

Cairngorms National Park Local Development Plan  
2020

**Strategic Environmental Assessment  
Environmental Report November 2017**

Appendix 4

## Appendix 4: Consultation Responses

Table 42 Responses to consultation on the Scoping Report and the actions taken in response.

Consultation Authority	Section of Scoping Report	Comment	Response of CNPA	Change to SEA
Historic Environment Scotland	General	We note that the historic environment (under landscape and cultural heritage) has been scoped into the assessment. On the basis of the information provided, we are content with this approach and are satisfied with the scope and level of detail proposed for the assessment, subject to the detailed comments provided in the attached annex.	Comment noted.	No change to the SEA.
	General	We note that it is proposed that the Main Issues Report and its Environment Report shall be subject to consultation for a period of 6 weeks between February and April 2017. We are content with the length of consultation period proposed. Please note that, for administrative purposes, we consider that the consultation period commences on receipt of the relevant documents by the SEA Gateway.	Comment noted.	No change to the SEA although period over which consultation will take place has been changed to November 2017 to March 2018.
	Policy Context	We welcome the way in which the context of the Plan has been identified	Comment noted.	No change to the SEA.

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		and presented in Appendix I. You may also wish to include the Historic Environment Strategy for Scotland (2014) and the section referring to the Managing Change in the Historic Environment series should be updated to refer to the Historic Environment Scotland Policy Statement 2016.		
	Baseline	We welcome that the environmental baseline includes cultural heritage. We would note that our information currently indicates that there are 106 scheduled monuments within the National Park boundary rather than the 110 indicated in Table 2 and Appendix 2, Topic 7.	The CNPA welcomes the comment.	Suggested change made.
	Baseline	We are content that cultural heritage is scoped into the environmental assessment and that both positive and negative impacts are considered.	Comment noted.	No change to the SEA.

Consultation Authority	Section of Scoping Report	Comment	Response of CNPA	Change to SEA
	Baseline	We are content with the SEA objective for Topic 7 which reflects the first aim of the Cairngorms National Park Authority. Regarding the SEA sub-objectives, you may wish to consider adding 'where appropriate' to this objective (before the word enhance) for it to read 'value, protect and, where appropriate, enhance the historic and cultural environment and its assets.'	We welcome the comment, but disagree. The word 'appropriate' is notoriously ambiguous within the field of spatial planning and should be avoided. We are content with the scope of the sub-objective.	No change to the SEA.
	Baseline	We welcome the references to the inter-relationships between the topics, however, you may wish to consider including Landscape and Cultural Heritage as an inter-relationship at topic 1a, as the sub-objective to support investment in suitable renewable energy resources could have considerable implications for cultural heritage. We welcome the references to cultural heritage and the built environment in topics 8a and 8b.	The CNPA welcomes the comment and proposes a change to address the identified issue.	Include Landscape and Cultural Heritage as an inter-relationship at topic 1a
	Compatibility of SEA objectives	While we welcome the easy to view matrix format of Figure 3 it would be helpful if objective 7 on both axes could refer to landscape and cultural	The CNPA welcomes the comment and proposes a change to address the identified issue	Landscape and cultural heritage referred to on both axes of Table 3.

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		<p>heritage. We would also suggest that there may be the possibility for objective 3 Flood Risk to have a relationship with objective 7 landscape and cultural heritage, as depending on the scale of development to reduce flood risk (flood alleviation schemes etc.) there is the potential for impacts to cultural heritage assets.</p>	<p>While the CNPA agrees that there is a relationship it does not believe that the objectives are necessarily incompatible. The relationship in Table 3 is therefore identified as being uncertain.</p>	
	Proposed Assessment Framework	<p>We are content with the proposed assessment matrix (Table 5) and welcome that it includes scope for narrative commentary to complement a scoring system and also that mitigation measures will be recorded within the assessment matrix. We also welcome the proposed approach to proportionate assessment, focusing on significant effects. We would suggest that Table 6 is separated more clearly into two parts to avoid any confusion or assumed relationship between the significance of effect and the scale and permanence of effect.</p>	CNPA welcome the comment.	Table has been split into two.

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	Predicting the Effects of Implementation	We welcome the early engagement with key stakeholders and interested parties, we would be happy to continue to provide advice and information regarding baseline information, alternatives, mitigation and enhancement throughout the Plan process.	Comment noted.	No change to the SEA.
	Mitigation & Enhancement and Monitoring	We note that recommendations for mitigation and enhancement will be proposed and that a monitoring framework will be provided. We look forward to further details on these subjects as the assessment progresses.	Comment noted.	No change to the SEA.
	Appendix 2	The references to Scottish Historic Environment Policy (SHEP) throughout this topic (for example in the Gardens and Designed Landscapes and Battlefields sections) should be updated to reflect the replacement of SHEP by the Historic Environment Scotland Policy Statement (2016).	Comment noted.	References to SHEP replaced with reference to Historic Environment Scotland Policy Statement (2016).
<b>Scottish Environment Protection Agency</b>	Relationship with other Plans, Policies and Strategies (PPS)	We consider that the PPS listed in Appendix I provides a good start at providing a background framework to the development of the plan	Comment noted.	No change to the SEA.

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	Relationship with other Plans, Policies and Strategies (PPS)	Some of the PPS included have themselves been subject to SEA. Where this is the case you may find it useful to prepare a summary of the key SEA findings that may be relevant to The Cairngorms National Park Local Development Plan 2020 (LDP). This may assist you with data sources and environmental baseline information and also ensure the current SEA picks up environmental issues or mitigation actions which may have been identified elsewhere.	Comment noted.	No change to the SEA.

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	Relationship with other Plans, Policies and Strategies (PPS)	<p>For your information, we have recently updated our SEA Guidance in relation to our interests. Direct links are provided here for your convenience.</p> <ul style="list-style-type: none"> <li>➤ LUPS-SEA-GU1 - Guidance on consideration of air in Strategic Environmental Assessment</li> <li>➤ LUPS-SEA-GU2 - Guidance on consideration of soil in Strategic Environmental Assessment</li> <li>➤ LUPS-SEA-GU3 - Guidance on consideration of water in Strategic Environmental Assessment</li> <li>➤ LUPS-SEA-GU4 - Guidance on consideration of material assets in Strategic Environmental Assessment</li> <li>➤ LUPS-SEA-GU5 Guidance on consideration of human health in Strategic Environmental Assessment</li> </ul>	Comment noted.	No change to the SEA.
	Baseline information	Table 2 provides a good summary of baseline data and the aspects of the environment where we have an interest. However, we note that in	CNPA welcome the comment.	Update baseline to reflect 2014 figures.



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		Table 2, page 12, 2013 figures have been used to illustrate the overall status of waterbodies. Whilst in Topic 3 chapter 2014 data is included. As you are aware through our recent consultation response to the ER for the Cairngorms National Park Partnership Plan 2017-2022 (PSC/147769) 2015 figures are now available for waterbody status and we ask that these are used in the preparation of the finalised ER for the LDP.		
	Baseline information	With regards to flooding, we welcome the inclusion of reference to potential risk of flooding from small water courses.	Comment noted.	No change to the SEA.
	Environmental problems	We consider that the environmental problems described highlight the main issues of relevance for the SEA topics within our remit.	Comment noted.	No change to the SEA.
	Alternatives	We note and welcome that during the development of the LDP alternatives will be considered and that reasonable alternatives identified during the preparation of the plan will be assessed as part of the SEA process.	Comment noted.	No change to the SEA.

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		We note the findings of the assessment will inform the choice of the preferred option and will be documented in the Environmental Report.		
	Scoping in / out of environmental topics	We agree that in this instance all environmental topics should be scoped into the assessment, as detailed in Table 3	Comment noted.	No change to the SEA.
	Methodology for assessing environmental effects	We support the proposal to use the SEA objectives as assessment tools as they allow a systematic, rigorous and consistent framework with which to assess environmental effects.	Comment noted.	No change to the SEA.
		We welcome the proposed assessment matrix in Table 5. It will help to fully explain the rationale behind the assessment results and will give the opportunity for transparency and background understanding to the scores given.	Comment noted.	No change to the SEA.
		Where it is expected that other plans, programmes or strategies are better placed to undertake more detailed assessment of environmental effects this should be clearly set out in the	Comment noted.	No change to the SEA.

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		Environmental Report.		
		We would expect all aspects of the PPS which could have significant effects to be assessed	Comment noted.	No change to the SEA.
		When it comes to setting out the results of the assessment in the Environmental Report 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.	Comment noted.	No change to the SEA.
	Design of the Assessment Matrices	We are content with the proposed detailed assessment matrix and particularly welcome the commentary box to fully explain the rationale behind the assessment results. We also welcome the link between effects and mitigation / enhancement measures in the proposed assessment framework and the consideration of mitigation of impacts.	Comment noted.	No change to the SEA.

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		We are generally content with the proposed SEA objectives to be used in the assessment.	Comment noted.	No change to the SEA.
		However we do have a comment on the sub-objective encouraging the restoration of a natural flood regime within SEA objective 3a Reduce flood risk in Table 4. While we agree in principle that natural flood management can have benefits we would caution that any proposals for natural flood management practices are carefully considered to ensure that they are appropriate and does not increase flood risk elsewhere	CNPA welcomes the comment and agrees. Such factors will need careful consideration. However, in the interest of proportionality, they are best considered at the context of the Proposed Plan.	No change to the SEA.
	Assessment of land allocations – relevant to development plan SEA only	When it comes to assessment of the effects of allocations or sites we advocate a rigorous methodology which clearly assesses potential effects on all environmental topics. Our experience in relation to assessment of allocations is that it can be a much easier and useful exercise for the plan-maker if the assessment is made against a range of related questions, rather than directly against the environmental topics. This allows a	CNPA welcomes the comment and agrees.	No change to the SEA.

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		very practical assessment to take place which clearly highlights the environmental benefits and costs of each individual allocation. As an example, assessing the allocation against the question “Can the allocation connect to public sewage infrastructure?” gives a clear practical view on how this allocation is likely to affect the water environment.		
		We would draw your attention to the joint SEA and development plan site assessment proforma which sets out the issues which we require to be addressed in more detail.	Comment noted.	No change to the SEA.
	Mitigation and enhancement	We would encourage you to use the assessment as a way to improve the environmental performance of individual aspects of the final option; hence we support proposals for enhancement of positive effects as well as mitigation of negative effects.	Comment noted.	No change to the SEA.
		It is useful to show the link between potential effects and proposed mitigation / enhancement measures in the assessment framework.	Comment noted.	No change to the SEA.

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		We would encourage you to be very clear in the Environmental Report about mitigation measures which are proposed as a result of the assessment. These should follow the mitigation hierarchy (avoid, reduce, remedy or compensate).	Comment noted.	No change to the SEA.
		One of the most important ways to mitigate significant environmental effects identified through the assessment is to make changes to the plan itself so that significant effects are avoided. The Environmental Report should therefore identify any changes made to the plan as a result of the SEA.	Comment noted.	Mitigation measures will be developed through the LDP process. It will not be possible to finalise these until at least the development of the Proposed Plan, when detailed policies and allocations are set out.
		Where the mitigation proposed does not relate to modification to the plan itself then it would be extremely helpful to set out the proposed mitigation measures in a way that clearly identifies: (1) the measures required, (2) when they would be required and (3) who will be required to implement them	Comment noted.	Mitigation measures will be developed through the LDP process. It will not be possible to finalise these until at least the development of the Proposed Plan, when detailed policies and allocations are set out. No change to the SEA.
	Monitoring	It is noted that proposals for monitoring indicators will be	Comment noted.	A draft monitoring framework has been developed, which

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		developed iteratively during the assessment of the draft LDP and confirmed in the finalised ER. Early consideration to the monitoring approach particularly in the choice of indicators is welcomed. It would be helpful if the ER included a description of the measures envisaged to monitor the significant environmental effects of the plan.		builds on the framework developed for the NPPP. There is no requirement for bespoke SEA monitoring, however indicators will be refined as the LDP process progresses.
	Consultation period	We are satisfied with the proposal for a 6 week consultation period for the Environmental Report	Comment noted.	No change to the SEA.
	General	We would find it helpful if the ER included a summary of the scoping outcomes and how comments from the Consultation Authorities were taken into account.	Comment noted.	<i>Et voilà.</i>
<b>Scottish Natural Heritage</b>	General	We assume that a Habitats Regulations Appraisal (HRA) will be carried out in due course. We recommend that the HRA is carried out at the same time as the preparation of the Main Issues Report (MIR) for the LDP, and used to inform both documents (particularly when identifying preferred allocations).	Comment noted.	The HRA and SEA have been carried out at the same time and will evolve together as the LDP process progresses.

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	Baseline	Page 13 and other locations (especially pages 102 – 107): We welcome that geodiversity is included in the scoping report, however we feel that it's inclusion in the Material Assets section is confusing. This is because, unlike the other features identified in this section, it is not a man-made asset but a natural feature. We recommend that consideration of geodiversity is moved into the Soil sections instead.	CNPA welcomes the comment. However, material assets are not all man made. In the case of geodiversity and minerals may be regarded as such.	No change to the SEA.
	Baseline	Pages 14, 163, 165: Reference to the Ladder Hills Special Protection Area (SPA) should be removed, as this site ceased being considered as a candidate SPA some years ago.	CNPA welcomes the comment.	References to Ladder Hills SPA removed.
	Baseline	Page 16, fourth point in the Landscape and Cultural Heritage baseline column: Reference should be made to Wild Land Areas (WLAs) rather than "wild land". This is to avoid confusion with landscape with wildness characteristics that are not part of WLAs, and are considered under different policies in Scottish Planning Policy (SPP).	CNPA welcomes the comment.	References changed to 'Wild Land Areas'.



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	baseline	<p>Page 27, Figure 3: Our advice is that the figure should be reviewed, as we consider that there are relationships between some of the objectives/topics that are currently identified as having no relationship. For example, Objective 2 (air quality) could be considered as relevant to 1b (climate change) due to carbon dioxide and other greenhouse gases that can affect air quality for people and nature. Objectives 6a (biodiversity) and 6b (woodland management) could be considered as relevant to Objective 1b (resilience to climate change), due to climate change affecting the species and habitats capable of surviving in the Park, as well as increasing the transmission of pests and diseases. Objective 7 (landscape) could be considered as relevant to Objectives 3a (flood risk) and 3b (water quality) as both have the potential for landscape scale change. Objective 8a (health and wellbeing) could be considered as relevant to Objective 6a (biodiversity) as being outdoors and experiencing</p>	<p>CNPA welcomes the comment. It is not the intention of the table to identify relationships but the compatibility between objectives. For example, there is indeed a relationship between objectives 1b and 2 however it is not an incompatible one, hence the conclusion in the table. Inter-relationships between topics have however been identified throughout the document,</p>	<p>No change to the SEA.</p>

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		nature is reported to have positive mental and physical benefits for people. Objective 8a (health and wellbeing) could be considered as relevant to Objective 6b (woodland management) for the same reasons but also for access and recreation opportunities that may be created/improved.		
	Baseline	Table 6: We find this table confusing, and recommend that it is split into two, one for significance of effect and another for scale and permanence of effect. This is because, at the moment, if the table is read across the rows, it appears that major positive effects can only occur at a local level, minor positive effects at a regional level, etc. Separating the table would help readers understand that the judgement of the significance of the effect is separate from the judgement as to the scale and permanence of the effect.	CNPA welcomes the comment and agrees.	Table has been split into two.
	PPS	Recommend adding Soils to the SEA Issue/Topic for the below rows in the table. This is because soils are a	CNPA welcomes the comment and agrees.	Reference to 'Soil' made under requested PPS.

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		<p>relevant to the PPS identified either directly (eg a peatland Special Area of Conservation) or indirectly as the protection and use of soils underpin many land uses, functions and services                      p37, third row, Habitats Directive;                      p38: second row, WFD;                      p40, second row, Birds Directive;                      p43, first row, Biological Diversity;                      p44, second row, Habitats Regulations;                      p45, third row, Flood Risk Management;                      p45, second row, Land Reform;                      p45, fourth row, NCA;                      p52: fifth row, SBS;                      p55, fourth row, UK post 2010;                      p57, third row, Cairngorms Nature Action Plan;                      p57, fourth row, Active Cairngorms</p>		
		<p>Recommend adding Biodiversity to the SEA Issue/Topic for the below rows in the table. This is because biodiversity is a relevant to the PPS identified eg as pollutants adversely affect biodiversity, biodiversity relies upon the feature identified (eg soils underpin the wider ecosystem), etc.</p>	<p>CNPA welcomes the comment and agrees.</p>	<p>Reference to ‘Biodiversity, Fauna and Flora’ made under requested PPS.</p>

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		p39, second row, Groundwater p42, fifth row, Thematic Strategy p45, third row, Flood Risk p58, third row, Economic Development Strategies		
	PPS	Pages 37 - 60: We recommend adding Landscape to the SEA Issue/Topic for the following row in the table. This is because significant development could have landscape scale effects: p58, third row, Economic Development Strategies.	CNPA welcomes the comment and agrees.	Reference to 'Landscape and Cultural heritage' made under requested PPS.
		Pages 110 – 118, Transport Infrastructure. This section does not recognise the existing infrastructure for active travel within the Park. Page 251 states that over half of workers travel less than 10km to their place of work. This presents opportunities to reduce reliance on the private car by increasing active travel opportunities, which may have positive or negative environmental effects depending on location and construction. It is therefore surprising that active travel infrastructure is not identified in this section of the report. We	CNPA welcomes the comment, however active travel infrastructure such as core paths and other rights of way is covered under Topic 8: Population and Human Health.	No change to the SEA.

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		<p>recommend that its inclusion is explored, particularly given the priority of travel modes identified in Scottish Planning Policy paragraph 273. Our advice is that it would be useful to highlight some specific active travel improvements that could be implemented within the lifetime of the 2020 Plan within the MIR. These could then be assessed in the Environmental Report. (This would also ensure that specific examples are identified to encourage progress, and enable progress to be monitored.)</p>		
	Appendix 2	<p>Pages 123 - 143 Table 13, pages 147 – 158 Table 14 and pages 161 – 164 Table 15. Some of the information contained in the tables has been superseded since we provided you with data earlier this year. This is a result of more recent survey work having gone through the quality assurance process and being published. We therefore recommend that the Park Authority contact us for the most up to date data when compiling the Environmental Report, in case further changes have occurred.</p>	<p>CNPA welcomes the comment and agrees.</p>	<p>Tables have been updated with information provided for the NPPP's final SEA, which was published in June 2017.</p>

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	Appendix 2	Pages 123 – 166. In addition to the advice above, we also recommend that for the Environmental Report, it would be sufficient to provide just the text on the overall picture, ie the information presented on pages 144 and 145, pages 159 – 160 and pages 165 – 166. If it is felt necessary to include the full data as well, we recommend that the information in Tables 13 – 15 is presented in an Annex to the Environmental Report. This would allow the key points about the condition of protected areas to be more obvious and quickly accessed within the Report.	CNPA welcomes the comment and agrees but is satisfied with the level of detail provided.	No change to the SEA.
	Appendix 2	Page 182, Table 19, Freshwater. As abstraction pressures are of concern for the River Dee SAC in particular, we recommend that this Issue is added to the table.	CNPA welcomes the comment, however the issues identified in the table are those identified by Cairngorms Nature Action Plan 2013-2018. They will be reviewed in line with this document.	No change to the SEA.

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	Appendix 2	Page 196, National Scenic Areas (NSAs). We recommend removal of the text referring to the 1978 descriptions of the NSA special qualities, as this work has been superseded by the special qualities presented in the 2010 publication on The Special Landscape Qualities of the Cairngorms National Park. Whilst we recognise that the original special qualities of the NSAs do not differ significantly from the 2010 list of qualities of the Park as a whole, reference to the 1978 work implies that it has not be reviewed since then, which is incorrect.	CNPA welcomes the comment, however it does not agree with that this is the implication or that it is necessary to remove the reference to a publically available document.	No change to the SEA.