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Our ref:AMN/23/486 HG
Case ID: 201001666

9 July 2010

Dear Mr Hindson

Environmental Assessment (Scotland) Act 2005
The Highland Council – Supplementary Planning Guidance on Green Networks in Highland
Scoping Report

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.

1. Scope of assessment and level of detail

- 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.
- 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.

2. Consultation period for the Environmental Report

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.

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 response please do not hesitate to contact me on 0131 668 8744.

Yours sincerely



Hannah Garrow

Senior Development Assessment (SEA) Officer

Annex: Detailed comments on the Scoping Report

For ease of reference the comments in this annex follow the same order as the Scoping Report.

Description of the guidance content

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)

2. I welcome that you have provided a detailed assessment of relevant national plans, programmes 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.
3. I note that a number of outdated policy documents are also included in Table 1. For clarification the SHEP was consolidated in October 2008 replacing the previous suite of individual documents 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 *Managing Change in the Historic Environment Guidance Notes* 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

4. The table in Appendix 1 includes potential data sources for baseline information on the historic 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 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: www.heritagepaths.co.uk

Scope and level of detail proposed for the environmental assessment

Alternatives

6. Overall I support the proposed approach to the assessment of alternatives. As well as assessing alternatives to the preparation of the supplementary guidance you may wish to consider assessing alternatives within the guidance itself. For example you might assess different locations where the green network might occur or the inclusion of different sites within the network.

Scoping in/out of SEA Issues

7. I note that the historic environment is scoped in to the assessment and I am content.

Methodology for assessing environmental effects

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 using the term historic environment rather than cultural heritage.
9. I welcome the inclusion of a column to provide commentary on the predicted effects. I am also 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 further to look at the different aspects of the historic environment that might be affected. For example 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?
 - Will it protect or enhance locally important archaeological sites?
 - Will it protect or enhance conservation areas?
 - Will it protect or enhance gardens and designed landscapes?
10. I am slightly concerned 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 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.

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.