

SUTHERLAND LOCAL PLAN
Strategic Environmental Assessment:
Update Statement

April 2010



Introduction

This document provides details of where and how the Sutherland Local Plan Revised Environmental Report November 2008 will be updated due to modifications recommended by the Examination Reporter and made by the Council. It includes discussion on where any modifications to general policies or site allocations in the Local Plan have led to SEA assessments to be reviewed. It also includes changes that are necessary to remove any inconsistencies between the Environmental Report and the Local Plan. This Update Statement is being made available alongside the *Intention to Adopt* version of the Local Plan and must be read alongside the Revised Environmental Report November 2008, which is available at Council HQ and on the website www.highland.gov.uk. A Finalised Environmental Report incorporating all these changes and other consequential changes will be published in due course alongside the Adopted Local Plan and an SEA Post-Adoption Statement.

Non-Technical Summary

A non-technical summary will be available as a separate document with the finalised Environmental Report. It will include a reference and a link to appendix 1 of the Environmental Report. This appendix usefully provides information on relevant international, national, regional and local documents for Sutherland, outlining their objectives and main requirements and how they are affected by the Local Plan. This appendix is also mentioned in paragraph 2.6 of the Local Plan.

SEA Objectives

The SEA Objectives remain the same; therefore there is no impact on the SEA assessments.

Local Plan Objectives

The Local Plan Objectives remain the same; therefore there is no impact on the SEA assessments.

Residual Effects

We will be developing a framework for monitoring. Through this we will reflect on the SEA and focus efforts where appropriate on monitoring any negative residual effects on the environment after the appropriate mitigation has been applied.

Protected Species

The Council's Guidance on Development and Biodiversity – Highland's Statutorily Protected Species was only emerging during the SEA assessment, therefore it will not be included as part of the SEA assessment. However it will inform the development of the Highland wide Local Development Plan. There have been changes made to the Local Plan following the Appropriate Assessment of the Local Plan, with developer requirements added for otter and bat surveys. However, whilst such a developer requirement is not necessarily included in the Plan in every instance where a survey may ultimately be required, General Policies 11 and 12 will be applied across all proposals and require such surveys where necessary.

Cumulative Impacts ('In combination' effects)

There could be cumulative effects relating to landscape character, water quality and biodiversity. The table below paragraph 8.4 in the revised Environmental Report November 2008 identifies where general policies may have a small or significant positive or negative effect and where one or more policies score a negative effect, there is the possibility that cumulatively or in combination, these could produce a

significant environmental impact. For landscape character it is likely that there could be cumulative negative effects if policies 3, 4 and 16 are not properly applied. However if they are applied correctly and the mitigation identified in the Local Plan is applied, then the cumulative impacts should be reduced. The Reporter also recommended deletion of some sites which decreases the cumulative negative impacts. There is also a Landscape Capacity Study for Sutherland which helped to inform site allocations in the Plan. Its use helped to limit cumulative negative impacts by mitigation through siting and design considerations. The water environment could be subject to negative cumulative impacts if multiple houses are built in the countryside that are not connected to the public sewer. If policies 3, 16 and 7 as modified are applied then the potential for cumulative effects are reduced. Modifications to Policy 7 together with newly added SDA developer requirements, have helped to safeguard the water environment not only in respect of housing in the countryside. For biodiversity there are no obvious negative impacts from the general policies and indeed by applying general policies 11, 12 and 13 there could potentially be a positive cumulative impact. Although there are some local concentrations of development proposals in the Plan, based around settlement locations, Sutherland's settlements are relatively small as is the scale of growth planned, therefore the potential for cumulative negative impacts is generally less than would be the case if a number of larger scale developments were proposed. Relevant policy modifications responding to the concerns of SNH, Historic Scotland and SEPA have been made which have the effect of further safeguarding from individual and cumulative effects of development.

Appropriate Assessment has also been carried out to ensure that the policies and proposals are not likely to have a significant effect on European sites. The work undertaken and documented acknowledges relevant changes that have previously been made to the emerging policies and proposals of the Plan, which have improved the safeguarding of habitats and species. The effective operation of the General Policies will provide significant mitigation. For the Appropriate Assessment all Local Plan policies were screened both individually and cumulatively to determine whether it was likely that any significant effects on Natura sites could arise due to their implementation. Policies identified as likely to have a significant effect were identified as requiring an appropriate assessment which was undertaken in order to try to establish whether or not there would be an adverse effect on the integrity of Natura sites. Section 6 of the Appropriate Assessment includes a discussion on cumulative effects and section 9 outlines a menu of mitigation measures.

Appropriate Assessment

Since publication of the 2008 Deposit Draft Local Plan, the Council has progressed Appropriate Assessment work under the requirements of the EU Habitats Directive. Officers have engaged with SNH staff who have contributed to this piece of work. Discussions with both SNH and SEPA in respect of the policies and proposals of the Draft Local Plan and the Strategic Environmental Assessment of it have helped to identify and address potential shortcomings. The Council completed an Appropriate Assessment Report of the Deposit Draft Local Plan in June 2009 and revised it in December 2009. The work undertaken and documented acknowledges relevant changes that have previously been made to the emerging policies and proposals of the Plan, which have improved the safeguarding of habitats and species. The effective operation of the General Policies will provide significant mitigation. Further changes have resulted from the Assessment and been made to the Local Plan. The conclusions are that, with appropriate safeguarding and mitigation as provided for, including modifications made following Examination, the Local Plan will not adversely affect the integrity of the SPA/SAC/Ramsar sites. A final Appropriate Assessment

Report of the Local Plan is being prepared and will be published alongside the adopted Local Plan.

Deletion of Sites

The Examination Reporter recommended deletion of all of the long term allocations within the Local Plan. Other sites were also recommended for deletion. This has no impact on the SEA assessments but the sites noted below are no longer proposed as allocations for development in the Local Plan; their non-allocation suggests that their development, or their development for the intensity previously proposed, is now less likely (at least within this plan period) with the effect of reducing negative impact of the Local Plan on the environment. The following sites have been deleted:

- Ardgay H1 North of Manse Road
- Bonar Bridge LT1 South of Cherry Grove
- Dornoch LT Dornoch North Expansion
- Embo H1 North of Station House
- Embo MU1 West Embo
- Golspie H3 Adjacent to Macleod House
- Helmsdale LT North of Helmsdale/West of Primary School
- Invershin H1 Former Balblair Workings
- Lairg LT1 North of Milnclarin
- Lairg LT2 North-west of Lochside
- Lochinver H3 Glencanisp
- Tongue MU1 West of the Manse

The table below highlights which sites which remain in the Local Plan have been re-referenced as a consequence of the site deletions noted above and changes in allocated use:

Old site reference	New site reference
Ardgay H2 Adjacent to primary school and north of Church Street	Ardgay H1 Adjacent to primary school and north of Church Street
Edderton MU (I/B) Adjacent Glebe Cottage	Edderton MU (B) Adjacent Glebe Cottage
Golspie H4 Rhives Farm Steading	Golspie H3 Rhives Farm Steading
Point of Stoer H2 South of the radio mast	Point of Stoer MU1 South of the radio mast
Tongue MU2 North of St Andrews Church	Tongue MU1 North of St Andrews Church

Changes to Sites

Site changes are itemised below. In most cases it has simply been a correction of the calculated site area or other errata to the Local Plan, where the SEA assessment had used the correct information. In all cases, reassessment of the SEA site assessment matrix is not required.

- Ardgay B2 Ardgay Railway Station Yard South: change site area from 1.2 ha to 1.0 ha – this was an errata in the local plan therefore the site assessment matrix does not require to be redone.
- Bettyhill H2 West of Munro Place: change site area from 2.3ha to 1.5ha - this was an errata in the local plan therefore the site assessment matrix does not require to be redone.

- Dornoch H3 Sutherland Road and H4 Meadows Park Road: the site areas for these two allocations was an errata in the Local Plan with H3 having the site area for H4 and vice versa. The changes in the Local Plan simply correct this and they now state site area for H3 as 1.8ha and site area for H4 as 4.2ha. Both sites had their site matrices completed using the correct site areas, therefore no changes are required to these.
- Edderton H1 West of Station Road: housing capacity changed from 30 units to 40 units - this was an errata in the local plan therefore the site assessment matrix does not require to be redone.
- Edderton MU1 Adjacent Glebe Cottage: change from business/industrial use to just business use. This was a recommendation from the reporter following an objection which raised concerns over the environmental impact of the development. As the revised use further limits the type of development to that with less impact it has a net betterment for the environment and therefore the assessment matrix does not require to be redone.
- Golspie H1 Woodland Way: change site area from 10.9 ha to 0.9ha – this was an errata in the local plan therefore the site assessment matrix does not require to be redone.
- Helmsdale MU1 Shore Street: change site area from 1.3ha to 1.0 ha - as this reduces the size of the site there will be no additional environmental impacts therefore the site assessment matrix does not require to be redone.
- Kinlochbervie H2 Land at Cnoc Ruadh: change in site area from 0.5 ha to 0.7ha – this was an errata in the local plan therefore the site assessment matrix does not require to be redone.
- Kinlochbervie I1 Reclaimed land at Loch Bervie Harbour: change site area from 0.5ha to 2.0ha - this was an errata in the local plan therefore the site assessment matrix does not require to be redone.
- Lairg H3 East of Manse Road: change in site area from 1.2ha to 1.4ha - this was an errata in the local plan therefore the site assessment matrix does not require to be redone.
- Lairg B1 Former Laundry: change in site area from 1.7ha to 1.9ha - this was an errata in the local plan therefore the site assessment matrix does not require to be redone.
- Lairg MU1 Former Hotel/outbuildings: change in site area from 1.7ha to 1.2ha - this was an errata in the local plan therefore the site assessment matrix does not require to be redone.
- Lochinver H2 Cnoc A Mhuillin: change in site capacity from 20 units to 10 units – as this reduces the site capacity there will be no additional environmental impacts therefore the site assessment matrix does not require to be redone.
- Melness MU1 West of Craggan Hotel: change in site area from 0.5ha to 1.1ha – this was an errata in the local plan therefore the site assessment matrix does not require to be redone.
- Melvich B1 West of Melvich Terrace: change in site area from 0.1ha to 0.3ha - this was an errata in the local plan therefore the site assessment matrix does not require to be redone.
- Point of Stoer MU1 South of the radio mast: this was originally an errata in the local plan and marked as H2. However the SEA assessment was completed with it as an MU site. The site area has changed from 2.8ha to 3.2ha to reflect an existing planning permission. Therefore the site assessment matrix does not require to be redone.
- Rosehall H1 Rear of the post office: change in housing capacity from 15 units to 10 units – as this decreases the site capacity there will be no additional

environmental impacts therefore the site assessment matrix does not require to be redone.

- Strathy H1 Strathy West: change in site area from 1.3ha to 1.0ha - this was an errata in the local plan therefore the site assessment matrix does not require to be redone.

Local Plan General Policies

Certain policies have been modified following the examination of the Local Plan. In some cases the modifications to the policy have different environmental impacts and/or the mitigation has changed. The general policies which have changed in such a way as to require updating of the Environmental Report, whether in terms of further assessment being needed or mitigation added, are included below. Please note that this is not a complete list of all changes made to the General Policies, as not all of changes are deemed to have implications for the assessment of environmental effects. The modified policies and their amended assessments will be available in the finalised Environmental Report, however in the interim the modified policies are available in the *Intention to Adopt* version of the Local Plan and any changes to the assessments are summarised below.

- General Policy 1: the supporting text of the policy has an additional sentence stating that the landscape character assessment for the area will be referred to as a material consideration and landscape character has been added to the policy. This reinforces the policy in terms of landscape. The assessment is currently neutral against the SEA objective on landscape and will remain so as it may not necessarily enhance the landscape.
- General Policy 2: There is no change to the policy but the waste management mitigation needs to be deleted as we would automatically liaise with the necessary departments in the Council regarding waste management for proposed developments. We are also drafting guidelines for waste management, including recycling facilities which will be published alongside the Highland wide Local Development Plan. The assessment is unchanged.
- General Policy 3: the policy has had a substantial re-write however the main thrust of the policy remains the same. The mitigation in the assessment needs amended – landscape character is now the 3rd bullet point and not the 2nd - there is also an additional bullet point in the policy, 'is sympathetic to existing patterns of development in the area' and this should be added to the mitigation – water environment mitigation, general policy 7 has been amended so the mitigation will need to be amended to reflect the new wording. None of these amendments change the outcome of the assessment.
- General Policy 4: The international section has been revised which makes it strengthened in environmental terms. A note has also been added at the end of the policy to cross refer the reader to appendix 1 of the Local Plan, as has the first paragraph of the policy, which strengthens the policy. None of these amendments change the outcome of the assessment.
- General Policy 7: The policy has been 'recast' but the main thrust remains the same. It makes the policy clearer and it strengthens the policy safeguard towards the environment. None of these amendments change the outcome of the assessment.
- General Policy 8: The changes to this policy give a tougher safeguarding approach which does not make significant changes to the environment. The second point of mitigation will be changed to say that the policy has been

further amended to enhance the positive effects. This does not change the outcome of the assessment.

- General Policy 16: Change historic environment mitigation from 'not favour' to 'not specifically promote'. This does not change the outcome of the assessment.

Other Changes

The purpose of the tables below is to set out the key changes that will be made to the Revised Environmental Report November 2008 for it become the finalised Environmental Report and changes that have been made to the Local Plan to ensure consistency between the two documents. Many of the changes listed in the tables below have a fuller discussion above.

Changes to be made to the Revised Environmental Report November 2008:

Paragraph 2.6 will be amended as per appendix 1 of this document.
Paragraph 5.9 to be amended to reflect modified general policy 4.
Paragraphs 5.10 and 5.15: update on Appropriate Assessment – both of these paragraphs will be updated to reflect the discussion above on Appropriate Assessment.
Table 6.1: Under 'Water' note the river and marine SACs in or adjacent to Sutherland.
Table 6.3: environmental problems - add negative impact on landscape character.
Paragraph 7.11: insert SEA objectives here.
Key baseline facts: update information on flooding, brownfield sites and contaminated sites.
The SPA map in the Local Plan has been updated and this will be cross referred to in the finalised Environmental Report.
Further discussion of cumulative effects will be added to paragraph 8.4.
The Environmental Report will provide another example of residual effects alongside Pittentrail MU1 Mart site at paragraph 8.14.
We will include a separate non-technical summary with the finalised Environmental Report.
General Policy 1: in mitigation change 'scams' to 'schemes'. Reinforce as per landscape consideration.
General Policy 2: delete reference to waste management.
General Policy 3: amend mitigation.
General Policy 8: Mitigation - add further enhancement.
General Policy 16: Change historic environment mitigation from 'not favour' to 'not specifically promote'.
Pg 64: Tongue MU1 has been deleted as an allocation.
Pg 73: Under the EC Habitats Directive add reference to Article 10 and the need to identify 'stepping stones' for species movement in development plans.
Pg 73: European Landscape Convention – there are no European designations of international landscape importance. Delete reference.
Pg 76: Wildlife and Countryside Act - add text to cover protected species.
Pg 83: Conservation (Natural Habitats &c) Regulations – the final column will mention the implications of any Appropriate Assessment as per General Policy 4.
The new Scottish Planning Policy has been published and supersedes a lot of the documents in appendix 1. A note will be added to the Environmental Report to acknowledge this.
Pg 112: Add PAN 77 Designing Safer Places and PAN 78 Inclusive Design.
P116 – Highland Renewable Energy Strategy – add amended wording as per

appendix 1 of this document.
P121: SACs and SPAs - final column should be stronger e.g. require appropriate assessment for any proposals that may have a likely significant effect on European sites.
Golspie MU3: site matrix to reflect developer requirement in Local Plan.
Helmsdale MU1: site matrix to reflect developer requirement in Local Plan regarding the A listed Helmsdale Bridge.
Dornoch H3, H4, MU1: Q23 site matrices to be updated to reflect the developer requirement in the Local Plan.
Lochinver H3: allocation has been deleted following Examination.
Q24 in site matrices: Inconsistencies between Dornoch C1 and the remainder of the Dornoch allocations and between Edderton H1 and H2 – recycling facilities. These will be changed unless there is good reason for some difference between the assessments e.g. different types of proposed development or scales of development.
Ardgay H1 Q 11– this site has been deleted and the Environmental Report will be changed to reflect this.
Scourie: Environmental Report includes two sites (H1 East of the Football Pitch and H2 West of the School) whereas the Local Plan includes just one site – H1 West of the School – so the Environmental Report and Local Plan need realigning here.
Site matrices Q19 – a link to tables for EPS and UK protected species will be provided.
Appendix 5 pg 432: Bonar Bridge site 2R – outwith NSA.

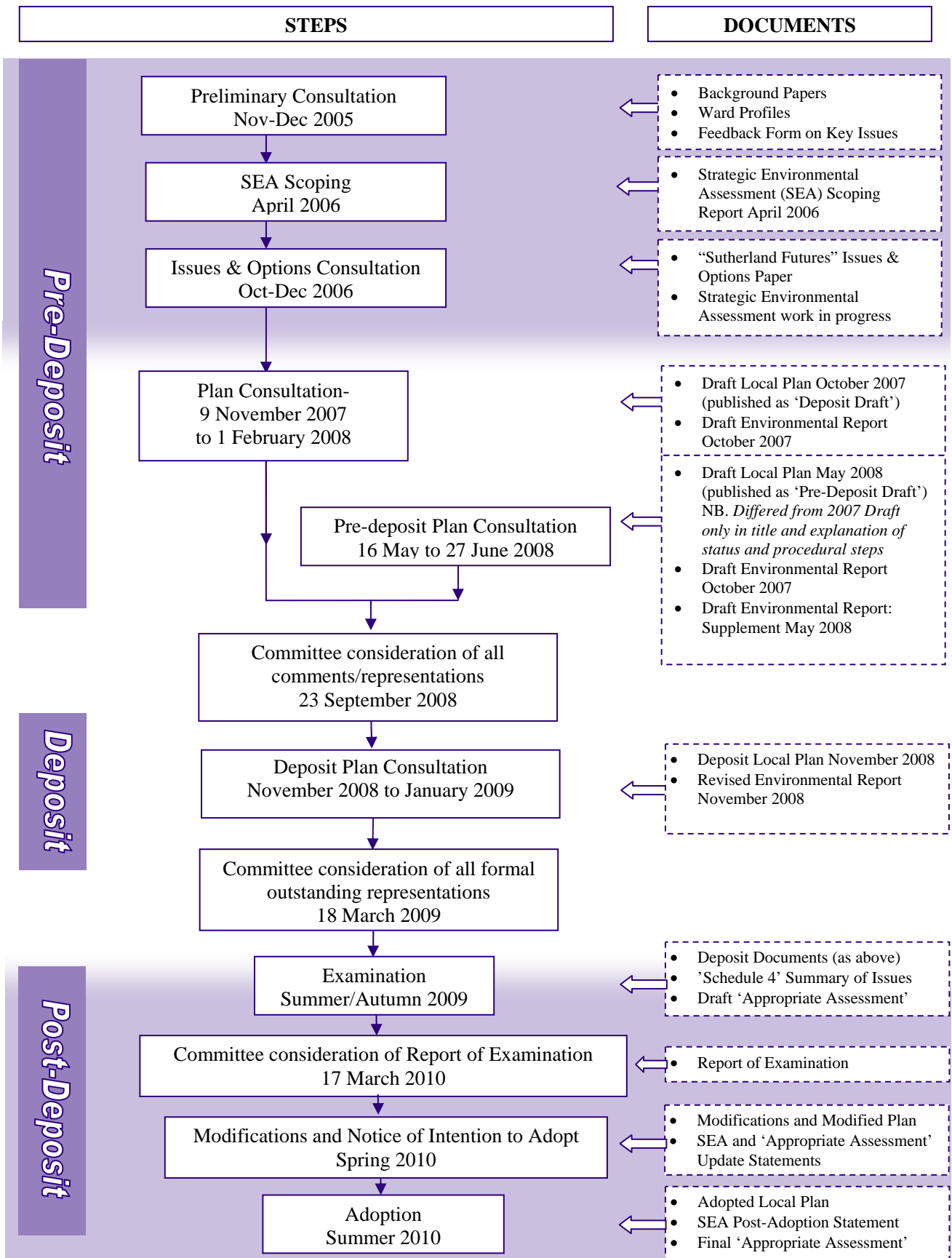
Changes made to the Local Plan:

Ardgay B1 and B2, Bonar Bridge MU1: correct inconsistency with Environmental Report – within NSA - developer requirement amended.
Point of Stoer H1: A developer requirement has been added to the Local Plan to reflect the mitigation stated in the matrix.

How opinions expressed during consultation have been taken into account

The table at appendix 1 of this document sets out the comments from the SEA Consultation Authorities on the Revised Environmental Report November 2008. It responds to each of the points in turn.

Timetable



Appendix 1: Revised Environmental Report, November 2008: Consultation Authorities' Comments & Council's Responses

Overview of Key Points on the Revised Environmental Report	How the Points Have Been Addressed
Historic Scotland	
<p>Non technical summary While welcoming the revisions made we consider the non-technical summary (NTS) would benefit from more information on the specific results of the assessment in terms of the identified significant impacts, mitigation and monitoring. We would also consider it beneficial if the NTS was to be a more defined, stand alone document.</p>	<p>We will provide a stand alone Non Technical Summary with the finalised Environmental Report.</p>
<p>Local Plan Objectives and their relation to the SEA Objectives We welcome the inclusion of the “discussion and mitigation” element of this section in order to offer an explanation on how some of the scoring decisions have been reached, however we feel the report would have benefited from expanding on these issues more thoroughly.</p>	<p>This is noted and will be taken on board for future SEA documents.</p>
<p>Assessment of environmental impacts of Local Plan general policies We note and welcome the majority of the changes made to this section. However, in light of Historic Scotland's outstanding objection to Policy 4 within the Local Plan we consider the potential remains for impacts on locally and/or regionally important features as a result of this policy.</p>	<p>This has been amended following the examination of the Local Plan.</p>

<p>We note that the developer requirements for three of the four allocations we raised in our previous correspondence have been updated within the Local Plan in line with our suggestions. However, we note that the assessments of two of these allocations have not been updated. We would therefore advise the ER be updated in relation to this matter. The two allocations are:</p> <ul style="list-style-type: none"> • Golspie MU4(sic) MU3: There is a Scheduled Ancient Monument (SAM) to the north-east of this land allocation. This SAM (Index No. 1814) comprises 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. • 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 and this should have been identified in the assessment. 	<p>The SEA assessments should have picked up on this; however there is a developer requirement in the Local Plan. The Environmental Report will be updated.</p> <p>The SEA assessments should have picked up on this; however there is a developer requirement in the Local Plan. The Environmental Report will be updated.</p>
<p>In relation to the list we supplied of allocations that have the potential to affect the setting of B and C(S) listed buildings we note and welcome the updating of these matrices with opportunities for mitigation in relation to this matter</p>	<p>Noted.</p>
<p>Mitigation We welcome the information provided in section 8.13 which demonstrates how the SEA process has helped to identify mitigation measures within the plan.</p>	<p>Noted.</p>
<p>Monitoring of the environmental effects of the plan We strongly welcome the commitment to monitoring the impacts of the plan within the SEA adoption statement.</p>	<p>Specific intentions for monitoring for SEA purposes will be developed and set out in the SEA Post Adoption Statement.</p>

Overview of Key Points on the Revised Environmental Report	How the Points Have Been Addressed
SEPA	
Sections 1 to 4 1.1 SEPA is satisfied that all the background information is provided	Noted.
Assessing the Local Plan against the SEA 2.1 SEPA is generally satisfied with the assessments now presented	Noted.
2.2 SEPA notes that the principles of the Plan objectives have been revised in light of SEPA's previous comments. This is welcome. It is still not clear, however, how Plan objective (q) and (r) would have a positive impact against the SEA objectives for waste management.	The principle of the Plan is that waste management facilities could be provided on allocations for industrial use. Hence the Plan could provide sites for recovering waste, composting or energy recovery which in turn could provide employment opportunities. In this respect Plan objectives (q) and (r) could have a positive impact on the SEA objective for waste management.
2.3 In relation to identifying issues not covered by the Plan, it is still noted that none of the Plan principles are likely to have an effect on the air pollution SEA objective. An amendment to positively protect air quality would have been welcomed; however, as air quality is not a significant issue in Sutherland the current proposal is acceptable	Noted.
Predicting Environmental Baseline and Issues 3.1 SEPA previously highlighted that it considered that the baseline provided was very limited. The related comment in Appendix 2 states that "This information is supplied in the new section on monitoring"; it is presumed that this refers to section 9 of the ER entitled "Monitoring the environmental effects of the Plan". Section 9 does not include any baseline information, but highlights what monitoring will be undertaken, including of baseline conditions. While one of the reasons for collecting data is to monitor effects of implementing the Plan, it is also to inform the assessment process. SEPA is therefore disappointed that more baseline information has not considered as part of the assessment process	Noted. We acknowledge the limited use of our baseline information in this SEA but we are developing this for forthcoming Local Developments Plans.

<p>3.2 Notwithstanding the above, SEPA welcomes the amendments made to Table 6.3</p>	<p>Noted.</p>
<p>Alternatives 4.1 SEPA is satisfied with the alternatives presented. Appendix 5 and 6, which outline the allocations which are not being brought forward into the Plan clearly demonstrates how the Plan has developed, based on environmental and other relevant considerations</p>	<p>Noted.</p>
<p>Local Plan General Policies 5.1 SEPA welcomes the additional information provided to explain how the results have been reached and this helps for SEPA to reduce its comments on the assessment of these as follows.</p>	<p>Noted.</p>
<p>5.2 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 as highlighted previously the current Policy does not require its submission. SEPA would welcome an amendment to make clear when such a statement will be required</p>	<p>The policy wording has been amended following the examination of the Local Plan to delete the word 'normally' and link it to the implementation of the DPPG on Designing for Sustainability.</p>
<p>5.3 Policy 7: SEPA agrees that the Policy should have a positive impact against the water environment SEA objective but considers that this could be enhanced further if amendments to the Policy were made; further details of this are provided in SEPA's response to the Plan.</p>	<p>This policy has been amended following the examination of the Local Plan.</p>

<p>5. 4 Policy 9: As the Policy still 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 unfortunately still accurate. SEPA still considers that such a policy should deliver a positive impact. For the same reason, and as stated previously, 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>The policy has been amended following the examination of the Local Plan. This means that sites 'bordering' a high or medium flood risk area do not automatically need a Flood Risk Assessment but The Council still can ask for one to be prepared. This does not change the environmental impact of the policy.</p>
<p>Summary of Plans General Policies 6.1 SEPA welcomes the addition of a table to summaries the effects relating to the general policies; this is very helpful.</p>	<p>Noted.</p>
<p>Assessment of Plan Allocations 7.1 SEPA welcomes the detailed methodology used to assess the individual allocations and its execution has improved in the revised ER. There are however still some inconsistently (sic) between the assessments and mitigation outlined in the revised ER and what is actually in the Plan</p>	<p>We have reviewed the document and removed inconsistencies.</p>
<p>7.2 SEPA provides the following detailed comments on the assessments.</p>	
<p>7.2.1 Question 20 (renewable energy): Previously SEPA highlighted that none of the allocations will provide or use energy from a local, renewable source and suggested that if it was an aim of the Authority for the Plan then this omission highlighted that amendments to the Plan are required to address this. SEPA welcomes the fact that an explanation of the mitigation within the Structure Plan is now provided accompanied by information on how it will be considered in the developing Highland Wide Local Development Plan.</p>	<p>Noted.</p>

7.2.2 Question 21 (flooding): The identification of allocation at risk from flooding has improved considerable (sic).	Noted.
As stated previously, based on the best available information at this stage, if 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. Generally this seems to have been carried out, however it is noted that the required mitigation has been omitted for Dornoch H3 and H4, and the boundaries of the sites have not been modified for Kinlochbervie H2 and Pittentrail MU1.	<p>The policy has been amended following the examination of the Local Plan. This means that sites 'bordering' a high or medium flood risk area do not automatically need a Flood Risk Assessment but The Council still can ask for one to be prepared. This does not change the environmental impact of the policy.</p> <p>Allocations at Dornoch H3 and H4 now have developer requirements in the Local Plan. The Local Plan Examination Reporter stated that there were to be no changes to the boundaries of allocations Kinlochbervie H2 and Pittentrail MU1.</p>
Boundaries have also not been modified for Helmsdale MU1, Lochinver I1 and Kinlochbervie I1, however, following discussions it is now appreciated that these allocations are required for operational reasons. SEPA is therefore satisfied that the boundaries for these sites do not require modification if it is clear that only water-related or harbour uses are acceptable within flood risk areas	These 3 allocations now have developer requirements in the Local Plan.
7.2.3 Question 22 (drainage): Generally SEPA is satisfied with the assessments presented, although there are a small number of inconsistencies and it is noted that SEPA's advice that re-development of brownfield sites could have a positive impact on drainage has not been considered. SEPA considers that the revised Policy 14, requiring SuDS for all development proposals, is suitable mitigation for any possible negative impacts and as stated previously additional comment in the allocation 'Development Requirements' is not required	The approach taken in the Local Plan with General Policy 14 is satisfactory.
7.2.4 Question 23 (physical impacts on watercourses): SEPA considers the assessments presented to be a considerable improvement on the previous ER, although there are still some inconsistencies. For example	Noted.

<p>- Dornoch allocations H3, H4 MU1 and LT - revised ER states that there will be no impact, however the Plan provides mitigation</p>	<p>The Environmental Report matrices have been updated. LT has been deleted through the Examination.</p>
<p>- Point of Stoer H1 – Revised ER identifies watercourse and suggests mitigation, however mitigation not provided in the Plan.</p>	<p>A developer requirement has been added to the Local Plan.</p>
<p>- Tongue H2, Lochinver H3 – Neither revised ER or Plan identifies issue, yet Plan shows watercourses dissect the site</p>	<p>Lochinver H3 has been deleted following the Local Plan examination. Tongue H2 – there is no sign of a watercourse evident on site.</p>
<p>SEPA welcomes the amendments to the Plan where mitigation is now provided (e.g. those in Lairg) and requests that this be implemented for all allocations where there are watercourses within the site</p>	<p>Developer requirements have now been added where appropriate.</p>
<p>Question 24 (waste management): At the beginning of the revised ER the justification of the assessments is good, relating a positive assessment to the provision of kerbside collection and local recycling centres. There are some unexplained assessments which may be errors - for example, it is not clear why Dornoch C1 does not offer opportunities for sustainable waste management, yet all other allocations in Dornoch do, or why Edderton H1 doesn't but Edderton H2 does</p> <p>However, from Pittentrail allocations onwards no justification is provided for the assessment presented therefore SEPA has less confidence in what is provided. In addition from Pittentrail onwards there is inconsistency in how the impact is assessed with a positive effect sometimes record (sic), and some times "n/a".</p>	<p>The inconsistency is in our recording rather than in our assessment but we understand that the Consultation Authorities rely on our assessments.</p> <p>Sustainable waste management is an aspect of the sustainable design of a development. General Policy 6 covers this.</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>SEPA notes that the ER states that all allocations (with the exception of Invershin H1, Lochinver H1 and H3, Point of Stoer H1 and H2, Tongue MU2, Strathy H1) can connect to the public sewerage system. As stated previously SEPA would have preferred that the mitigation offered by connection to the public sewer system was ensured by way of Developer Requirements throughout. However, SEPA considers that the revisions discussed to Policy 7, will now, in most cases provide adequate mitigation</p>	<p>This issue is dealt with through application of the recommendations from the Reporter and the Appropriate Assessment.</p>
<p>Question 28 (protection from prevailing wind and opportunity for solar gain): Unfortunately there are still inconsistencies on how this question has been assessed and this reduced SEPA's confidence in the results. In some cases a good explanation of the justification for a positive assessment is provided; but exactly the same justification is given for a negative assessment.</p>	<p>Noted. We will revisit the matrix in future assessments to ensure consistency.</p>
<p>Question 29 (air quality): SEPA notes that all allocations, with the exception of South Bonar Bridge Industrial Estate (I1), have been assessed as not having an impact on local air quality. SEPA is satisfied with this, however, following SEPA's previous comments that all sites allocated for industrial uses may result in industrial development which could have a negative impact on air quality, it would have been useful to have seen justification in the other industrial allocations why this was not considered an issue</p>	<p>Noted.</p>
<p>Monitoring the environmental effects of the Plan 8.1 SEPA welcomes the proposals for monitoring outlined, especially those relating to whether the mitigation provided for effects seems to be working</p>	<p>Noted.</p>

Overview of Key Points on the Revised Environmental Report	How the Points Have Been Addressed
SNH	
Non-technical summary (NTS) – it is not clear whether this comprises just page 3 or also sections 1 and 2. It would be preferable if the NTS was a clearer “stand alone” section. It should in particular summarise the likely significant environmental effects, the mitigation measures, residual effects and the means of monitoring.	We will provide a stand alone Non Technical Summary with the finalised Environmental Report.
2.4 – it is still not clear where these three negative effects come from and how they relate to other parts of the SEA. They could either be likely significant effects of policies and proposals (but don’t then get reflected under para 8.4) or they could be existing environmental problems relevant to the plan (but this is covered in para 6.2 and table 6.3). It would be helpful if this could be clarified.	The negative effects listed here are only examples of potential negative effects as they are provided prior to the assessments and the discussion surrounding them.
2.6 – it is accepted that the plan may have positive as well as negative environmental effects, but some of those listed here aren’t directly relevant to the environment, e.g. affordable housing development – that is a socio-economic benefit. We suggest that the wording of this paragraph is reconsidered.	This paragraph will have the following added to it: Development that is planned rather than ad hoc should be better for the environment. For example an allocated site may have a developer requirement to maintain a watercourse which would be better for the environment.
5.9 – this quotes the proposed policy in the Deposit Draft Plan for Natura sites – need to cross refer to SNH’s response to Deposit Draft Local Plan.	General Policy 4 has been amended following the examination of the Local Plan and this paragraph needs to reflect this.
Table 6.1 – under “Water”, the river and marine SACs in or adjacent to Sutherland could be noted.	Noted. This has been added.
Table 6.3 – environmental problems – given later discussion in para 8.4 there seems to be a case to add negative impact on landscape character here.	Noted. This has been added.

7.11 – it would be much more helpful for the 24 SEA Objectives to be listed here as well as in Section 8, in order that these can be referred to before the Plan Objectives matrix of Table 7.1.	Noted.
P65 – Bettyhill and Scourie - sites rejected as locally important crofting land, but not picked up in the SEA process. It is understood this issue will be considered for future SEAs of Local Plans – perhaps under “material assets”.	Noted.
P73 – under the EC Habitats Directive there should also be a reference to Article 10 and hence the need to identify “stepping stones” for species movement in development plans.	Noted and changed.
P73 – European Landscape Convention – there are no European designations of international landscape importance – but the Local Plan does identify NSAs and AGLVs and does have regard to landscape character.	Noted.
P76 – Wildlife and Countryside Act – this is not just about designations and habitats but also about protected species – so some text should be added in the final column to cover protected species.	Noted and changed.
P83 – Conservation (Natural Habitats &c) Regulations – the final column could go on and say the implications of any Appropriate Assessment – “Policies or proposals that would have an adverse effect on the integrity of a site can only be included if there are no alternative solutions and there are imperative reasons of overriding public interest, including those of a social or economic nature. Where a priority habitat would be affected	Noted and changed.
P96 – SPP14 – draft no longer expected – will be subsumed into composite omnibus SPP.	The new Scottish Planning Policy has been published and supersedes this document.
P97 – SPP3 update now published.	The new Scottish Planning Policy has been published and supersedes this document.

P101 – SPP15 is no longer a draft.	The new Scottish Planning Policy has been published and supersedes this document.
P102 – SPP22 Marine Fish Farming omitted – This should be included, although it is accepted that reliance would then be made on future coverage within the Highland Local Development Plan	The new Scottish Planning Policy has been published and supersedes this document.
P112 – We would suggest that PAN77 Designing Safer Places and PAN78 Inclusive Design be added here.	Noted.
P116 – Highland Renewable Energy Strategy – the suggested way in which this will be taken forward in the Local Plan is too prescriptive, i.e. “safeguard areas that are required for the creation of renewable energy. This is further complicated now by the imminent production of SPP6 Annex Windfarm Spatial Framework. This is an important issue and SNH recommends the plan acknowledges the forthcoming changes in renewable energy policy at the local level.	The wording will be amended: Part of this is being replaced by the new SPG which will supplement the Highland wide Local Development Plan. The Local Plan lends weight to the consideration of protecting designated sites which is a key consideration of the SPG.
P117 – we would recommend the inclusion of Council’s draft Protected Species Guidance Note (November 2008 PED Committee refers).	The Guidance on Development and Biodiversity – Highland’s Statutorily Protected Species was only emerging during the SEA assessment, therefore it will not be included. However it will inform the development of the Highland wide Local Development Plan.
P121- SACs and SPAs – rather a vague application here in final column – “take into account unsuitable activities on or adjacent” – this should be stronger e.g. require appropriate assessment for any proposals that may have a likely significant effect on European sites.	Noted and wording will be changed.
Dornoch H2 – no reference is provided in Draft Local Plan developer requirements of the need for sensitive siting and design; incorporation of landscaping and planting to enhance landscape setting (Q11).	A developer requirement has been added to the Local Plan.
Embo H1 – ditto	This allocation has been deleted.
Golspie H3 – ditto	This allocation has been deleted.
Golspie H4 – a farm steading redevelopment, where a bat survey is likely to be required (Q19).	A developer requirement has been added to the Local Plan.

Brora H2 and H3 - no reference in Draft Local Plan developer requirements of the need for sensitive siting and design; incorporation of landscaping and planting to enhance landscape setting (Q11).	A developer requirement has been added to the Local Plan.
Brora MU3 – Carrol House – as with other old buildings, a bat is likely to be required.	A developer requirement has been added to the Local Plan.
Helmsdale H1 and I1 and LT – no reference in Draft Local Plan developer requirements of the need for sensitive siting and design; incorporation of landscaping and planting to enhance landscape setting (Q11).	A developer requirement has been added to the Local Plan for I1. LT has been deleted and part of H1 has been deleted.
Helmsdale H2 and MU1 – the proposed redevelopment of former church and other old buildings suggests that a bat is likely to be required.	A developer requirement has been added to the Local Plan.
Ardgay B1 and B2 – these are within the NSA as the ER identifies and not in proximity to it as stated in the developer requirements in the Draft Local Plan – need to adjust developer requirement text within Draft Local Plan.	This change has been made to the Local Plan.
Ardgay H1 – Q11 re effect on distinctiveness of local landscape is answered “yes”, but no mitigation is offered e.g. sensitive siting and design, and the developer requirement is simply that this is subject to negotiation. This ought to be strengthened in both the ER and the Draft Local Plan.	This allocation has been deleted.
Bonar Bridge – the allocations are correctly identified as within the NSA in the ER but in proximity to the NSA in the development factors of the Draft Local Plan. So the development factors bullet point needs strengthening re need for sensitive siting and design due to sites being within the Dornoch Firth NSA.	Corrected.
Lairg – B1 (former laundry) and MU1 (former hotel/outbuildings) – the proposed redevelopment of old buildings suggests that a bat survey is likely to be required.	A developer requirement has been added to the Local Plan.
Lochinver H2 – misprint in Draft Local Plan itself – says 120 units rather than 12 units!	This is a Local Plan errata and the capacity has been corrected.
Scourie – ER includes two sites (H1 East of the Football Pitch and H2 West of the School) whereas the Draft Local Plan now includes just one site – H1 West of the School – so the ER and Draft Local Plan need realigning here.	Environmental Report needs realigning with the Local Plan. An allocation has been deleted and another one renumbered.

<p>Durness – MU1 and MU2 are indicated under Q8 of the ER to affect a landscape designation which is taken to be the Cape Wrath AGLV (although H1 is answered “no” re Q8). It would seem useful to carry across the sensitive siting and design mitigation to a development factor or developer requirement in the Draft Local Plan referring to the presence of the AGLV.</p> <p>MU1 has been extended northwards since the pre-Deposit Draft and yet the ER under Q8 says the allocation will not extend the settlement significantly further towards the coast than Hames Place – is this still a correct assessment in the light of the larger allocation here? Is any more mitigation required?</p>	<p>MU1 – agree that this could be differently worded but no further mitigation is required in the Plan.</p>
<p>Ardgay (Appendix 5 – page 430) – reference to Site 8 (South of Oakwood Place – Business) says this should become part of the housing allocation – ex-H1 – but this too has now been deleted. So this too needs adjusting.</p>	<p>Agree that reference has been overtaken by events.</p>
<p>Bonar Bridge (Appendix 5 – page 432) – Site 2R (Land opposite school) – this is not “partly” within the NSA – north of the Bonar Bridge – Migdale Road is outwith the NSA – but landscape value comment is noted.</p>	<p>This has been amended for accuracy.</p>