolving on three complementary fronts: development, green-space/setting and connections. Development requires to be absorbed so-as-to sustain the character and development pattern, enable timeous service investment and management of pressures that arise from a growing community: ie. more house-building, local services, infrastructure and utilities, greater demand for amenities. The effects are manageable by regulating the rate and location of development, consistent with the capacity and usage of land, and traffic,</p>	Yes in part	<p>Our understanding is that the relevant area is the Loch Ness Area of Great Landscape Value (AGLV). Most of the area under consideration within <i>Drumnadrochit Futures</i> lies outwith the AGLV.</p> <p>The responsible authority may wish to note that SAC and SSSI are not landscape designations.</p> <p>We are not aware of any other relevant landscape designations.</p>



	recreation, water and waste infrastructure. The provision of a long-term framework, fluid and adaptable, set out as a tableau for the next 25 years enables shared environmental management objectives to be phased and funded.		
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## Other Issues / Comments

We have no additional comments at this stage.

## Comments on information needed at the Scoping Stage

In making scoping requests, Responsible Authorities are encouraged to provide the following information:

### 1

#### Context

#### a The Plan

- Plan name, area covered, period covered, timescales for preparation
- Legal requirement for plan
- Plan purpose, subject and proposed objectives
- Relationship with other relevant Plans and Programmes

#### b The Area

- Summary of existing environmental problems in the area/sector covered by the plan or programme and relevant aspects of the current state of the environment
- Summary of likely future changes to environment without the plan
- Environmental characteristics of areas likely to be significantly affected by the plan or programme
- Relationship with existing environmental objectives relevant to the plan or programme. These may be European objectives set by Directives, national objectives set by legislation or policy or they may be local/regional objectives

### 2. Scope

#### a Scope and Level of Detail

- Summary of the environmental issues to be considered in the Environmental Report with justifications
- Summary of any environmental issues not to be considered in the Environmental Report with justifications
- Summary of the proposed level of detail of assessment – e.g. will the assessment focus on very detailed policies in the plan, or just strategic objectives?

#### b Alternatives & Mitigation

- Where possible, a summary of intended approach to assessing alternatives (e.g. type and scale of alternatives that may be assessed)

- Where possible, the proposed approach for identification of mitigation

### **3. Methods**

#### **a Assessment Method**

- A brief summary of the proposed approach to the assessment which might include:
- Summary of existing work to date
- Proposed (draft) SEA objectives
- Proposed approach to assessment including use of SEA objectives
- Proposed (draft) indicators

### **4. Next Steps**

#### **a Consultation**

- Proposed consultation period for the Environmental Report