



## Scottish Natural Heritage Dualchas Nàdair na h-Alba

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

Simon Hindson  
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Planning and Development Service  
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INVERNESS  
IV3 5NX

Date: 21 June 2011  
Our ref: CNS/SEA - 00615

Dear Mr Hindson

### **Environmental Assessment (Scotland) Act 2005: 00615 Screening – The Highland Council – Inverness West Link Design Project**

I refer to your screening consultation submitted on 25 May 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, SNH has 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.

We note that you conclude that there are likely to be localised negative effects but that these can be mitigated. In addition that there will also be wider positive affects on the City of Inverness in terms of an improvement in air quality and an increased use of active travel opportunities.

We broadly concur with these conclusions however one of the options being considered by the STAG process crosses Torvean Landforms Site of Special Scientific Interest. As you will be aware, we have provided your council with detailed advice on this option. This advice is that an option cutting through the SSSI **is likely to have a significant impact** on the integrity of this national site. If this option was developed it is likely that the impact would be nationally significant.

Further comments are detailed in Annex 1. Annex 1 provides a list of information that it would be helpful for us to receive at the scoping stage.

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Qualifying plan, programme or strategy

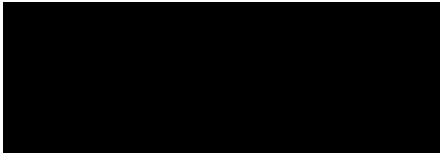
The screening consultation does not state whether or not you consider the project to be a qualifying plan, programme or strategy (PPS) under the SEA legislation and seeks the views of the Consultation Authorities on this matter (Table 2 Summary of Environmental Effects). Decisions regarding whether or not the plan is of a type which requires SEA are for the Responsible Authority to decide. It is therefore not appropriate for us to give an opinion on this matter. We recommend that you seek legal advice.

Concluding Remarks

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 Anne Murray on either 01349 860648 (Monday, Tuesday or Thursday) or 01463 725223 (Wednesday or Friday) or via SNH's SEA Gateway at [sea\\_gateway@snh.gov.uk](mailto:sea_gateway@snh.gov.uk).

Yours sincerely



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SNH SEA Gateway ([sea\\_gateway@snh.gov.uk](mailto:sea_gateway@snh.gov.uk))

**ANNEX 1**

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

<p><b>Criteria for determining the likely significance of effects on the environment</b> (1(a), 1(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)</p>	<p><b>Likely to have significant environmental effects?</b>  <b>YES/NO</b></p>	<p><b>Summary of significant environmental effects (negative and positive)</b></p>	<p><b>SNH's Assessment under Section 9(3)</b> <b>Yes/No/Unknown</b></p>	<p><b>SNH's Comments and additional Information</b></p>
<p>1(a) the degree to which the PPS sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources</p>	<p>No</p>	<p>The design project will consider options for the project to deliver delivery of the Inverness River and Canal Crossing.</p>	<p>No</p>	<p>We agree with THC's summary.</p>
<p>1(b) the degree to which the PPS influences other PPS including those in a hierarchy</p>	<p>Yes/No</p>	<p>While the design project will solely set out options for the delivery of the Inverness River and Canal Crossing it is likely to influence some elements of the Inner Moray Firth Local Development Plan as the crossing will unlock some development potential in the south west of Inverness. It should be noted however that land use</p>	<p>No</p>	<p>We agree with THC's summary.</p>

<b>Criteria for determining the likely significance of effects on the environment</b> (1(a), 1(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)	<b>Likely to have significant environmental effects?</b>  <b>YES/NO</b>	<b>Summary of significant environmental effects (negative and positive)</b>	<b>SNH's Assessment under Section 9(3)</b> <b>Yes/No/Unknown</b>	<b>SNH's Comments and additional Information</b>
		planning work will be carried out separately to this design project.		
1(c) the relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development	No	The project delivered through this document may lead to improved air quality within Inverness City Centre due to less congestion and reduction in journey time from the east of the City to the west which may result in increased use of active travel across town.	No	We agree with THC's summary. We understand that active travel routes under and across the route will be maintained.
1(d) environmental problems relevant to the PPS	Yes	Air quality issues in Inverness City Centre may be mitigated by through the delivery of a river and canal crossing which will be designed as part of this project. The project itself may	Yes	One of the options being considered crosses Torvean Landforms SSSI. As we comment above, we have provided advice on this option and will

<b>Criteria for determining the likely significance of effects on the environment</b> (1(a), 1(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)	<b>Likely to have significant environmental effects?</b>  <b>YES/NO</b>	<b>Summary of significant environmental effects (negative and positive)</b>	<b>SNH's Assessment under Section 9(3)</b> <b>Yes/No/Unknown</b>	<b>SNH's Comments and additional Information</b>
		<p>have an affect on the Torvean Landforms Site of Special Scientific Interest as a number of the options may pass through or run adjacent to the designated site. The crossing of the Caledonian Canal may also lead to an affect on the Caledonian Canal which is a Schedule Ancient Monument. Through mitigation identified in the Environmental Impact Assessment of the Project it is likely these adverse affects will be minimal.</p>		<p>continue to do so. This comments that this option is likely to affect the integrity of the site. We are expecting to provide further more detailed advice through the STAG process once a detailed design is available for this option.</p> <p>In addition, as we have advised previously, the River Moriston SAC is upstream of this proposal and the River Ness. This site is classified for Atlantic salmon and Fresh water pearl mussel. Works that impact on passage of salmon in the River Ness could therefore impact on</p>

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				the River Moriston SAC. Careful consideration will be needed to ensure that works do not affect this site.
1(e) the relevance of the PPS for the implementation of Community legislation on the environment (for example, PPS linked to waste management or water protection)	No	The guidance would be produced inline with the Planning Etc (Scotland) Act 2006. It will need to consider the European Directives on habitats and species as well as the UK and Scottish interpretations of these Directives and other national policy.	No	We agree with THC's summary. The draft environmental report for this site includes information about protected species using this area. Mitigation will be required.
2 (a) the probability, duration, frequency and reversibility of the effects	No	The design project will influence the delivery of a permanent installation therefore any effects are likely to be irreversible.	No	We agree with THC's summary.
2 (b) the cumulative nature of the effects	No	The crossing will facilitate further development of the land to the south west of	No	We agree with THC's summary.

<b>Criteria for determining the likely significance of effects on the environment</b> (1(a), 1(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)	<b>Likely to have significant environmental effects?</b>  <b>YES/NO</b>	<b>Summary of significant environmental effects (negative and positive)</b>	<b>SNH's Assessment under Section 9(3)</b> <b>Yes/No/Unknown</b>	<b>SNH's Comments and additional Information</b>
		Inverness. This may have an in combination affect on the environment, however mitigation identified through the Inner Moray Firth Local Development Plan SEA and any separate SEA for individual development briefs should ensure that this is not significant.		
2 (c) transboundary nature of the effects (i.e. environmental effects on other EU Member States)	No	Not Applicable	No	We agree with THC's summary.
2 (d) the risks to human health or the environment (for example, due to accidents)	No	It is not envisaged that there would be a risk to the environment or human health as a result of this project.	No	We agree with THC's summary.
2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The project will have localised affects within close proximity of the new crossing however	No	We agree with THC's summary.  However, if the integrity of the SSSI

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		there will be more wide spread affects across the City of Inverness and the wider area.		is effected, the magnitude of the impact would be national rather and local.
2 (f) the value and vulnerability of the area likely to be affected due to- (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use.	Yes	(i) The project may have an affect on the Torvean Landforms Site of Special Scientific Interest.  (ii) The project is likely to lead to an improvement in environmental quality of the wider City of Inverness.  (iii) The design project itself will not lead to a significant intensification in land use however it may allow for the intensification of land uses in the longer term by unlocking development potential in the south west of Inverness.	Yes	(i) Possible impact on the integrity of Torvean Landforms SSSI.  (iii) We agree with THC's summary.



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2 (g) the effects on areas or landscapes which have a recognised national, Community or international protection status	No	The design project should lead to a solution which will not have an affect on any designations. Appropriate localised mitigation will be identified through the Environmental Impact Assessment.	No	We agree with THC's summary.