



## Scottish Natural Heritage Dualchas Nàdair na h-Alba

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

Gillian Webster  
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By email only to: [sea.gateway@scotland.gsi.gov.uk](mailto:sea.gateway@scotland.gsi.gov.uk)

Date: 24 February 2012  
Our ref: CNS/SEA - 00684

Dear Ms Webster

### **Environmental Assessment (Scotland) Act 2005: 00684 Screening – The Highland Council – Sandown Draft Development Plan**

I refer to your screening consultation submitted on 9 February 2012 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.

We agree that the above Plan is not likely to have significant environmental effects.

Further comments are detailed in Annex 1. Annex 1 also provides a list of information that it would be helpful for us to receive at the next stage should you proceed to Scoping.

#### 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.



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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

A handwritten signature in black ink, appearing to read 'George S. Hogg'.

**George Hogg**  
Area Manager, South Highland  
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cc: Scottish Government SEA Gateway ([SEA.gateway@scotland.gsi.gov.uk](mailto:SEA.gateway@scotland.gsi.gov.uk))  
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**ANNEX 1  
CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT**

Criteria for determining the likely significance of effects on the environment (1(a), 1(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)	Likely to have significant environmental effects? YES/NO	Summary of significant environmental effects (negative and positive)	SNH's Assessment under Section 9(3) Yes/No/Unknown	SNH's Comments and additional Information
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	NO	The Brief will set a framework for future development proposals for the Sandown site. This site is already allocated for a mixed use development within the Highland-wide Local Development Plan (HwLDP) which has now been through the examination process. Therefore the Sandown site has already been subject to Strategic Environmental Assessment as part of preparation of the HwLDP.	No	We agree with THC's summary.
1(b) the degree to which the PPS influences other PPS including those in a hierarchy	NO	The Brief will provide further detail on existing planning policy established in the Highland-wide Local Development Plan (as detailed in the Key Facts section above). It will be a material consideration in the determination of planning applications and will be statutory planning guidance however it will not influence other PPS.	No	We agree with THC's summary.

Criteria for determining the likely significance of effects on the environment (1(a), 1(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)	Likely to have significant environmental effects? YES/NO	Summary of significant environmental effects (negative and positive)	SNH's Assessment under Section 9(3) Yes/No/Unknown	SNH's Comments and additional Information
1(c) the relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development	NO	The Brief will provide further detail on how development of the site should be guided. The Brief's parent plan, the HwLDP allocates the site for a mixed use development. Therefore in providing for a mix of uses it should promote sustainable development in terms of co-locating jobs, homes and facilities close to public transport and allowing active travel. By providing additional employment generating uses and other community facilities it is hoped the brief will also encourage less reliance on private car use.	No	We agree with THC's summary.  We recommend the Green Network Supplementary Guidance is applied to this development and, as per the HWLDP, that access provision is fully integrated with the neighbouring Delnies proposal.
1(d) environmental problems relevant to the PPS	NO	The development brief will serve to facilitate the suitable development within the Sandown site. The brief will also raise awareness of the environmental problems related to development within the site which include: <ul style="list-style-type: none"> <li>• proximity to natural heritage designations located to the north of the site;</li> <li>• consideration of the</li> </ul>	No	We agree with THC's summary.  Protected species should also be taken into account as per the general policies set out in the HWLDP.  We recommend again that the Green Network Supplementary Guidance is applied to this

Criteria for determining the likely significance of effects on the environment (1(a), 1(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)	Likely to have significant environmental effects? YES/NO	Summary of significant environmental effects (negative and positive)	SNH's Assessment under Section 9(3) Yes/No/Unknown	SNH's Comments and additional Information
		<p>water environment and areas of flooding adjacent to the site</p> <ul style="list-style-type: none"> <li>• consideration of air quality issues; and</li> <li>• the need for better access services.</li> </ul> <p>It is not anticipated that any of these would be significant individually but cumulatively there may be a limited impact given the proposed density of development.</p>		development.
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	<p>The Brief is unlikely to have any effect on European Community legislation. The brief area can be reasonably connected to public water and sewer systems and there is scope to deliver sustainable waste management including provision of centralised mini recycling centres</p>	No	We agree with THC's summary.
2 (a) the probability, duration, frequency and reversibility of the effects	NO	<p>The development brief will in places facilitate and in other places restrict development. Once development is approved it may or may not go ahead</p>	No	We agree with THC's summary.

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		therefore it is difficult to determine the probability, duration, frequency and reversibility of the effects. The document is intended to provide a greater degree of guidance to ensure all opportunities are suitably explored by developers. These effects are likely to be irreversible without another redevelopment.		
2 (b) the cumulative nature of the effects	NO	The brief will be used to encourage sustainable development of the site. As the site is likely to be built out over a number of years it is likely that there will a cumulative effect as the site develops however the brief will aim to control these effects in a positive manner.	No	We agree with THC's summary.  The cumulative impact at an A96 corridor scale should also be considered.
2 (c) transboundary nature of the effects (i.e. environmental effects on other EU Member States)	N/A	N/A	N/A	N/A
2 (d) the risks to human health or the environment (for example, due to accidents)	NO	The brief will be used to encourage sustainable	No	We agree with THC's summary.

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		<p>development of the site. As with all development there may be a risk of accidents however this is not considered to be a significant risk.</p> <p>The brief will be part of the development plan and therefore must be read alongside the other relevant supplementary guidance and the parent policies of the development plan. With this in mind the plan is not likely to pose significant risks to human health or the environment.</p>		

## Scoping

If you proceed to scoping it would be helpful to us if scoping report contained the information recommended in Chapter 5 of the Scottish Government SEA Tool kit:

- 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