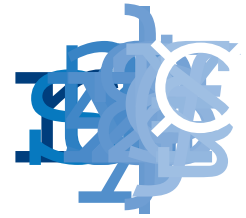


Directorate for the Built Environment

SEA Unit, 2-H Bridge Car Park Mail point 13, Victoria Quay, Edinburgh, EH6 6QQ

T: 0131-244 7650 F: 0131-244 «Fax»
E: Johnathan.whittlestone@scotland.gsi.gov.uk



Date: 1 March 2011

Neil Huggan
Graduate Planner
The Highland Council
Council Offices
Glenurquhart Road
Inverness
IV3 5NX

00537 Scoping - The highland council - SPG sustainable design guide

Dear Neil,

With reference to the Scoping report you submitted to the SEA Gateway on 25 January 2011.

In accordance with Section 15(2) of the **Environmental Assessment (Scotland) Act 2005** the Consultation Authorities have now considered the Scoping report you submitted. The individual responses from the Consultation Authorities to your report are attached to this letter.

As the Consultation Authorities have now expressed their views on the proposed scope and level of detail of the report, you should refer to the Act to consider what your next step should be. You should of course take into account the opinions offered by the Consultation Authorities.

Note, in accordance with Section 15(3) of the **Environmental Assessment (Scotland) Act**, (when agreed) you are required to formally write to advise the Scottish Ministers of the period of consultation you intend to specify, both for the public and the Consultation Authorities.

If you have any queries or would like me to clarify any points, please call me on 0131 244 7650.

Yours sincerely

Johnathan Whittlestone
SEA Gateway Officer



Neil Huggan
Graduate Planner
The Highland Council
Council Offices
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Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Direct Line: 0131 668 8960
Switchboard: 0131 668 8600

Our ref: AMN/23/514 AS
Our Case ref: 201006456

28 February 2011

Dear Mr Huggan

Environmental Assessment (Scotland) Act 2005
The Highland Council: Sustainable Design Guide: Supplementary Guidance
Scoping Report

Thank you for consulting Historic Scotland on the scoping report for the environmental assessment of The Highland Council's Supplementary Guidance – Sustainable Design Guide, which was received by the Scottish Government's SEA Gateway on 25 January 2011.

I have reviewed the scoping report on behalf of Historic Scotland in its role as a Consultation Authority under the above Act (section 15). This letter contains the views of Historic Scotland 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 also provided detailed comments to the scoping report in the annex to this letter. Please note that our view is based on our main area of interest for the historic environment.

1. Scope of assessment and level of detail

- 1.1 The scoping report provides an outline of the proposed approach to the environmental assessment of the Supplementary Guidance (SG) and subject to the specific comments set out below and in an appendix (1) I am content with the scope and level of detail proposed for the SEA.
- 1.2 I note from the scoping report is that the SG aims to outline the minimum standards for sustainable design, construction and use of new builds and the redevelopment of existing buildings. Although the reasoning for doing so is not made clear, I note that the historic environment has been scoped out of the assessment. In our response to the screening consultation we were of the view that significant effects on the historic environment were likely. However, having had the unusual opportunity of being able to see a draft of the SG at this stage we are satisfied that, because the SG is more of a

procedural document, relying on the already assessed policies of the development plan to guide decision-making in relation to the historic environment, that it is therefore likely that the effects on the historic environment, while positive in nature, will not be significant. In light of this I agree that the historic environment could be scoped out of the assessment.

2. Consultation period for the Environmental Report

2.1 I can confirm that I am content with the 5 week consultation period stated in the scoping report. Please note that, 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. Please do not hesitate to contact me on 0131 668 8960 should you wish to discuss this response.

Yours sincerely



Andrew Stevenson
Senior Development Assessment Officer (SEA)

Our ref: PCS112016/sco/SH
SG ref: SEA00537

Neil Huggan
The Highland Council

If telephoning ask for:
Susan Haslam

By email only to: sea.gateway@scotland.gsi.gov.uk

28 February 2011

Dear Mr Huggan

Environmental Assessment (Scotland) Act 2005 Sustainable Design Guide - Scoping consultation

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 25 January 2011.

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). The Scottish SEA Toolkit (available for download at: www.scotland.gov.uk/Publications/2006/09/13104943/0) 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 our detailed scoping response which is attached as Annex 1.

On completion, the Environmental Report and the Guidance to which it relates should be submitted to the Scottish Government SEA Gateway (sea.gateway@scotland.gsi.gov.uk) which will forward it to the Consultation Authorities.

Should you wish to discuss this consultation, please do not hesitate to contact me on 01349 860359 or via SEPA's SEA Gateway at sea.gateway@sepa.org.uk.

Yours sincerely,

Susan Haslam
Senior Planning Officer (SEA)
Planning Service



Chairman
David Sigsworth

Chief Executive
Dr Campbell Gemmell

Corporate Office

Erskine Court, Castle Business Park, Stirling FK9 4TR
tel 01786 457700 fax 01786 446885
www.sepa.org.uk

Appendix 1: Comments on the Scoping consultation

General comments

Generally, the scoping report provides adequate 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.

In view of the fact that the Guidance is based heavily on that of the Cairngorm National Park Authority we suggest that while drawing together your Environmental Report you consider the comments we made to theirs, which is available from the Scottish Governments SEA database.

Detailed comments

For ease of reference the following comments are provided in the same order as the scoping report.

1. Baseline information

- 1.1 Appendix 1 provides useful baseline data for those aspects of the environment where we have an interest. To help this work progress we make the following suggestions relating to those environmental receptors that are to be scoped into the assessment.
- 1.2 The new website www.seaguidance.org.uk provides excellent baseline information on water. Please note that a new monitoring and classification system for water bodies was introduced by the Water Framework Directive which is based on the ecological status rather than just water quality. The ecological status of a water body takes account of biological, physico-chemical, hydrological and morphological properties. For further details on the new classification system please refer to our website (www.sepa.org.uk/water/monitoring_and_classification.aspx).
- 1.3 In addition to our flood maps your own Biennial Flood Reports will provide a clear account of reported flooding incidents.
- 1.4 In relation to climatic factors you may find that the SNIFFER publication "A handbook of climate trends across Scotland" can provide useful information (www.sniffer.org.uk). The Scottish Climate Change Impacts Partnership (SCCIP) website (www.sccip.org.uk) also offers free access to data on climate trends and their impacts on Scotland which might be helpful. When considering the effects of climate change on flood risk the most recent climate change information for the UK as a whole is the United Kingdom Climate Change Impact 2009 (UKCIP09) study (not UKCIP08). This study produced four scenarios (ranging from 'Low Emissions' to 'High Emissions') of climate change, based upon different projected inputs of greenhouse gasses to the atmosphere over the course of the 21st Century. Further information can be found at www.ukcip.org.uk/.
- 1.5 Where information on a council level is not available our State of the Environment Report for Scotland could provide national information (www.sepa.org.uk/changetomorrowtoday/report/index.html).
- 1.6 Please remember that a summary of the likely changes to the environment if the Guidance is not implemented should be provided in the ER.

2. Scoping in/out of SEA Objectives

- 2.1 Table 3 describes the environmental receptors that will be scoped in and out of the assessment and within our remit we note the proposal to scope out human health, soil and air. We do not consider that the reasons for this outlined in the table are very robust and note that the Cairngorm National Park Authority, who's guidance your own is heavily based on, did not scope out these receptors. Nonetheless in this instance we consider, on balance, that strategically significant effects are not likely and therefore we do not challenge this decision further.

3. Methodology for assessing environmental effects

- 3.1 While the water receptor has been scoped into the assessment it is noted that only flooding is addressed by the proposed SEA objectives. It is not clear why the wider impacts on the water environment have not been covered (for example changes in ecological status as a result in physical impacts, abstraction or discharge). If it is thought that the Guidance may have significant effects on the ecological status of water bodies then an additional SEA objective to address this should be included.
- 3.2 It is not clear exact what will be assessed, but we presume that each sustainable design principle will be assessed individually. Please note that we would expect all aspects of the Guidance which could have significant effects to be assessed.
- 3.3 When it comes to providing the assessment of effects please provide enough information to clearly justify the reasons for each of the assessments presented. It would also be helpful to set out assumptions that are made during the assessment and difficulties and limitations encountered.
- 3.4 Generally when carrying out the assessment please refer to sections 6.3.7 to 6.3.3.12 of the Scottish Government SEA Toolkit which outlines the proposed coverage of the issues expected. The aforementioned new website www.seaguidance.org.uk includes advice and guidance on how to take water into account in SEA.
- 3.5 We would encourage you to use the assessment as a way to improve the environmental performance of individual aspects of the final option. Proposals for enhancement, as is proposed, are supported.

4. Proposed mitigation

- 4.1 One of the most important ways to mitigate significant environmental effects identified through the assessment is to make changes to the Guidance itself so that significant effects are avoided. The Environmental Report should therefore identify any changes made to the Guidance as a result of the environmental assessment. In view of the fact that it is expected that the Guidance will have positive effects, how these have been maximised should also be outlined.

5. Next steps

- 5.1 We are satisfied with the proposal for a five week consultation period for the ER, however we would recommend that if possible it was consulted upon for eight weeks, as is proposed for the next consultation on the Guidance.



Scottish Natural Heritage Dualchas Nàdair na h-Alba

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

Neil Huggan
Graduate Planner
Planning & Development
Highland Council
Glenurquhart Road
Inverness
IV3 5NX

2 February 2011
Our ref: CNS/SEA/00537

Dear Mr Huggan

Environmental Assessment (Scotland) Act 2005: Sustainable Design Guide: Supplementary Guidance, The Highland Council

I refer to your scoping report, sent to the Scottish Government SEA Gateway on 24 January 2011. In 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.

Scope of assessment and level of detail

We are generally content with the scope and level of detail proposed for the environmental report, though we note in Table 2, there is no mention of potential positive impacts a sustainable design guide could have on people's recreation.

We are pleased that it is envisaged that there will be a significant positive effect on biodiversity as a result of this guidance, though we recommend the Environmental Report include the opportunity to reduce the continued spread and introductions of non-native species as a significant impact in Table 2 and as part of key objective 1.

Consultation period for the environmental report

SNH notes that a period of 8 weeks is proposed for consultation on the Environmental Report and we are content with this proposed period.

I hope that these points are of assistance to you. Please note that this response is 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 Strategy/ Plan/Programme.



INVESTOR IN PEOPLE

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Dualchas Nàdair na h-Alba, Sgìre Taobh Sear Na Gaidhealtachd, Slighe Fodhraitidh, Pàirce Gnìomhachas
Inbhir Pheofharain, Inbhir Pheofharain. IV15 9XB
Fòn: 01349 865333 Facs: 01349 865609 Làrach-Linn: www.snh.org.uk

Please contact Liz McLachlan (liz.mclachlan@snh.gov.uk) at the address below in the first instance if you would like to discuss any of our comments.

Yours sincerely

A handwritten signature in black ink that reads "George S. Hogg". The signature is written in a cursive style with a large, stylized initial 'G'.

George Hogg
Area Manager
East Highland

cc Scottish Government SEA Gateway (SEA.gateway@scotland.gsi.gov.uk)
SEPA (sea.gateway@sepa.org.uk)
Historic Scotland (hssea.gateway@scotland.gsi.gov.uk)
SNH SEA Gateway (sea_gateway@snh.gov.uk)