

APPENDIX G: POLICIES AND PLANS

<p>Circular 15</p>	<p>The Environmental Impact Assessment (Scotland) Regulations 1999</p>	<p>This Circular gives guidance on the Environmental Impact Assessment (Scotland) Regulations 1999 (Scottish Statutory Instrument 1999 No 1). The Regulations implement Council Directive No. 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (the EIA Directive), as amended by Council Directive No. 97/11/EC.</p> <p>They apply to projects which require planning permission in response to an application under Part III of the Town and Country Planning (Scotland) Act 1997 ("the 1997 Act") (Part II of the Regulations) and certain trunk road projects, comprising construction and improvement which are authorised under the Roads (Scotland) Act 1984 (Part III of the Regulations).</p>	<p>This should be consulted in the production and reviewing of the Environmental Statement</p>
<p>SPP 1</p>	<p>The Planning System</p>	<p>SPP1 provides an overview of the land use planning system in Scotland under current arrangements, and:</p> <ul style="list-style-type: none"> • outlines the purpose of the planning system; • indicates how planning can contribute to the Executive's wider objectives; 	<p>SPP 1 specifically promotes the following which are relevant to the scheme:</p> <ul style="list-style-type: none"> • Protecting and enhancing the quality of the environment, in both urban and rural areas, is a key objective of the planning system.

		<ul style="list-style-type: none"> sets out the main tasks for development planning and development control; identifies the Executive's expectations for an efficient and effective planning service; and specifies the performance targets that the Executive and planning authorities should aim to meet in carrying out their statutory responsibilities. 	<ul style="list-style-type: none"> good design; and Access to integrated and sustainable transport;
SPP 17	Transport and Planning	SPP 17 sets out the purpose of the planning system, and puts it in the context of the wider objectives of the Scottish Executive.	<p>SPP 17 has the following objectives relevant to the scheme:</p> <ul style="list-style-type: none"> to maintain and enhance the natural and built environment, through avoiding or mitigating adverse environmental impacts, minimising environmental intrusion and retaining, improving and enhancing areas for biodiversity; to maintain and enhance the quality of urban life, particularly the vitality and viability of urban centres; to reinforce the rural economy and way of life; to ensure that the impact of development proposals on transport networks does not compromise their safety or efficiency.
NPPG 5	Archaeology and	This NPPG sets out	To preserve Sites of

	<p>Planning</p>	<p>the policy towards the handling of archaeological remains and discoveries in development planning and control, including the weight to be given to them in planning decisions and the use of planning conditions. The preservation of heritage sites and landscapes of archaeological and historical interest is encouraged through the planning process, as these artefacts are a finite resource to our heritage and should therefore be considered as part of the environment to be protected and managed. The primary policy objective is that they should be preserved wherever feasible and that, where this proves not to be possible, procedures to record artefacts, analyse and publish prior to their destruction should be implemented.</p>	<p>National, Regional and Local Importance and to record part of any such sites affected by development.</p> <p>Planning authorities should take advice of Regional Archaeologist regarding sites of lesser importance.</p> <p>Where preservation of Sites of Archaeological interest is not possible, it may be acceptable to undertake an archaeological excavation.</p> <p>In considering planning permission for projects that have implications for archaeological remains, planning authorities should:</p> <ul style="list-style-type: none"> • encourage early discussions with developer; • consult the Regional Archaeologist at outset; • an archaeological assessment and field evaluation should be undertaken where appropriate; and • ensure that relevant information on cultural heritage is taken into account in any environmental assessment.
<p>NPPG 10</p>	<p>Planning and Waste Management</p>	<p>As waste volumes and types have increased dramatically in the last 50 years, the Government's policy is to place greater</p>	<p>Planning policies should seek to ensure that waste is recovered or disposed of without endangering human health and without</p>

		<p>emphasis on the reduction and recovery of waste. This NPPG sets out where planning has an influence on the management of waste, through development plans and how the planning system operates in relation to other pollution controls. Waste is to be 'recovered and disposed of without endangering human health or harming the environment'. The waste hierarchy of reduction, reuse and recovery, treatment and finally disposal is encouraged.</p>	<p>using processes or methods which could harm the environment, and in particular without;</p> <ul style="list-style-type: none"> • risk to water, air, soil, plants or animals; • causing a nuisance through noise or odours; and • adversely affecting the countryside or places of special interest.
NPPG 11	Sport, Physical Recreation and Open Space	<p>This NPPG addresses the land use implications of sport and physical recreation, including those activities that take place in large areas of the countryside, which are shared by those enjoying outdoor pursuits and seeking places for quiet relaxation. It describes the role of the planning system in making provision for sports and physical recreation and protecting and enhancing open space.</p>	<p>With respect to access routes and rights of way, Councils should:</p> <ul style="list-style-type: none"> • protect, keep open and free from obstruction or encroachment any asserted public Right of Way; • include in Local Plans a policy protecting Rights of Way and other permissive access routes; • identify and prioritise gaps in the route network as part of a wider area strategy for sport and recreation; and • consider enhancing the network by Orders, Agreements or designations on public land.
NPPG 14	Natural Heritage	<p>Guidance is given in this NPPG on how the creation and</p>	<p>Development affecting a designated area of</p>

		<p>enhancement of Scotland's natural heritage should be reflected in land use planning. The effects of a development on the natural heritage can be a material consideration, both in a designated area and for sensitive though not designated sites. The Habitats Directive also requires the encouragement of appropriate management for landscape features which are of major importance for wild flora and fauna, such as for wildlife corridors and stepping stones like woodlands, hedgerows, field boundaries, watercourses and lochs/ponds. Planting with native species offers the greatest benefits in terms of natural heritage.</p>	<p>national importance should be permitted only where the integrity of the area is not compromised and any significant adverse effects on the qualities for which the area has been designated are outweighed by social/economic benefits of national importance.</p>
NPPG 18	Planning and the Historic Environment	<p>This NPPG deals primarily with listed buildings, conservation areas, world heritage sites, historic gardens, designed landscapes and their settings. It complements NPPG5 <i>Archaeology and Planning</i>, which sets out the role of the planning system in protecting ancient monuments and archaeological sites and landscapes.</p>	<p>This Guidance should be consulted in conjunction with NPPG 5.</p>
PAN 58	Environmental Impact	<p>This PAN relates specifically to EIA</p>	<p>This should be consulted in the</p>

	Assessment	for development projects authorised under planning legislation. It offers advice on the process of EIA, environmental studies and statements, the evaluation of environmental information by the planning authority and implementation through the planning decision.	production and reviewing of the Environmental Statement.
PAN 60	Planning of Natural Heritage	PAN) provides advice on how development and the planning system can contribute to the conservation, enhancement, enjoyment and understanding of Scotland's natural environment and encourages developers and planning authorities to be positive and creative in addressing natural heritage issues. It complements the National Planning Policy Guideline on Natural Heritage (NPPG 14), with examples of good planning practice in relation to natural heritage drawn from across Scotland highlighted in a number of case studies.	Of relevance to this scheme are advice on: <ul style="list-style-type: none"> • Understanding the resource; • Working with SNH; • Where natural heritage information can be found; • The interaction between recreation and preserving natural heritage • Wildlife on site; and • EIA+
PAN 61	Planning and Sustainable Urban Drainage Systems	The PAN gives good practice advice for planners and the development industry complementing the Sustainable Urban Drainage Systems Design Manual for Scotland and	Of relevance to this scheme are: <ul style="list-style-type: none"> • Role of the planning authority on delivering SUDS.

		Northern Ireland, which was published by CIRIA in March 2000 for the Sustainable Urban Drainage Scottish Working Party.	
PAN 75	Planning for Transport	The PAN provides good practice guidance which planning authorities, developers and others should carry out in their policy development, proposal assessment and project delivery. The document aims to create greater awareness of how linkages between planning and transport can be managed. It highlights the roles of different bodies and professions in the process and points to other sources of information.	Of relevance to this scheme are: <ul style="list-style-type: none"> • The contribution different travel modes make to sustainable personal access. In order of preference and as priorities for integrated land use and transport planning they are walking, then cycling, public transport and finally motorised modes. • Measures that can be implemented that encourage the use of alternative modes of transport other than the car.

Subject	Development Plan	Policy/Proposal	General Objectives
Infrastructure	The Highland Structure Plan (March 2001)	Recommendation TC4 Trunk Roads	The Council recommends to the Government the early improvement of the principal road network in Highland, including the A82 over all its length, always allowing for proper safeguarding of the environmental qualities of the areas through observance of the "Fitting Roads" guidance

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	Lochaber Local Plan (February 1999)	Para. 3.5.1 Trunk Roads	The Council will encourage the Scottish Office to give priority to the allocation of resources necessary to undertake longstanding improvement and realignment of the A82 (T) and A830(T).
		Para 3.5.2	The Council will continue to upgrade the remaining strategic road network and other routes where development opportunities are inhibited or traffic hazards exist, as resources permit. Given the importance of some of these arteries as tourist/scenic routes, the council recognises the need for sensitive improvements and maintaining their rural character by minimising land remodelling; loss of trees, and encroachment onto heritage sites or fragile habitats as far as practicable; and for replacement planting, reinstatement of dykes and other local features where appropriate.

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Sustainability/Environmental Improvements	The Highland Structure Plan (March 2001)	Policy G2 Design for Sustainability	Proposed developments will be assessed on the extent to which they: are compatible with service provision (water and sewerage, drainage); are affected by significant risk from natural hazards; impact on individual and community residential amenity; impact on the following resources, including pollution and discharges, particularly within designated areas: habitats, species, landscape, scenery, freshwater systems, cultural heritage and air quality; demonstrate sensitive siting and high quality design in keeping with local character and historic and natural environment and in making use of appropriate materials.
		Policy G6 Conservation and Promotion of the Highland Heritage	The Council will seek to conserve and promote all sites and areas of Highland identified as being of high quality in terms of nature conservation, landscape, archaeology or built environment.

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	Lochaber Local Plan (February 1999)	Para. 2.4.29 Sustainability - Environment	A sustainable future requires balancing protection for the environment with responsible development and management of the area's resources. This necessitates promotion of biodiversity and an integrated network of habitats, land uses and communities based on the following principles: (i) international obligations, as applied through EC Directives; (ii) national designations, including notified NNR and SSSIs, NSAs, Scheduled Ancient Monuments and Grade A Listed Buildings; (iii) other land where priority is given to avoiding damage to or fragmentation of habitats or species of high conservation value, such as local wildlife reserves and other important habitats, AGLVs and the built heritage, footpaths and rights of way.
		Para. 3.6.23 Environmental Improvements	Give high priority to environmental improvements. The design of schemes, use of materials and treatment should be compatible with their surroundings.
Access/ Footpaths	Lochaber Local Plan (February 1999)	Para 3.5.4 Cycling	The Council is developing a strategy seeking to promote cycling, improve safety and secure facilities in the context of use or modifications to existing roads, new routes and a dedicated network of cycleways and related parking. Pedestrian Safety will be a priority consideration where opportunities arise for shared use of paths.
		Para. 3.6.14 Access to the Countryside	To safeguard rights of way, other paths and access routes from development and obstruction.

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		Para 6.2.12 Strategic Footpath	Supports the establishment of a major footpath between Fort William and Oban possibly through Glen Coe, and joining the West Highland/Great Glen Way.
Nature Conservation	The Highland Structure Plan (March 2001)	Policy N1 Nature Conservation	New developments should seek to minimise their impact on the nature conservation resource and enhance it wherever possible. Seeks to conserve and promote all sites according to the following hierarchy: <ul style="list-style-type: none"> • Sites and species of international importance • Sites of national importance • Sites of local importance
		Policy G6 Conservation and Promotion of the Highland Heritage	As noted above, the Council will seek to conserve and promote all sites and areas of Highland identified as being of high quality, including in terms of nature conservation.
		Policy N4 Local Biodiversity Action Plans	Has regard to Local Biodiversity Action Plans, where available, in addition to Strategic Policy G6, in the consideration of development proposals.
	Lochaber Local Plan (February 1999)	Para. 3.6.1 Special Protection Areas and Special Areas of Conservation	The Council will not permit development or damaging operations to an interest to be protected within designated or proposed Special Protection Areas and Special Areas of Conservation (see 3.6.3) except where there is an imperative and overriding public, social, economic, health and safety interest as set out in Circular 6/95 in accordance with the Habitats and Birds Directives. Ramsar sites designated under the Convention of Wetlands of International Importance are protected in a similar way to SPA's.

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		Para. 3.6.2 Special Protection Areas and Special Areas of Conservation	The Council recognises that the designation of Special Protection Areas and Special Areas of Conservation gives primacy to their conservation. However, the Council expect the bulk of existing activities in such areas to continue and will seek, in partnership with other Agencies and interests, to maximise resources for interpretation, visitor management and promotion.
		Para. 3.6.3 Sites of Special Scientific Interest	The Council will maintain a presumption against development which would have a significant detrimental effect upon designated NNRS/SSSIs.
		Para. 3.6.5 Other Habitat Areas	Elsewhere in the countryside and consistent with European “Habitats Directive” objectives, the Council will also seek to maintain continuity and linkage between habitats where this would help to sustain wildlife. Subject to SNH advice to their specific value, particular features, which should be taken into account e.g. rivers.
Nature Conservation (continued)			
Landscape/ Tourism	The Highland Structure Plan (March 2001)	Proposal L4 Landscape Character	To have regard to the desirability of maintaining and enhancing present landscape character in the consideration of development proposals.
		Policy T6 Scenic Views	To protect important scenic views enjoyed from tourist routes and viewpoints, particularly those specifically identified in Local Plans.

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	Lochaber Local Plan (February 1999)	Para. 3.6.12 Landscape Conservation	Pending formulation of Landscape Appraisal guidelines for the whole of Lochaber (see Annex), the Council will safeguard the scenic and landscape character within designated National Scenic Areas, and will encourage: (i) high standards of design and siting of development consistent with the scale and pattern of settlement; (ii) measures to minimise the visual impact of other changes in land use and resource development; (iii) recreational management and provision of facilities in areas of opportunity of visitor pressure; (iv) reinstatement or restoration of damaged or degraded habitats.
		Para. 3.6.13 Scenic Safeguards	To conserve areas of landscape importance, including scenic views from the main tourist routes, and to designate Areas of Great Landscape Value where special control and management policies will be followed to maintain their character and secure public access, safety and enjoyment.
		Para. 6.2.21 Visitor Management - Glencoe	To safeguard Glencoe for its nationally important landscape and recreational value. Whilst reasonable consolidation and upgrading of existing businesses and facilities is acceptable in principle, the Council will maintain a strict presumption against other development not associated with traditional land uses. Exceptions may be appropriate where action is considered essential for the proper management of visitors, including the avoidance of conflict between users, hazards to public safety or damage to the environment.

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Archaeology	Lochaber Local Plan (February 1999)	Para. 3.6.19 Archaeological Sites	To protect against development which would adversely affect the character or setting of areas of archaeological significance and in areas of high archaeological potential. May require developments to establish the nature, extent and importance of any remains.
Waste Management	The Highland Structure Plan (March 2001)	Policy W2 Waste Minimisation	Proposals for major developments should include a method statement identifying the waste implications of the development and measures taken to minimise and manage the waste generated. Permission for the proposed development may not be granted where this has not been adequately addressed.