## Appendix 1 – Scoping Responses from Consultation Authorities

This appendix sets out the responses to the Scoping Report for the Green Networks: Draft Supplementary Guidance and how the Council have responded to the Consultation Authorities comments through the production of this Environmental Report.

Historic Scotland	
Consultation Authority Comment	THC Response
Thank you for consulting Historic Scotland on the scoping report prepared for the environmental assessment of your Supplementary Planning Guidance on green networks in Highland received in the Scottish Government's SEA Gateway on 16 June 2010. I have reviewed the Scoping Report on behalf of Historic Scotland in its role as a Consultation Authority under Section 5 (3) of the above Act. This letter contains our views on the scope and level of detail of the information to be included in the Environmental Report (part 1) and the duration of the proposed consultation period (part 2). I have provided detailed comments on the scoping report in the annex to this letter.	Noted.
1. Scope of assessment and level of detail	Noted.
1.1 My understanding from the scoping report is that the supplementary guidance will aim to raise awareness of the concept of green networks and facilitate the delivery of a green network in the Highland Council area. I note that the guidance will include spatial information about locations where a network might occur and key features which may be included.	
1.2 Overall I found the scoping report sets out a clear outline of the steps to be undertaken in the environmental assessment. I note that the historic environment is scoped in to the assessment and I am content. I am particularly pleased with the intention in the report to incorporate cultural sites within the green network and the potential benefits of this for encouraging access and protection.	Noted.
1.3 In terms of the proposed methodology I have some concerns about the inclusion of sections for sensitivity and magnitude in the example matrix. These measures are more commonly associated with Environmental Impact Assessment (EIA) methodologies and there is a risk that their adoption could lead to a more detailed assessment than is proportionate at this level and to potentially significant effects being overlooked because the receptor is considered to be of low importance e.g. undesignated archaeology. I have included detailed comments below and I would be happy to discuss this further with you.	Noted. Please see comments below for our response to this point.
<ul> <li>2. Consultation period for the Environmental Report</li> <li>2.1 I am content with the period of eight weeks proposed for consultation on the guidance and Environmental Report. For administrative purposes, Historic Scotland consider that the consultation period commences on receipt of the relevant documents by the SEA Secretariat.</li> </ul>	Noted.
None of the comments contained in this letter should be construed as constituting a legal interpretation of the requirements of the SEA Act. They are intended rather as helpful advice, as part of Historic Scotland's commitment to capacity-building in SEA. Should you wish to discuss this	Noted.

response please do not hesitate to contact me on 0131 668 8744.	
Annex: Detailed comments on the Scoping Report	Noted.
For ease of reference the comments in this annex follow the same order as the Scoping Report.	
Description of the guidance content	Noted.
1. I found this section very helpful in setting out the intended nature and proposed content of the	
supplementary guidance. I note that the guidance will include spatial information about locations	
where a network might occur and key features which may be included.	
Relationship with other plans, programmes and strategies (PPS)	The Environmental Report will be modified to
2. I welcome that you have provided a detailed assessment of relevant national plans, programmes	contain these documents.
and strategies and their significance for the supplementary guidance. I am pleased to see you have	
included reference to both the Scottish Historic Environment Policy (SHEP) and the consolidated	
Scottish Planning Policy (SPP). You may wish to consider in more detail the key environmental	
messages coming from SPP with regard to the historic environment. Similarly given that you refer to	
a number of other Planning Advice Notes you may wish to consider PAN 42 on Archaeology.	<b>T</b>
3. I note that a number of outdated policy documents are also included in Table 1. For clarification	The environmental report will be updated to
the SHEP was consolidated in October 2008 replacing the previous suite of individual documents	reflect these comments.
including SHEP 2 to which you refer. The policy elements in SHEP also replace those in Passed to	
the Future and the Memorandum of Guidance on Listed Buildings and Conservation Areas which was officially withdrawn on 31 March 2009. The <i>Managing Change in the Historic Environment</i>	
<i>Guidance Notes</i> replace the operational guidance previously provided by the Memorandum and were	
subject to consultation earlier in the year. That consultation sought views on the form and content of	
a series of guidance notes, which are designed to support the Scottish Historic Environment Policy	
(SHEP) and Scottish Planning Policy. Although now closed, the consultation documents can be	
accessed via the following link:	
http://www.historic-scotland.gov.uk/index/about/consultations/closedconsultations.htm	
Relevant aspects of the current state of the environment	Noted. This information will be contained in
4. The table in Appendix 1 includes potential data sources for baseline information on the historic	the baseline information.
environment including listed buildings, scheduled monuments and gardens and designed	
landscapes. It will be important where more locational information is available to also consider effects	
on unscheduled or undesignated archaeology. Information is available from the National Monuments	
Record of Scotland (NMRS) and your own archaeological advisors.	
5. I welcome the recognition within Table 2 of the opportunity to reduce the risk to the setting of	Noted.

historic environment features by incorporating them within the green networks. Including cultural sites within the network may also bring forward potential positive effects through enhanced enjoyment and access. Simply for information the Heritage Lottery Fund are currently supporting a Heritage Paths Project which aims to gather information on historic routes through landscapes. You may wish to consider these for inclusion in your environmental baseline data. More information about the project including spatial mapping is available at: <a href="https://www.heritagepaths.co.uk">www.heritagepaths.co.uk</a>	
Scope and level of detail proposed for the environmental assessment Alternatives	Noted. However, the Council believe that the
6. Overall I support the proposed approach to the assessment of alternatives. As well as assessing	benefit of assessing the guidance as a whole will enable the cumulative affects of the
alternatives to the preparation of the supplementary guidance you may wish to consider assessing	guidance to be identified more readily and
alternatives within the guidance itself. For example you might assess different locations where the	allow for the benefits of the guidance as a
green network might occur or the inclusion of different sites within the network.	whole to be assessed allowing the Council to focus on the significant environmental affects.
Scoping in/out of SEA Issues	Noted.
7. I note that the historic environment is scoped in to the assessment and I am content.	
Methodology for assessing environmental effects	Noted. We will continue to use cultural
8. I note that a matrix approach is proposed for assessing the guidance and I am content with this and the proposed SEA objective for the historic environment although you may wish to consider	heritage as this is the way it is referred to in the Act and this recognises it includes
using the term historic environment rather than cultural heritage.	architectural and archaeological heritage.
9. I welcome the inclusion of a column to provide commentary on the predicted effects. I am also	Noted. These will be included in the
pleased that you have sought to include some assessment considerations by which to focus your assessment. With regard to the historic environment section you could consider breaking this down	assessment matrix for the Highland wide Local Development Plan.
further to look at the different aspects of the historic environment that might be affected. For example	Local Development Flan.
rather than having the one question 'will it protect and enhance the historic environment?' you might	
consider asking the following:	
Will it protect or enhance listed buildings and their settings?	
Will it protect or enhance scheduled monuments and their settings?	
<ul> <li>Will it protect or enhance locally important archaeological sites?</li> <li>Will it protect or enhance conservation areas?</li> </ul>	
<ul> <li>Will it protect or enhance gardens and designed landscapes?</li> </ul>	
10. I am slightly concerned about the inclusion of sections for sensitivity and magnitude in the	We note that this may be the case however
example matrix. These measures are more commonly associated with Environmental Impact	we believe that it important to recognise that

Assessment (EIA) methodologies and it can be difficult to see how such criteria would be employed at a strategic level. While there is nothing wrong with including a column for magnitude which says whether an effect is localised or not you should note that this won't necessarily relate to its significance. In addition it is not clear how the sensitivity measure will relate to the assessment. Would you, for example, propose to look at all potential receptors within the plan area? Would you set out criteria to define the sensitivity of a receptor? This could lead to a more detailed assessment than is proportionate at this level and to potentially significant effects being overlooked because a receptor is considered to be of low importance e.g. undesignated archaeology. The purpose of SEA is to identify potentially significant effects that might arise as a result of implementing the guidance for the historic environment as a whole and to consider alternative solutions or appropriate mitigation. This opportunity is missed if you dismiss effects as insignificant because they affect only one asset or because the affected site is undesignated. I would be happy to discuss this further with you.	not all SEA objectives will be as relevant as others. In the assessments which have been carried out it can be seen that none of the SEA objectives in this instances have been considered of low relevance.
Proposed mitigation measures 11. As you rightly recognise mitigation may involve making changes to the guidance and/or developing more detailed mitigation proposals to be implemented as the guidance is implemented. The SEA post-adoption statement should outline any changes made to the guidance as a result of the assessment and can provide information about effects to be taken into account in lower level programmes. I welcome the intention to encourage the enhancement of positive effects through the SEA process.	Noted. The Environmental Report contains a more detailed mitigation section and this identified the changes which have been made to the guidance as a result of the SEA assessment.

## Scottish Environment Protection Agency

Consultation Authority Comment	THC Response
Thank you for your Scoping consultation submitted under the above Act in respect of the above Guidance. This was received by SEPA via the Scottish Government SEA Gateway on 16 June 2010. As required under Section 15(2) of the Act, we have considered the document submitted and comments as follows in respect of the scope and level of detail to be included in the Environmental Report (ER).	Noted.
The Scottish SEA Toolkit (available for download at: <u>www.scotland.gov.uk/Publications/2006/09/13104943/0</u> ) provides guidance to Responsible Authorities about the type of information that is expected to be provided at each SEA stage. We have used the toolkit to inform this scoping response which is attached as Annex 1.	Noted.
On completion, the Environmental Report and the SPG to which it relates should be submitted to the Scottish Government SEA Gateway ( <u>sea.gateway@scotland.gsi.gov.uk</u> ) which will forward it to the Consultation Authorities.	Noted.
Annex 1: Comments on the Scoping Report <u>General comments</u> Generally, the scoping report provides clear and detailed information on the proposed scope and level of detail of the assessment and covers most of the aspects that we would wish to see addressed at this stage. Subject to the comments below, we are generally content with the scope and level of detail proposed for the ER.	Noted.
<b>Detailed comments</b> For ease of reference the following comments are provided in the same order as the scoping report.	Noted.
<ol> <li>Relationship with other Plans, Policies and Strategies (PPS)</li> <li>We consider that the PPS listed in Table 1 provides a comprehensive background framework to the development of the Guidance. In relation to the Water Framework Directive it would be useful and relevant to make reference to the local Management Plans which should be published shortly. They will be available from <u>www.sepa.org.uk/water/river_basin_planning.aspx</u>.</li> </ol>	This section will be augmented to include reference to these documents.

2. Baseline information	Noted. The SEA will seek to refine the
2.1 We suggest you make use of the baseline information collected for the Highland wide Local	baseline data from the Highland wide Local
Development Plan supplemented by any additional information specifically in relation to the SPG	Development Plan SEA to ensure it is
topic, green networks.	relevant to this SEA.
2.2 Please remember that a summary of the likely changes to the environment if the Guidance is not implemented should be provided in the ER.	Noted. This will be included in the ER.
3. Environmental problems	Noted.
3.1 We consider that the environmental problems described generally highlight the main issues of	
relevance for the SEA topics within our remit.	
<ul> <li>Alternatives</li> <li>4.1 We note the proposal is to have a "do nothing" alternative; we consider this reasonable in this instance. It may also be possible to consider reasonable alternatives in relation to what issues the Guidance covers and how this is worded, or reasonable alternatives to specific proposals.</li> </ul>	Noted. However, the Council believe that the benefit of assessing the guidance as a whole will enable the cumulative affects of the guidance to be identified more readily and allow for the benefits of the guidance as a whole to be assessed allowing the Council to focus on the significant environmental affects.
5. Scoping in/out of SEA Objectives	Noted.
5.1 We are satisfied with the proposal to scope out soil and air.	
6. Methodology for assessing environmental effects	This will be included as an additional SEA
6.1 None of the proposed SEA objectives explicitly cover the water environment; we request that	objective in the ER.
one is included. We suggest "Protect and enhance the water and riparian environment" or similar.	
6.2 Please note that we would expect all aspects of the Guidance which could have significant effects to be assessed.	Noted.
6.3 We welcome the inclusion of the questions to be considered when answering the SEA	Noted.
objectives; such an approach is usually very helpful.	
6.4 Guidance on assessment techniques and developing assessment methods can be found in	Noted. A full justification of the results will be
Chapter 9 of the Scottish Government SEA Toolkit. We would recommend that enough information	included in the assessment matrices
and justification is provided in the ER to allow the Consultation Authorities to understand how the	including assumptions made.
results of the assessment were reached.	
6.5 The new website <u>www.seaguidance.org.uk</u> includes advice and guidance on how to take air,	Noted.

			see Consideration of Clima from the Scottish Governme	
the assessment is to make	changes to the Guidance acknowledged. The ER sh	e itself so that sig	nental effects identified throug nificant effects are avoided; v entify any changes made to th	we SEA of the options.
be clear how the mitigati hierarchy (avoid, reduce, mitigation measures in a w	on will be achieved and remedy or compensate). vay that clearly identified: ill be required to impleme	by whom. Thes It would be ex (1) the measures nt them. A summ	to the Plan itself then it shou e should follow the mitigation stremely helpful to set out required, (2) when they wou hary table could be included of may be helpful:	on identified and are not possible to mitigate all through changes to the guidance then this Ild example will be used.
Issue / Impact Identified in Environmental Report	Mitigation Measure	Lead Authority	Proposed Timescale	
Insert effect recorded in Environmental Report	Insert mitigation measure to address effect	Insert as appropriate	Insert as appropriate	
etc	etc	etc	etc	
consideration should be g	iven to a monitoring app ncluded a description of the	roach particularly	uirement of the Act and ea in the choice of indicators. saged to monitor the significa	It Local Development Plan to ensure

Next steps	Noted.
We are satisfied with the proposal for an eight week consultation period for the ER.	

## **Scottish Natural Heritage**

Consultation Authority Comment	THC Response
We refer to your scoping report, sent to the Scottish Government SEA Gateway on 16 June 2010. In	Noted.
our role as a Consultation Authority, in accordance with Section 15(2) of the Environmental	
Assessment (Scotland) Act 2005, we have reviewed the above report. Our comments on the scope	
and level of detail to be included in the Environmental Report and on the duration of the proposed	
consultation period are set out below. Detailed comments are provided in the annex to this letter.	Notod
Scope of assessment and level of detail	Noted.
Subject to the specific comments set out in the annex to this letter, we are content with the scope and level of detail proposed for the Environmental Report (ER).	
Consultation period for the environmental report	Noted.
We note that it is proposed that this ER will be consulted on in parallel with the Highland Wide Local Development Plan for a period of eight weeks. We are content with this consultation period.	
Concluding remarks	Noted.
Please note that this response is made in the context of the Environmental Assessment (Scotland)	
Act 2005 and our role as a Consultation Authority. We understand that we will be separately	
consulted on our views regarding the Environmental Report and on the Supplementary Guidance. As	
you are aware we are very supportive and pleased to see the development of a Green Networks: Supplementary Guidance for the Highlands. We hope that these points are useful and we look	
forward to continuing to work with you on the development of this guidance.	
Description of the Guidance Content	Noted.
We have a number of comments to make on the Guidance's content:	1000
We recommend that the guidance presents a definition of green network as opposed to discussing	This will be included in the guidance.
one.	This will be included in the guidance.
The objectives should be linked to the Highland LBAPs.	Without specific mention his is intended.
	Without opcome mention his is intended.

The Highland Green Network is presented in terms of three different elements. We are unclear why 'protection and enhancement' is separated from both biodiversity & environment and recreation & leisure as we see 'protection and enhancement' as integral to both. From our meeting on the 29 June, we understand that the 'protection and enhancement' heading refers to protected sites however this is not clear from the Scoping Report. We recommend that you change these terms and use either the three headings given in the Sustainability Triangle – environmental, social and economic. Or that you simplify it to just two headings: 'people' and 'wildlife'.	This has been revised in the published draft of the guidance reflecting this comment.
We recommend that you include a separate chapter on Natura 2000 sites and European Protected Species as per The European Guidance (available at: http://europa.eu.int/comm/environment/eia/030923_sea_guidance.pdf). This will be beneficial when you complete the associated Appropriate Assessment. The sites, the reason for their designation and comments on any likely effects of the plan should be noted. Particular attention should be given to the proposed Coastal Trail. Any potential threats / benefits of the Plan's activities to named species should also be noted.	Noted. We have included a specific priority for the A96 Green Network related to the priority species and habitats. We have also included reference to it in this SEA. A Habitats Regulations Appraisal is being carried out and will be published in due course.
Context Table 1 lists plans, programmes, strategies and environmental objectives which will be analysed by the Environmental Report. We have the following comments to make.	
<ul> <li>International Tier</li> <li>The Birds and Habitats Directives are included twice in Table 1 – once together and once separately. We recommend that they are listed separately.</li> </ul>	This will be revised in the ER.
<ul> <li>We advise that the Habitats Directive entry should refer to Article 10 Features (connecting structures). These are very relevant for green networks. European Protected Species should also be referred to.</li> </ul>	This will be included in the ER.
<ul> <li>National Tier</li> <li>Under the Wildlife and Countryside (as amended) Act 1981, Schedule 1, 5 and 8 species should be referred to.</li> </ul>	This will be included in the ER.
<ul> <li>It is worth noting under Protection of Badgers Act 1992 that SNH is not the sole licensee: the Scottish Government licences agricultural and forestry operations.</li> </ul>	This will be included in the ER.
Scottish Tier     The Scottish Biodiversity List should be included	This will be included in the ER.

Noted. This revision will be made in the ER. This will be included in the ER.
These will be included in the ER.
This will be included in the ER.
An additional section specifically related to green networks will be included in the ER covering all of the issues mentioned.

Table 2 We recommend that the row entitled 'biodiversity, flora, fauna' is expanded to include measures to tackle and reverse the fragmentation of habitats. Fragmentation of habitats leads to the loss of connectivity which in turn leads to a reduction in species movement. This is especially relevant in the context of climate change where species movement is key to their ability to respond and ultimately survive. This row should also recognise the different scales on which networks operate. For example the micro-scale would be networks within a large housing area and the macro-scale the level at which species migrate.	This will be included in the ER.
In the row entitled Water, SUDS will provide opportunities for green network rather than the green network providing SUDS.	This will be revised for the ER.
Scope and Level of Detail Proposed for the Environmental Assessment Only one reasonable alternative has been presented here: do nothing. The Scoping Report asks for our view on this alternative. The alternative would appear to be to have a broad-brush policy on green networks in the LDP but not to amplify this in supplementary guidance. This would have the disadvantage of not providing any detailed guidance on the location of the existing green network and how it can be enhanced.	Noted.
Scoping in/out of SEA Issues We agree that it would be reasonable to screen soil and air out.	Noted.
Methodology for Assessing Environmental Effects We recommend that you liaise with SEPA regarding adding a SEA objective for the water environment.	Noted. We have taken on board SEPA's advice and included an SEA objective on this issue.
With reference to SEA Objective 9, we recommend that you substitute this with the SEA Objective proposed by the HwLDP: 'Conserve and enhance landscape character and scenic value'.	This SEA objective has been modified to reflect that of HwLDP.
Appendix 1 - Baseline Information and Maps A lot of information sources are listed in this annex including a number which are not obviously relevant to green networks. Similarly there are a number of maps presented that don't appear to be relevant. It would therefore be worth refining the list and the map selection.	Noted. The baseline data section was taken from the Highland wide Local Development Plan SEA and this has now been augmented and refined.
Under the heading 'population and human health' you could add the information contained within the current Local Plans and the forthcoming HwLDP on the general proposed locations of development.	This will be added to the baseline data.
Under the heading 'water', in the row entitled 'Avoid Impact to and where possible enhance the water environment' the River Basin Management Plan for Scotland should be mentioned as should the	This will be added to the baseline data.

imminent North East, North Highland and West Highland Area Management Plans.	
Under the heading 'Landscape' Open Space Audits and Strategies should be added.	This will be added to the baseline data.
Under the 'Biodiversity, flora and fauna' heading the data sources used for the mapping work should be referenced. These include, inter alia, MLURI Land Cover Maps, SWT Phase 1 Habitat Surveys, Ancient Woodlands Inventory and National Biodiversity Network species records.	This will be added to the baseline data.
<ul> <li>We have a number of comments to make on the maps included in this section:</li> <li>It would be useful to include additional habitat maps showing wetland, woodland, moorland, and peatland habitats at a Highland wide scale.</li> </ul>	Noted. It is the intention to include these in the baseline data if we have the relevant datasets available.
• The Highland Cycle Ways map should be updated to show the Great Glen Way, the imminent South Loch Ness Trail and the National Cycle Network 78.	This map will be updated for the ER.
The Local and National Nature Reserve maps could be combined.	Noted.
Appendix 2 – Example of Matrix to be used in assessing options We are supportive of the use of the matrix approach to assess options and have a number of comments to make on the Blank Matrix:	Noted.
As we discussed at our meeting on 17 June 2010, we recommend that you add an extra column entitled 'mitigation / additional enhancement'.	Noted. Mitigation/additional enhancement has been flagged up through the justification/assumptions column and have been brought through into the ER.

We recommend that the Considerations and Assumptions listed under SEA objectives 1, 2 and 3 are revisited.	Noted. These considerations will be revised for the RER.
• Firstly the Considerations should be consistently written in such a way that a yes response is positive and no response is negative. For example you could change 'will it have a detrimental effect on protected species?' to 'will it safeguard protected species?' to conform with the other Considerations	
<ul> <li>Additional questions should be added to SEA Objective 1 to ensure that designated sites are safeguarded. For example 'will it safeguard Natura 2000 sites (SPA, SAC and Ramsar)?' and 'will it safeguard Sites of Special Scientific Interest?'</li> </ul>	
<ul> <li>The fifth question under SEA Objective 1 is about green networks and should be listed under SEA Objective 2.</li> </ul>	
<ul> <li>The Considerations for Objective 2 should be reallocated. Point 1 should be moved to SEA Objective 1 and points 2 and 3 moved to SEA Objective 3</li> </ul>	
<ul> <li>Additional Considerations should then be added for SEA Objective 2 including 'will existing green networks be protected and enhanced?', 'will connectivity within the green network be enhanced?' and 'will fragmentation of the green network be avoided?'</li> </ul>	