

# Measuring SNH's influence on the outcome of development proposals





**Scottish Natural Heritage**  
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# COMMISSIONED REPORT

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**Commissioned Report No. 699**

## **Measuring SNH's influence on the outcome of development proposals**

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## COMMISSIONED REPORT

# Summary

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## Measuring SNH's influence on the outcome of development proposals

**Commissioned Report No. 699**

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### **Keywords**

Planning; outcomes; corporate; development; service; casework.

### **Background**

The aim of the research was to assess how SNH's interventions in the planning system help achieve the objectives set out in the Scottish Natural Heritage Corporate Plan 2012-2015, (SNH, 2012c).

LUC was commissioned by SNH in April 2013 to assess the influence of SNH on planning decisions. The work comprised two main elements. The first was the development of methodologies to assess SNH's influence in development planning (plan preparation, strategic environmental assessment and habitats regulations assessment) and development management. The second was to apply the latter methodology to a sample of 30 development management cases to develop an understanding of the effectiveness of SNH engagement.

### **Main findings**

- There is good evidence that SNH's inputs achieve benefits for natural heritage and people in line with its corporate plan objectives.
- SNH has the greatest influence through the decision making process on wider landscapes, protected species, all biodiversity, land, water and soils, and protected areas.
- SNH's inputs on individual cases appear proportionate to the likely benefits for natural heritage and people.
- Early involvement by SNH appears to be more effective in both time inputs and benefits achieved for the natural heritage, than later involvement in the process.
- Typically it appears that SNH is fulfilling a unique role in providing comments on planning applications both in terms of the breadth of advice and the weight and influence attached to it.
- There was limited evidence of SNH involvement resulting in net enhancements for the natural heritage, and the case studies had a strong focus on preventing or mitigating adverse effects.
- It was not possible to definitively identify the extent to which guidance and good practice influenced planning outcomes, due to a lack of evidence. However there was good evidence that SNH staff and some planning officers were aware of and used SNH guidance in their work.

- Although SNH was not found to be straying from its remit in relation to the topic areas covered, there may be situations where SNH is commenting or being asked to comment on issues which are of minor significance and fall outside the terms of the service statement.
- The influence of pre-application involvement by SNH is difficult to assess.
- Measuring the influence of guidance and good practice in informing the approach to natural heritage issues in planning applications is challenging.

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## 1. INTRODUCTION

The aim of the research was to assess how SNH's interventions in the planning system help to achieve the objectives set out in the Scottish Natural Heritage Corporate Plan 2012-2015 (SNH, 2012c). LUC was commissioned by SNH in April 2013 to assess the influence of SNH on planning decisions. The work comprised two main elements. The first was the development of methodologies to assess SNH's influence in development planning (plan preparation, strategic environmental assessment and habitats regulations assessment) and development management. The second was to apply the latter methodology to a sample of 30 development management cases to develop an understanding of the effectiveness of SNH engagement. This document is the final report setting out the findings from the case study analysis.

### 1.1 Background and context

SNH's main role in the planning system is to provide advice on Scotland's natural heritage and how this could be affected by planning policies and development proposals. Over the past ten years, SNH has refocused the way it engages with the planning system in order to improve its efficiency and effectiveness, respond to the planning reform agenda and, ultimately, to secure better outcomes for the natural heritage.

Between 2004 and 2008 SNH commissioned a series of research projects to review and improve its engagement with the land use planning system. It responded to the findings of these reviews, and coupled with the modernisation of the Scottish planning system, refocused the way in which it engages with the development process. Since 2009, the organisation has adopted a more proactive and focused involvement in plan preparation and development management.

This is most clearly articulated in SNH's '*A Service Statement for Planning and Development*' (SNH, 2012b). This states that working with others through the planning system SNH aims to '*help good development happen in the right places*', ultimately supporting the Scottish Government's objective of achieving sustainable economic growth.

A greater proportion of effort is now invested earlier in the planning process helping to ensure that natural heritage issues are embodied in development plans and placing an emphasis on engagement during the pre-application stages of development management. This helps ensure that natural heritage issues are built into the process from the start, and that key natural heritage issues are identified and addressed before schemes are finalised.

The present research aims to explore whether this refocused approach is effective in securing protection and enhancement of the natural heritage and whether the outcomes from SNH's engagement with the planning system help deliver the organisation's corporate objectives.

### 1.2 Report context

The report covers the following key sections:

- Methodology for assessing the influence of SNH in relation to development management;
- Methodology for assessing the influence of SNH in relation to development planning, SEA and HRA;
- Key findings (overview of all case studies), including an assessment of SNH's success in influencing development management and a narrative on SNH's achievements in the context of the programme objectives set out in the business plan;



- Recommendations on future ‘outcomes’ research, in particular a suggested approach to measuring the extent to which SNH engagement with development planning (and associated SEA and HRA) adds value to the plan;
- An assessment of the difference SNH has made for people and nature in relation to the defined research questions; and
- A series of recommendations for SNH and other stakeholders in the planning system.

Individual case study analysis which informs the key findings is provided in the separately bound Annexes - *Annex 1*.

## **2. CONTEXT**

SNH's main role in the planning system is to provide advice on Scotland's natural heritage and how this could be affected by planning policies and development proposals. Over the past ten years, SNH has refocused the way it engages with the planning system in order to improve its efficiency and effectiveness, respond to planning reform and, ultimately, to secure better outcomes for the natural heritage.

Some of the changes in SNH's approach have been informed by a series of reviews which explored the effectiveness of responses, casework and (within a broader review of SEA) its role in relation to Strategic Environmental Assessment (SEA). Many of the conclusions and recommendations drawn by these reviews provide a valuable starting point in considering the questions to be addressed by the current research.

### **2.1 Research into responses to planning consultations (2004)**

In 2004, ERM carried out a review of the effectiveness of SNH responses to planning consultations (ERM, 2004). The principal findings from this research were:

- While the technical content of responses was often highly regarded, there was often a lack of clarity as to SNH's position;
- SNH's responses only appeared to influence outcomes on the ground in around half of cases, though this was attributed to a lack of monitoring and enforcement on the part of planning authorities; and
- Planning authorities would have welcomed quicker responses, suggesting this would increase their effectiveness within the development management process.

The research recommended that SNH should work to improve the clarity of responses, provide area officers with additional training and guidance on the planning system and that it should work with planning authorities to improve monitoring and enforcement of natural heritage related planning conditions.

### **2.2 Research into SNH inputs to the EIA process (2006)**

In 2006, Natural Capital carried out a review of the effectiveness of SNH's inputs to the Environmental Impact Assessment (EIA) process (Natural Capital, 2006). The main findings from this research were:

- SNH can be most effective by providing informal advice and information at a very early stage in the process so that environmental constraints are considered right from the start of the process;
- SNH's inputs to the EIA process were hindered by inconsistent file management;
- SNH staff have widely varying experience, suggesting that training is needed to support inputs to the EIA process;
- There was a lack of consistency and comprehensiveness in SNH's inputs to EIA casework;
- There was a lack of learning from previous developments, and insufficient expertise in engineering and design;
- Mitigation was often poorly addressed within Environmental Statements, but SNH's involvement on site was identified as a way of helping to ensure that mitigation is delivered effectively;
- The research also identified shortcomings in consultant requests to SNH, and highlighted the variable quality of Environment Statements covered in the research.

The research resulted in a raft of recommendations. Those most relevant to this study included:

- Improved systems to support SNH inputs to the EIA process;
- A range of measures designed to build up practical, technical expertise, facilitate working with other parties and share good practice;
- Guidance and training events to raise standards in EIA and identify ways of improving inputs to the EIA process;
- Clarification and prioritisation of SNH's role within the EIA process;
- Measures to make SNH responses more consistent and comprehensive in terms of covering all relevant areas of SNH's remit;
- Measures to improve SNH's inputs at the scoping stage for example by providing relevant information, identifying 'showstoppers' and holding early meetings to clarify key issues at the outset;
- Prioritising inputs to the EIA process according to the scale of potential impacts on the natural heritage, prioritising early and effective engagement particularly for controversial projects;
- Carrying out a consistent and detailed review of the adequacy of the Environmental Statement, including the range of mitigation proposed;
- Ensuring that mitigation proposals have been built into planning conditions or agreements;
- Involvement on site during construction to ensure that mitigation is properly delivered and that any unforeseen impacts are identified and addressed, where appropriate, through additional mitigation.

### **2.3 Research into SNH responses to planning consultations (2008)**

Research carried out by Heriot-Watt University in 2008 reviewed SNH responses to planning consultations, and ways of improving the efficiency, efficacy and focus of responses (Heriot-Watt University, 2008). This was set within the context of ensuring that SNH was best placed to deliver its remit within the modernised planning system. Key findings from the research included:

- The comprehensive advice provided by SNH on the natural heritage is widely and highly valued by all parties within the planning process; and
- Planning reform underway at that time provided an opportunity to help SNH deliver its statutory remit, but it was suggested that the organisation would need to refocus efforts away from minor planning casework and towards national policy making, development planning and pre-application discussions with developers.

The research identified a number of ways in which the effectiveness of SNH's engagement in the planning process could be improved, including:

- e-government tools;
- raising awareness of the natural heritage; and
- monitoring the effectiveness of SNH's involvement in the planning system.

Recommendations most relevant to this study included:

- Prioritising early input into new strategic and local development plans and associated SEA;
- Prioritising inputs in relation to national and major developments, and all proposals subject to EIA (with planning authorities taking lead responsibility for non-statutory, local development proposals);

- Establish and monitor national and local protocols, balancing overall consistency with appropriate levels of flexibility at a local level;
- Improve the clarity of SNH advice;
- Develop and implement training, networking and guidance to improve the capacity of local authorities with regard to the natural heritage;
- Much more focused use of ‘objections’, limited to major developments and the siting of national developments;
- Providing clarity on SNH’s balancing duty;
- Encourage more consistent and certain responses by clarifying central and area lead responsibilities;
- Improved systems to support SNH inputs to the planning process, with better tracking of casework; and
- Ensuring that all area offices have at least one planning expert.

#### **2.4 Refocusing SNH’s engagement with the planning system**

SNH has responded to these successive pieces of research, and the strategic opportunities presented by modernisation of the planning system, to refocus the way in which it engages with the development process. Since 2009, the organisation has adopted a more proactive and focused involvement in plan preparation and development management. In 2012, the Board re-affirmed its commitment to more selective engagement in casework and a focus on ‘upstream engagement’ in the planning system to support sustainable economic growth.

This is most clearly articulated in SNH’s ‘*A Service Statement for Planning and Development*’ (SNH, 2012b). This states that working with others through the planning system SNH aims to ‘*help good development happen in the right places*’, supporting the Scottish Government’s objective of achieving sustainable economic growth.

A greater proportion of effort is now invested earlier in the planning process helping to ensure that, through the use of Strategic Environmental Assessments, natural heritage issues are embodied in development plans. SNH also places an emphasis on engagement during the pre-application stages of development management, particularly on the scope of environmental assessments. This helps ensure that natural heritage issues are built into the process from the start, and that key natural heritage issues are identified and addressed before schemes are finalised.

**SNH’s engagement in development planning** is designed to be:

- early and positive;
- clear and proportionate;
- collaborative and flexible; and
- committed to supporting all of Scotland’s new development plans.

It focuses on:

- working with other stakeholders and agencies in the collaborative process of plan-making to reach sustainable solutions;
- advising on the contribution that nature and landscape can make in creating distinctive, sustainable places where people want to live, work and play;
- advising on the Strategic Environmental Assessment and Habitats Regulations Appraisal of development plans;
- advising on how to plan for green networks and climate change adaptation; and
- providing map-based information on nature and landscapes.

**SNH's approach to development management** is based on:

- selective engagement in planning consultation casework;
- emphasis on effective pre-application engagement;
- limited use of objections;
- proportionate requests for further information;
- simpler and shorter advice; and
- an enabling, solutions-based approach.

Evidence from SNH's '*Planning Performance Framework Annual Report 2011-2012*' (SNH, 2012d) suggests that this refocusing is helping SNH play a positive role in the modernised planning system. Performance data confirms the shift towards earlier and more strategic engagement, including contributing to new development plans, engaging in pre-application discussions with developers on larger proposals and an emphasis on the scoping phase of EIA. The Framework refers to a more proportionate use of objections. The benefits are also evident from SNH's survey of planners and developers.

The refocusing has been accompanied by the provision of guidance and web based advice to help local authority planning officers to deal with more routine natural heritage issues without recourse to SNH.

## **2.5 Questions for this research**

The analysis of the effectiveness of SNH's engagement in the planning system, associated recommendations and understanding of SNH's post 2009 approach have all informed the design of this current evaluation, most notably in terms of helping to define the research questions that underpin the work.

### *2.5.1 Research questions*

A number of specific research questions were generated to underpin the assessment. These were presented and discussed at a workshop on 28<sup>th</sup> May 2013, and subsequently finalised. The research questions are based around:

- *Benefits for the natural heritage and people:* Making links to the objectives in the SNH Corporate Plan.
- *Level of input by SNH:* Although it is recognised that time on individual cases is not recorded, the volume of correspondence and discussions with case officers will seek to draw this out.
- *Relationship between SNH comments and those provided by other consultees:* Identifying where advice provided by SNH is repeated by other consultees, and the relative weight of the other consultees.
- Role of guidance and good practice, and the level of influence.

**The following revised research questions, informed by discussion at the workshop on 28<sup>th</sup> May 2013, are used to frame the conclusions and recommendations:**

- 1) Is SNH more effective at preventing adverse effects than securing enhancement for the natural heritage and people?**
- 2) Does SNH advice on planning casework deliver greater benefits for some Corporate Plan objectives than others?**
- 3) Is SNH's input on individual cases proportionate to the likely benefits for natural heritage and people?**
- 4) Does SNH guidance and sharing good practice have a strong influence on development management outcomes?**

- 5) To what extent is the advice provided by SNH not repeated by other statutory consultees or stakeholders?**
- 6) Is SNH providing comments on topics outside its remit?**
- 7) Is early intervention by SNH more effective (in time inputs and benefits achieved) than later engagement?**
- 8) What aspects of SNH's influence or input can't be assessed or are easily overlooked?**
- 9) Is SNH's advice being correctly taken account of at each stage of the planning process?**
- 10) Do SNH's inputs (in relation to guidance, informal consultation and formal consultation) achieve benefits for natural heritage and people, in line with SNH Corporate Plan objectives?**

The development of the research questions was carried out alongside the development of the assessment framework which is explored in more detail in the methodology chapter.

### **3. METHODOLOGY**

This section of the report sets out the key project stages and the methodology developed and applied. Figure 3.1 overleaf illustrates the main project stages and component parts.

#### **3.1 Contribution analysis**

The method was based on ‘contribution analysis’ (Scottish Government, 2011). This is an approach to assessing the performance of policies and programmes towards an outcome or outcomes. It is particularly suited to assessing SNH’s role in influencing through the planning system, since the process is complex and involves a large number of interrelating factors that have a bearing on the outcome. In such situations it is not possible to design an ‘experiment’ to test cause and effect. The assessment therefore focuses on gathering evidence that SNH inputs have contributed to observed outcomes, whilst also correctly accounting for other factors (e.g. the role of other stakeholders) that can influence the eventual outcome.

#### **3.2 Developing the assessment framework**

##### *3.2.1 SNH objectives and the evaluation process*

The assessment framework relates to the SNH objectives from the ‘*Scottish Natural Heritage Corporate Plan 2012 – 2015*’ (SNH, 2012c). This places what SNH is hoping to achieve at the core of the evaluation process, reflecting the first stage of contribution analysis methodology. The scope of the current research project covers the first four steps of contribution analysis (see Table 3.1). The final step of the contribution analysis approach is beyond the scope of the current study but it is recognised that SNH may wish to gather additional information in the future (based on this method) to provide a sounder evidence base and to continue to test its performance.

Table 3.1 Relating the research method to contribution analysis

<b>Contribution analysis step</b>	<b>What this means for the current research project</b>	<b>Relevant elements of the proposed methodology</b>
Set out the problem to be assessed.  <i>Link to outcomes or targets.</i>	What is SNH aiming to achieve?	SNH objectives from the Corporate Plan.  Developing the assessment framework.
Develop a theory of change/logic model.  <i>Understand what is already in place to contribute to achieving the outcome/target.</i>	What is SNH doing which contributes to these aims?	Mapping out SNH guidance and good practice.  Understanding SNH influence. Gathering case study material.
Populate the model with existing data and evidence.	What is SNH doing which contributes to these aims?	Populating the assessment framework.
Assemble and assess the 'performance story'.	How successful are SNH actions in contributing to these aims?	Analyse results against research questions, draw conclusions, and make recommendations for any additional evidence gathering.
Seek out additional evidence.  <i>Identify need for new data and evidence.</i>	Do we need more information to understand how successful SNH is in contributing to these aims?	Identify additional information needs to assess 'performance story'.
Revise the 'performance story'.	How successful are SNH actions in contributing to these aims in light of additional evidence?	Revised conclusions and recommendations based on additional evidence.



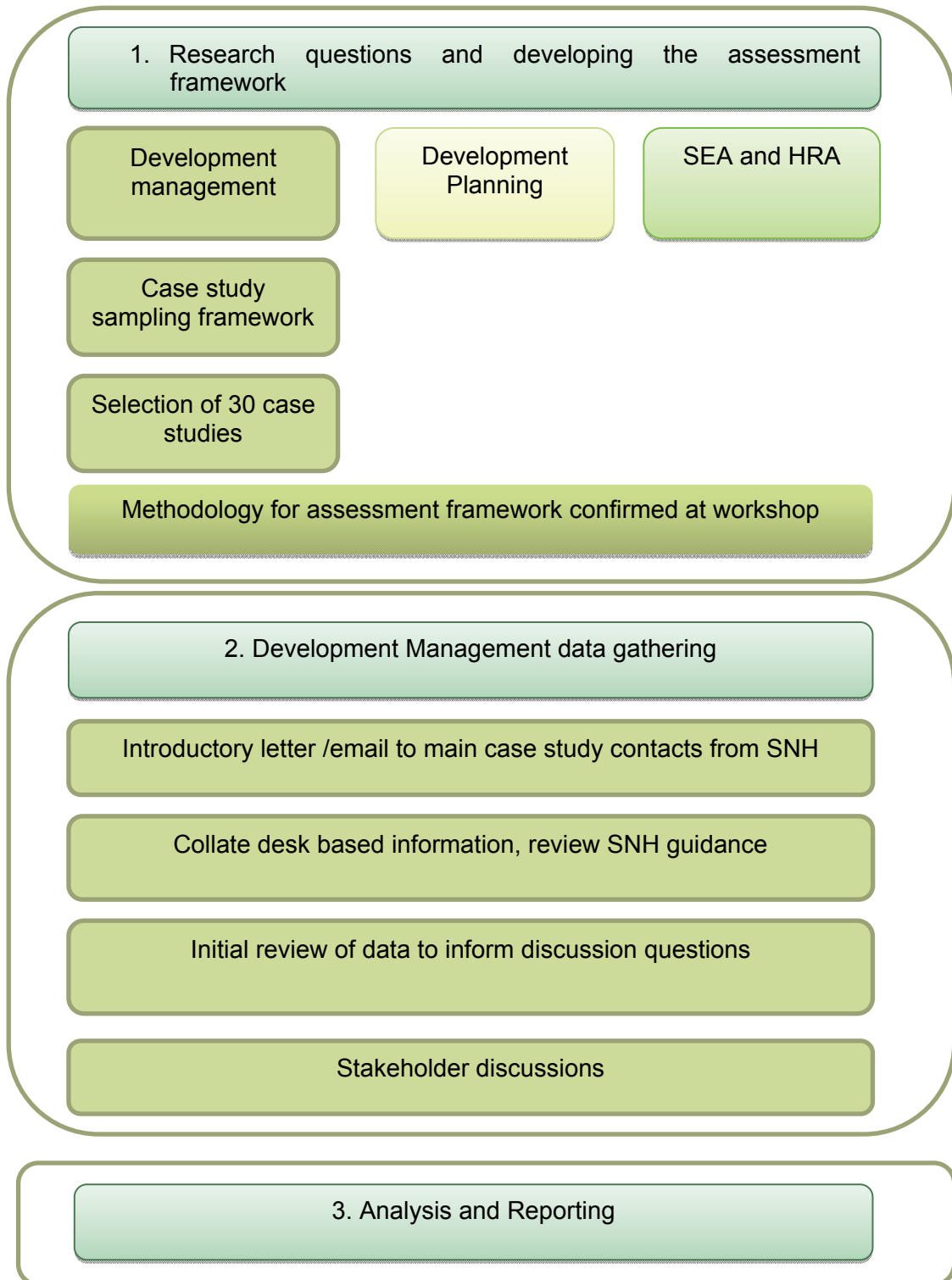


Figure 3.1 Key project stages

Table 3.2 shows the relationship between SNH's Corporate Plan objectives (SNH, 2012c), Business Plan programmes (SNH, 2012a) and this project's evaluation objectives. It also highlights where cross cutting objectives are reflected in the other assessment areas or which would be covered by the research questions.

*Table 3.2 Corporate plan objectives, Business Plan programmes and evaluation objectives*

<b>SNH Corporate plan 2012 – 2015 objectives</b>	<b>SNH Programmes in Business Plan 2013/2014</b>	<b>Breakdown of objective to evaluate planning outcome (Does the development affect...)</b>
<i>Supporting sustainable economic growth</i> <i>Valuable contributor to public life</i>	Socio-economic development	<i>Cross cutting with other assessment areas</i>
Halt the loss of biodiversity Access to information on nature	Biodiversity action	biodiversity?
Valuing protected areas	Protected areas	protected areas?
Sustainable management of land and fresh water	Land and fresh water	land, water or soils?
Sustainable wildlife management	Wildlife management	wildlife (including protected species deer and other species)?
Biologically diverse oceans	The Sea	the marine environment?
Raising awareness of climate change	Climate change	carbon emissions and future risk from climate change?
Experiencing, enjoying and valuing nature	People and landscape	opportunities for people to enjoy the outdoors? special qualities of Scotland's landscapes?
Supporting sustainable places		the qualities of the places where people live, or opportunities to create sustainable places?
<i>Access to information on nature</i> <i>Delivering a modern public service</i>	Supporting delivery	<i>Cross cutting, relate to research questions</i>

### 3.3 Development management assessment framework

The development management assessment framework used for the case study analysis is provided in *Annex 6*.

### 3.4 Development management

The development management assessment framework is designed to explore the extent to which SNH's interventions contribute towards its corporate objectives. A draft of this framework was presented and discussed at an internal workshop held at Silvan House in Edinburgh on 28<sup>th</sup> May 2013.

The workshop discussion on development management identified the need for the assessment table to:

- Include all relevant stages of the planning process;
- Ensure the assessment table records a summary of the outcomes for each stage of the planning process, for example where pre-application discussions with a developer result in changes to a scheme, or where a formal response resulted in changes to a scheme;
- Identify who the advice is being provided to;
- Identify if the advice is formal or informal;
- Identify the likely outcome for the natural heritage (in relation to Corporate Plan objectives) and also the extent of SNH influence in terms of protect, minimise loss, or enhance the natural heritage; and
- Identify approximate overall SNH time inputs to the case on a broad scale of high, medium and low.

Columns and rows were added to the assessment framework to reflect these comments.

The evaluation table captures (as relevant):

- planning stage (pre-application, scoping, assessment, application, decision, appeal/local review, appeal/review decision as appropriate);
- the form of SNH intervention (email, meeting, screening/scoping response, formal written representation etc.);
- date of each intervention;
- whether the intervention is part of the formal or informal consultation process;
- the issue(s) raised by SNH;
- the significance of that issue and response given by SNH;
- other consultees, issues raised and the significance of these as appropriate;
- development management decision;
- appeal (where relevant);
- SNH inputs to hearings / inquiry; and
- Reporter decision or recommendation.

The framework also captures:

- the likely outcome for the natural heritage based on any modifications to the scheme and any outstanding issues;
- an overall estimate by SNH staff of the level of SNH input from the relevant case officer based on the number of people involved, the number of documents generated and the number of documents accessed;
- the significance of the natural heritage issues raised in relation to the outcome; and
- the likely influence SNH had on the outcome.

### 3.5 Evaluation

The assessment framework sets out the facts relating to each case study and the evaluation looks at the qualitative aspects of each case, which is informed by the stakeholder discussions.

The report does not attempt to assess whether SNH advice in relation to any case is (or turned out to be) objectively 'correct', rather it examines the effectiveness of SNH advice in ensuring natural heritage issues are addressed.

The report focuses on whether the outcome for the natural heritage would have been different if SNH had not intervened or advised on the application.

The evaluation of each case study examines:

- **The likely outcome for the natural heritage.** This is the potential impact on the natural heritage identified by SNH in relation to the SNH's Corporate Plan objectives (SNH, 2012c) rather than impacts 'per-se'. This includes consideration of the degree of potential impact related to the scale of the development and the natural heritage receptors. Most developments have some adverse impacts on the natural heritage to some extent, but SNH focuses on how best to avoid or mitigate the more significant of these impacts. In this context, if SNH advice results in a development where most (but not all) of the significant impacts are avoided or mitigated, then this would still be a good outcome in relation to SNH's corporate plan objectives.<sup>1</sup> Outcomes are therefore categorised/defined in relation to significant<sup>2</sup> impacts and are as follows:
  - **Very good.** All of the potential significant impacts of a proposal are avoided, mitigated or compensated for.<sup>3</sup>
  - **Good.** Most of the significant impacts are avoided, mitigated or compensated for.
  - **Poor.** Some of the impacts are avoided, mitigated or compensated for.
  - **Very poor.** None of the impacts are avoided, mitigated or compensated for.
  - **Note:** It is recognised that decision makers may be able to justify a poor outcome for natural heritage on the basis of other public benefits derived from the development.
- **Extent of SNH influence on the outcome.** This considers the approximate extent of SNH influence on the outcome (as opposed to the influence of other stakeholders), reflected in changes to a development proposal, reasons for refusal of an application or the relationship between issues raised by SNH and conditions attached to approval. This relates to the extent to which SNH had an influence on the outcome, irrespective of the significance of the natural heritage issues raised. This is recorded as:
  - **High** – All of the natural heritage concerns raised by SNH throughout the planning process have been addressed by scheme modifications and any issues. The planning decision fully reflects SNH advice.
  - **Medium** – Some of the natural heritage concerns raised by SNH throughout the planning process have been addressed by scheme modifications and some issues outstanding at the point of decision making are reflected in the decision to approve

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<sup>1</sup> Impacts on the natural heritage are considered with reference to column 3 of Table 3.2 which relates elements of the natural heritage to specific Corporate Plan objectives.

<sup>2</sup> For the purpose of this study, 'significant impacts' are those natural heritage impacts that decision makers should be taking into account.

<sup>3</sup> This includes applications which are withdrawn or refused.

- or refuse (or withdraw) an application. The planning decision partly reflects SNH advice.
  - **Low** – Natural heritage concerns were raised by SNH but are not reflected in scheme changes or the final decision.
  - **Neutral** – No natural heritage issues were raised in relation to the case or SNH was not involved in advising on the case or the proposal was withdrawn or refused because of reasons unrelated to natural heritage impacts.
- **Estimated SNH time input.** This recorded a rough estimate of the time inputs of SNH case officers and any other SNH staff involved in advising on the case. It should be recognised that results relating to time inputs gives an impression of trends only, and cannot be relied upon statistically. The time recorded also reflected SNH inputs to previous related planning applications because this was frequently noted as providing important context and previous consideration of issues. This is recorded as:
- **High** - over three days.
  - **Medium** – one to three days.
  - **Low** – less than one day.

### 3.6 Key issues identified from approach to desk based analysis

Populating the assessment framework with information from SNH records (erdm and the Casework Management System) and council e-planning websites was generally straightforward.

Occasionally some documents were not available on the council websites, and some stages of the process had not been documented, however there was generally sufficient information to draw out a timeline and identify the key issues for each case.

It was often not possible to identify during the desk analysis stage whether pre-application discussions had taken place. This is because many of the pre-application discussions were not recorded, with some taking place before there was a requirement to record them in CMS. The case study discussions highlighted where pre-application discussions had taken place.

### 3.7 Development management sampling framework and case study selection

The workshop discussion also informed the sampling framework, requiring that the sample should, as far as practicable, reflect the typical composition of SNH casework with regard to the relative proportion of renewables (approximately one third) and non-renewables (two thirds) cases. The sample was also designed to include a representative mix of the range of SNH response categories. The cases were selected in the order in which they appeared in the CMS database. This meant that although the study did not strictly speaking generate a 'random' sample, the case selection was not influenced by knowledge of the 'outcome' of the case. Further cases were then included to ensure a representative split between SNH response type and renewables and non-renewable cases. Table 3.3 sets out the desired attributes of the case studies, based on a sample size of 30.

*Table 3.3 Case study attributes*

<b>SNH response type</b>	<b>Renewables (10)</b>	<b>Non renewables (20)</b>
<b>Advice only</b>	7	<b>15</b>
<b>Conditioned objection</b>	1	1
<b>Outright objection</b>	1	1
<b>No comment</b>	1	3
<b>Total</b>	10	20

Identification of the sample of cases focused on applications from the SNH central recording system database and the SNH Casework Management System, dated 28<sup>th</sup> February 2013 and earlier, to increase the likelihood of a decision having been made. The process of identifying a short list involved:

- Discounting those which did not provide a planning application number;
- Discounting those which did not return a result when the number was inputted to the search facility for the relevant local authority/or where a key word did not bring a result on the Scottish Government energy consents database (Scottish Government, 2013);
- Discounting those cases where a decision had not been made; and
- Selecting those cases where a decision had been made.

After the approximate sample size was reached, the suitability of the initial list of case studies was reviewed against the desired sampling criteria to ensure the correct proportions of conditioned objections, outright objections, advice and no comment. A further focused search of applications was then undertaken to identify cases with the required forms of response, and taking the most recent ones which were suitable to make up the required 30 cases. Table 3.4 provides an overview of the case studies identifying the development type, planning outcome, SNH position and geographical location.

*Table 3.4 Development type, planning outcome, SNH position and geographical location*

<b>Development type</b>	<b>Outcome</b>	<b>SNH position</b>	<b>Location</b>
<b>Aquaculture</b>	Approved with conditions	Advice only	Shetland
<b>Single wind turbine</b>	Refused	Advice only	Highland
<b>Single wind turbine</b>	Approved with conditions	Advice only	Orkney
<b>Wind farm</b>	Approved with conditions	Advice only	South Lanarkshire
<b>Shed and access track</b>	Application refused	Advice only	Argyll and Bute
<b>Meteorological mast</b>	Approved with conditions	Advice only	South Ayrshire
<b>Wind farm</b>	Approved with conditions	Advice only	Scottish Borders
<b>Erection of two greenhouses</b>	Approved with conditions	Advice only	Dumfries and Galloway
<b>Change of use, alterations, extension and partial demolition of steading to form distillery café and visitor centre</b>	Approved with conditions	Advice only	Fife
<b>Meteorological mast</b>	Approved with conditions	Advice only	East Ayrshire
<b>18 holiday lodges, car parking and access road</b>	Approved with conditions	Advice only	Falkirk
<b>Conversion of mill building to holiday let</b>	Application withdrawn	Advice only	Angus
<b>Construction of new</b>	Approved with	Advice only	Moray

<b>Development type</b>	<b>Outcome</b>	<b>SNH position</b>	<b>Location</b>
<b>distillery with associated plant and landscaping</b>	conditions		
<b>Construction of underground slurry tank</b>	Approved with conditions	Advice only	Dumfries and Galloway
<b>Planning permission in principle for a hospital</b>	Approved subject to conditions	Advice only	Dumfries and Galloway
<b>Erection of a dwellinghouse</b>	Approved with conditions	Advice only	Dumfries and Galloway
<b>Erection of a single wind turbine</b>	Refused	Advice only	Aberdeenshire
<b>Conversion of a steading to form a dwellinghouse</b>	Approved with conditions	Advice only	Angus
<b>Section 37 application: transmission overhead line replacement</b>	Approved with conditions	Advice only	Highland
<b>Wind farm</b>	Approved on appeal subject to conditions	Advice only	Dumfries and Galloway
<b>Section 36 application for wind farm</b>	Granted on appeal	Advice only	East Lothian
<b>Conversion of existing steading to form three dwellinghouses</b>	Approved with conditions	Advice only	Angus
<b>Single wind turbine</b>	Application withdrawn	Conditioned objection	Western Isles
<b>Demolition of two buildings and erection of two dwellinghouses</b>	Approved with conditions	Conditioned objection	Argyll and Bute
<b>Erection of modular office/amenities building</b>	Approved with conditions	Conditioned objection	Falkirk
<b>Single wind turbine</b>	Application withdrawn	No comment	Midlothian
<b>Renewal of planning permission for the conversion of farm buildings to form 3 dwellinghouses</b>	Approved with conditions	No comment	Dumfries and Galloway
<b>Removal of gravel bank (flood alleviation)</b>	Application withdrawn	Outright objection	Angus
<b>Wind farm</b>	Refused	Outright objection	Perth and Kinross
<b>Installation of hydro power scheme</b>	Application withdrawn	Outright objection	Dumfries and Galloway

### **3.8 Overview of case study composition**

As noted in paragraph 3.7 the sample included a deliberately large number of renewables applications, reflecting the currently high levels of pressure for this kind of development. The sample included five wind farms, five single turbines, one hydro scheme and two meteorological masts. The remaining 17 cases comprise a mix of developments from steading conversions to larger developments.

### **3.9 Overview of stakeholder discussions**

SNH staff and planning officers were typically very forthcoming and keen to talk about the cases, and wider issues. The stakeholder discussions frequently established a broader context for a particular planning application, which often had a history of previous related applications, or renewal of lapsed permissions which was not immediately clear from the case history.

There were some issues with contacting the appropriate case officers and planning officers involved in the cases, particularly where time had elapsed since the application. However, alternative members of staff were generally able to assist where the original case officer was no longer available.

Discussion with case officers and planning officers was important to provide information on the reasons for applications being withdrawn.

### **3.10 Development Planning Assessment Framework**

The assessment framework for development planning broadly reflects the structure of the development management assessment framework, but takes a more strategic overview of the plan making process and SNH's inputs. The development of the framework was discussed at the two workshops, the first held at Silvan House, Edinburgh on 28<sup>th</sup> May 2013, the second at Battleby, Perth on 6 August 2013. The key issues arising from these discussions highlighted the need for the framework to be relatively simple, and to work back from an 'ideal' plan, whilst linking to the SNH corporate plan objectives. Separate assessment frameworks have been developed for local development plans and strategic development plans

The frameworks include statements which reflect the SNH corporate plan objectives against which the development plan will be assessed. It is designed to be a tool to be used throughout the assessment process to record key points to inform the final end evaluation. The framework was piloted by SNH.

The assessment framework for Local Development Plans is presented in *Annex 7* and the assessment framework for Strategic Development Plans is presented in *Annex 8*.



## **4. DEVELOPMENT MANAGEMENT DATA GATHERING**

This section of the report sets out the approach taken to data gathering for the case studies, explaining how the case study information was assembled and the issues covered through the stakeholder discussions.

### **4.1 Assembling case study information**

Following selection of the case studies using the agreed sampling framework, LUC:

- Collated and reviewed the information provided on each case study from the SNH casework recording system. LUC recognised that this was more comprehensive for some examples than others, depending on the approach by SNH staff. The team therefore identified where additional key documents were needed, depending on the completeness of the record in the casework management system/or the stages of SNH involvement;
- Collated a list of primary potential contacts relevant to each case study to which SNH sent an introductory email explaining the purpose and scope of the work and role of LUC;
- Used these contacts to source additional information which was not available online;
- Generated an initial list of questions to be followed up with the case specific stakeholders, and any other information requirements; and
- Populated an evaluation table for each case.

### **4.2 Use of guidance**

LUC mapped out existing SNH guidance in relation to a number of topic headings to inform discussions in relation to development management case studies. This provides an overview of relevant guidance being referred to in SNH responses. The discussions with SNH officers and planning officers sought to identify who referred to guidance and views on the application of guidance documents. This is further discussed in relation to the research questions.

### **4.3 Stakeholder discussions**

Stakeholder discussions focused on conversations with the key SNH officer and the key local authority development management officer involved in each case.

The topics covered by discussions included:

- Pre application involvement;
- SNH time inputs to the case;
- Timeliness of SNH involvement;
- SNH influence on the outcome and the application of the SNH advice;
- The clarity of SNH advice;
- Influence of guidance or evidence of good practice;
- Extent to which other issues influenced the final decision; and
- Satisfaction with outcome or conditions applied.

### **4.4 Analysis**

Analysis of the case studies was undertaken at two levels. Firstly, a narrative for each case study was developed, providing an overview of the key issues for each case and an illustrated timeline showing the key steps in the process. It describes the nature and timing of SNH's inputs to the development management process and the extent to which SNH had an influence on the evolution or assessment of the proposal, or the decisions made by planning authorities or Scottish Ministers.

Secondly, the conclusions step back to consider broader themes emerging from the suite of thirty case studies. This considers the extent to which SNH's engagement in the development management process:

- Reflects the recommendations from previous research studies (ERM, 2004; Heriot-Watt University, 2008; Natural Capital, 2006);
- Reflects the aspirations set out in SNH's Service Statement for Planning and Development (SNH, 2012b);
- Contributes to SNH's Corporate Plan Objectives (SNH, 2012c); and
- Is efficient and effective in terms of interventions and outcomes.

The findings from the analysis provided the basis for the overall conclusions about SNH's influence on the outcome of development processes and defined recommendations on how this effectiveness could be enhanced.

Summaries of the individual case studies are presented in *Annex 1*. This includes a high level summary of the key characteristics of each case and evaluation (based on information from the case study discussions and evaluation of the information on each case) in relation to:

- Likely outcome in relation to SNH corporate plan objectives;
- Extent of SNH influence on the outcome relative to other decision makers (supported in some cases by quotes from key stakeholders and decision makers); and
- Estimated SNH time input.

Finally, a summary illustrates the main issues raised in each case study. Natural heritage issues or other planning issues raised by different consultees which had a significant influence on the outcome are included in the diagrams and denoted with yellow shading. It should be noted that only relevant issues raised in relation to a case study by other parties are recorded. Issues which did not definitively influence the outcome or are not natural heritage related are not included. Information on similar issues is recorded in the same row of the diagram. Coloured arrows are used to indicate where there is evidence that issues and associated advice was taken account of at each stage of the planning process. Green arrows indicate where an issue raised by SNH was taken proper account of through the whole process and yellow arrows indicate where an issue raised by another consultee had an influence on the outcome at each stage.

## 5. KEY FINDINGS

This section of the report sets out the key findings from the analysis of the case studies. Firstly, it provides an overview of the issues by response type, and secondly, in relation to the research questions. As noted at the outset of the study, the degree to which 30 case studies can provide definitive quantitative conclusions is limited and the methodology of the study was developed to have a qualitative focus. However, quantitative information is included where appropriate.

### 5.1 Conclusions relating to SNH response type

#### 5.1.1 *Advice only*

The type of case studies falling into the '*advice only*' category is very varied. Some responses provide extensive and detailed levels of advice, with SNH expressing strong concerns about a development, others provide very simple advice. **The study has found good evidence that '*advice only*' responses influence the outcomes of the planning process.** Eight of the 21 advice only responses found that SNH had a high level of influence, and a further six of the case studies showed SNH advice having a medium level of influence. Four had a low level of influence and only two were neutral. The remaining case study had a high influence on the planning authority but a low influence at appeal.

The stakeholder discussions found that SNH provided '*advice only*' on four applications which (with reference to the Service Statement on Planning and Development [SNH, 2012b]) the case officer did not feel strictly required a consultation with SNH, but advice was provided to give 'reassurance' to the planning authority. One example of this was an application for a single turbine. Even in relation to the simpler cases, some SNH officers indicated that they would rather be consulted, often noting known lack of expertise on natural heritage issues within the local authorities concerned. SNH staff also noted that the close working relationship between some planning authorities and SNH prior to the change in focus set out in the SNH Service Statement may have resulted in reliance on SNH to advise on less significant issues.

#### 5.1.2 *Conditioned objections*

Four conditioned objections were included in the sample and the requirements to address the objection were relatively straightforward. Two of these were in relation to Natura sites, one to a Natura site and protected species and the other related to protected species. The applications were approved with the requested conditions for three of these examples, and the application was withdrawn for the fourth case study.

#### 5.1.3 *Outright objections*

Two outright objections were in relation to likely impacts on Natura sites neither of which could be mitigated. The third related to landscape and visual impacts of a wind farm which SNH considered were not possible to mitigate. Two of these cases were withdrawn and the third was refused. Natural heritage issues were the key factor in relation to the planning outcome for all three examples.

#### 5.1.4 *No comment*

The two '*No comment*' examples related to a small single wind turbine and conversion of a farm steading. In the second example, SNH explicitly stated that the local authority was capable of addressing the issues in-house and did not require SNH involvement.

## 5.2 Research questions

As discussed earlier in the report, specific research questions were developed to underpin the assessment. The complexity of the research questions is varied, and differing levels of evidence are available in relation to each question. The overarching research question has been presented at the end of the analysis, in order to provide a concluding statement.

### 5.2.1 *Is SNH more effective at preventing adverse effects than securing enhancement for the natural heritage and people?*

**There was limited evidence of SNH involvement resulting in net enhancements for the natural heritage, and the case studies had a strong focus on preventing or mitigating adverse effects. Where a development included additional enhancement measures, these were noted by SNH and welcomed, but these were uncommon within the case studies.**

The principle of natural heritage enhancement through the planning system is embedded in the current Scottish Planning Policy (Scottish Government, 2010). This is set out in the core principles of SPP 2010 (paragraph 8) in relation to economic development (paragraph 48), rural development (paragraph 93), and landscape and natural heritage (paragraph 126) ‘...Where possible, planning authorities should seek benefits for species and habitats from new development including the restoration of degraded habitats.’ In relation to landscape (paragraph 127) ‘...opportunities for enhancement or restoration of degraded landscapes ...should be promoted through the development plan where relevant.’

Paragraph 255 states that ‘The planning system should be outcome focused, supporting the creation of high quality, accessible and sustainable places through new development, regeneration and the protection and enhancement of natural heritage and historic environment assets,’ [our emphasis].

The Draft Consultation Scottish Planning Policy (Scottish Government, 2013b) also strongly embraces the principles set out in Scottish Planning Policy (Scottish Government, 2010), for example (paragraph 13) ‘Outcome 2: Planning protects and enhances Scotland’s built and natural environments as valued national assets.’ Paragraph 43 ‘Development plans and new developments should: ... protect and enhance landscape, natural, built and cultural heritage, biodiversity and the wider environment’, [our emphasis].

In contrast Circular 4/1998 The Use of Conditions in Planning Permissions (Scottish Executive, 1998) places emphasis on the appropriate use of conditions<sup>4</sup> which would make it difficult for them to deliver positive benefits not directly related to the impacts of the proposal.

In this context, other SNH activities (including involvement in development planning) and other programmes are more likely to deliver ‘net enhancement’ to the natural heritage than SNH advice on development proposals.

This raises the key question as to whether SNH should highlight opportunities for environmental enhancement in its responses or advice and guidance documents. If development management does play a role in supporting enhancement it is necessary to explore how this could be incorporated and through which processes this would achieve the greatest benefits. For example, opportunities for enhancement could be identified through

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<sup>4</sup> Circular 4/1998: The Use of Conditions in Planning Permissions: Paragraph 2. Planning conditions should only be imposed where they are: necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise, and reasonable in all other respects.

Landscape Character Assessments and Local Biodiversity Action Plans, and integrated habitat network mapping.

**It is important to recognise that preventing adverse effects (through ‘advice only, or objections) is a vital part of delivering SNH Corporate objectives and the apparent lack of evidence that SNH is delivering ‘net benefits’ through development management advice should perhaps be seen in this context.**

*5.2.2 Does SNH advice on planning casework deliver greater benefits for some Corporate Plan objectives than others?*

**The findings from the case studies indicate that SNH has the greatest influence through the decision making process on wider landscapes, protected species, all biodiversity, land, water and soils, and protected areas. There was less influence on the objectives of raising awareness of climate change, experiencing, enjoying and valuing nature or supporting sustainable places.**

This section of the report explores the topic areas which SNH gave advice on in the case studies and is illustrated in Figure 5.1. The analysis shows the topics SNH is most commonly providing advice on are protected species, protected areas, wider biodiversity and wider landscapes<sup>5</sup>. There are fewer comments in relation to protected landscapes and ‘land, water and soil’. Under the category of ‘land, water and soil’ two of the references were made to impacts on peat, and the remainder on water quality particularly with associated impacts on protected sites. The limited number of references to protected landscapes simply reflects a lower occurrence of case studies in this particular sample affecting protected landscapes.



Figure 5.1 SNH advice by topic area

<sup>5</sup> ‘The terms wider landscapes used here generally refers to landscapes that are not subject to a ‘statutory’ designation. This would include e.g. Search Areas for Wild Land.

SNH was not found to be providing significant comments on access, recreation and enjoyment and quality of places to live in any of the sample cases, however these are issues which tend to overlap with the broader 'wider landscapes' heading. No specific references to climate change were identified.

This is perhaps unsurprising, given that development management casework by the nature of the cases is less likely to raise issues of national interest in relation to 'climate change', 'experiencing, enjoying and valuing nature' or 'supporting sustainable places'. For example, climate change is identified by SNH as the greatest threat to biodiversity, but it is a range of activities and not just the planning system which together deliver these objectives.

Figure 5.2 examines where a topic raised by SNH was then reflected in a decision or conditions attached to a planning consent. It should be noted that this does not reflect where a comment was addressed through earlier iteration of the scheme, but only where it was addressed in or directly influenced the final outcome. SNH's influence on the final outcome includes where an application was withdrawn for natural heritage reasons.

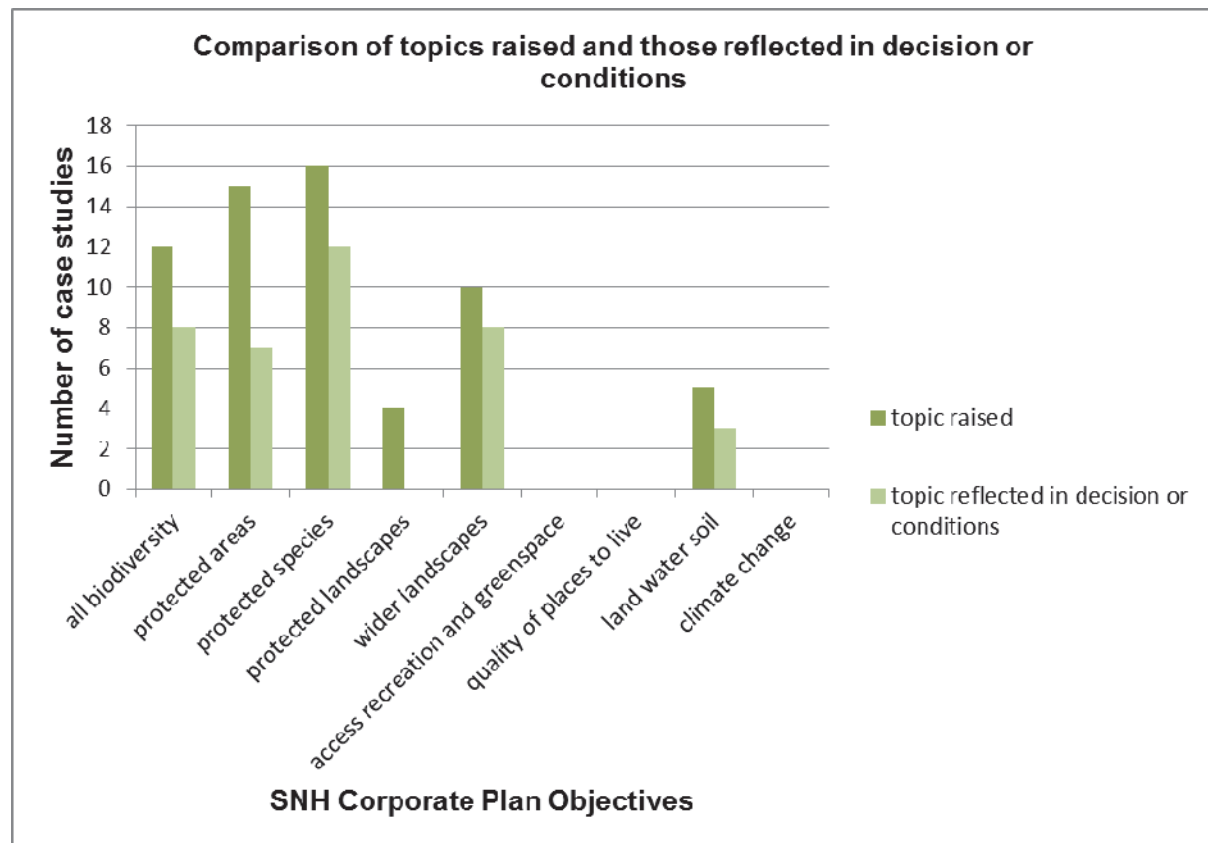


Figure 5.2 Comparison of topics raised and those reflected in decision or conditions

Figure 5.2 shows that issues raised by SNH in relation to 'wider landscapes' were reflected in the planning outcome most frequently, followed by protected species, all biodiversity, land, water and soils, and protected areas. In relation to protected landscapes, two of the responses confirmed no adverse impacts on National Scenic Areas and the other two minor comments related to local landscape designations which were not reflected in the planning outcome.

The strong relationship between wider landscape issues being raised and landscape issues being reflected in the decision or conditions is perhaps indicative of fewer landscape issues

being resolved at earlier stages of the planning process. The weaker relationship between a Natura issue being raised and being reflected in the decision or conditions is likely to reflect the number of instances where Natura issues are highlighted as potential impacts (either by SNH or by a planning authority), but are subsequently not found to be significant, either through further investigation and the provision of additional information by the developer or SNH evaluation (where a planning authority raised the question of potential impact). This is particularly the case with potential impacts on Natura sites. Fifteen case studies raised potential protected area issues and six of these (relating to Natura sites) were found to have no further implications on the planning process. This generally reflects the identification of possible pathways between a development and a Natura site, which are subsequently not found to have likely significant effects.

The assessment framework did not directly assess impacts on the cross cutting corporate plan objectives of supporting sustainable economic growth, valuable contributor to public life, access to information on nature or delivering a modern public service. Individual criteria were not identified to assess these, and their assessment draws on the findings from the impacts across the other assessment criteria. Collectively, the research findings suggest that SNH is more effective, efficient and timely in its involvement in the planning system, which are key components in delivering a modern public service. The overall conclusion from the study is that SNH does have an effective influence on the outcome of development proposals and provides support for the delivery of these cross cutting objectives.

### *5.2.3 Is SNH's input on individual cases proportionate to the likely benefits for natural heritage and people?*

**SNH's inputs on individual cases appear proportionate to the likely benefits for natural heritage and people.**

The assessment of the proportionality of SNH time inputs to each case study was firstly undertaken in terms of the outcome in relation to SNH Corporate Plan objectives (SNH, 2012c). This is illustrated in Figure 5.3. The size of the circles represents the number of case studies, which is also indicated by the adjacent number.

The assessment of time inputs was based on a broad estimate and was not based on an accurate record of time spent. It was sometimes difficult for SNH staff to estimate time inputs due to the period since the application or because of changes in staff.

Where a site visit had taken place, this would immediately increase the amount of time spent on a case. Site visits were recognised as being valuable because they usually significantly increased understanding of the issues relating to a case.

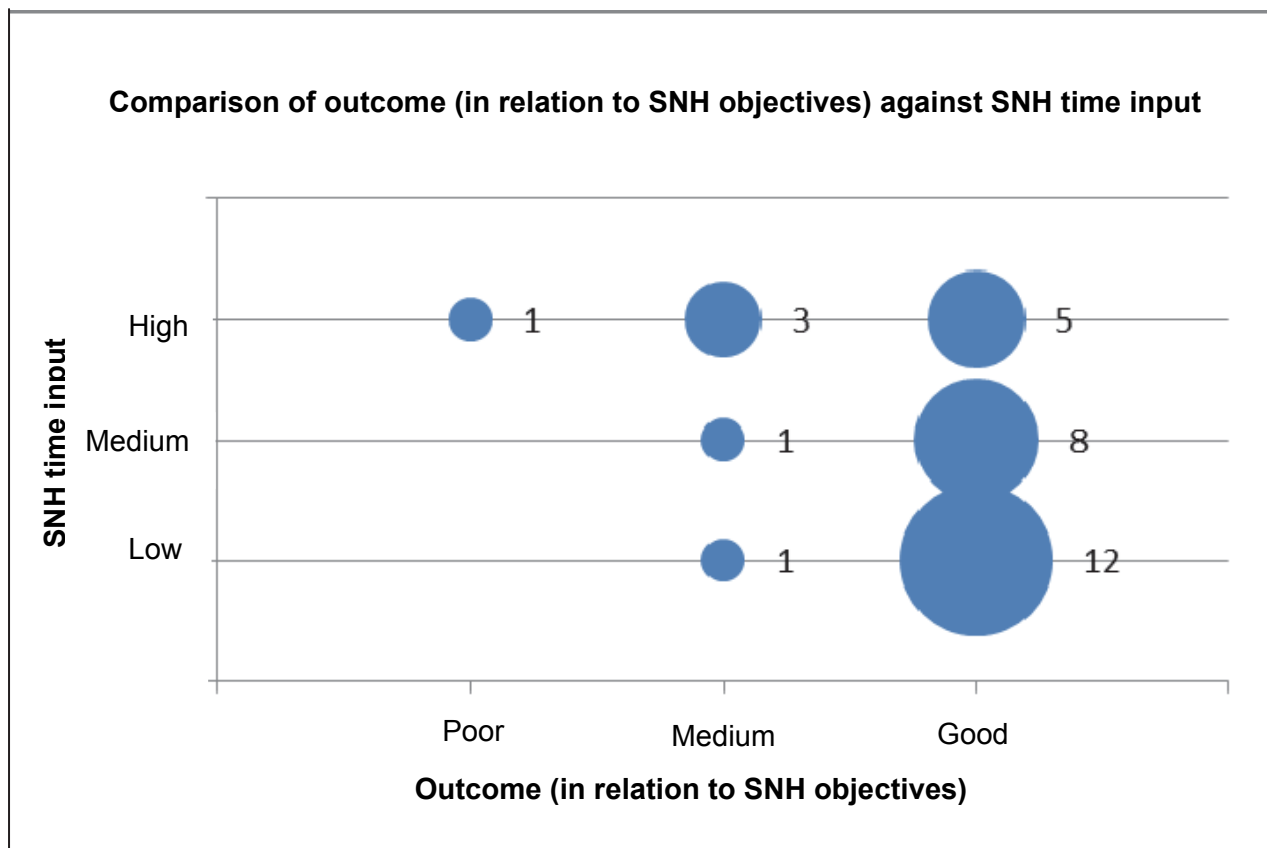


Figure 5.3 Comparison of outcome (in relation to SNH objectives) against SNH time input

Figure 5.3 illustrates that SNH does not depend on large time inputs in order for there to be a good outcome in relation to the SNH Corporate Plan objectives (SNH, 2012c). This partly reflects the relative simplicity of some of the cases in the sample. Low time inputs correlated with a good outcome in relation to SNH corporate plan objectives can reflect where a relatively simple natural heritage issue is raised and easily addressed. High time inputs associated with a poor outcome in relation to SNH Corporate Plan objectives are found where issues raised by SNH are not upheld at inquiry, as was found with one of the wind farm case studies. However, the general trend shown by the case studies is for time inputs to be proportionate to the outcome (in relation to SNH objectives). Natural heritage impacts being a reason for a public inquiry illustrate the weight attached to natural heritage issues within the planning system.

Larger and more complex schemes are also more likely to raise a wider number of natural heritage issues and therefore, although some natural heritage issues may be addressed, the complexity of the case may result in some natural heritage issues being outstanding.

Figure 5.4 illustrates the relationship between estimated SNH time inputs and the level of influence SNH had on the outcome. The size of the circles represents the number of case studies, which is also indicated by the adjacent number.

Figure 5.4 shows that SNH can have a high level of influence with low, medium and high time inputs to a case. It is however encouraging that no cases were identified where there was a high time input but no influence.



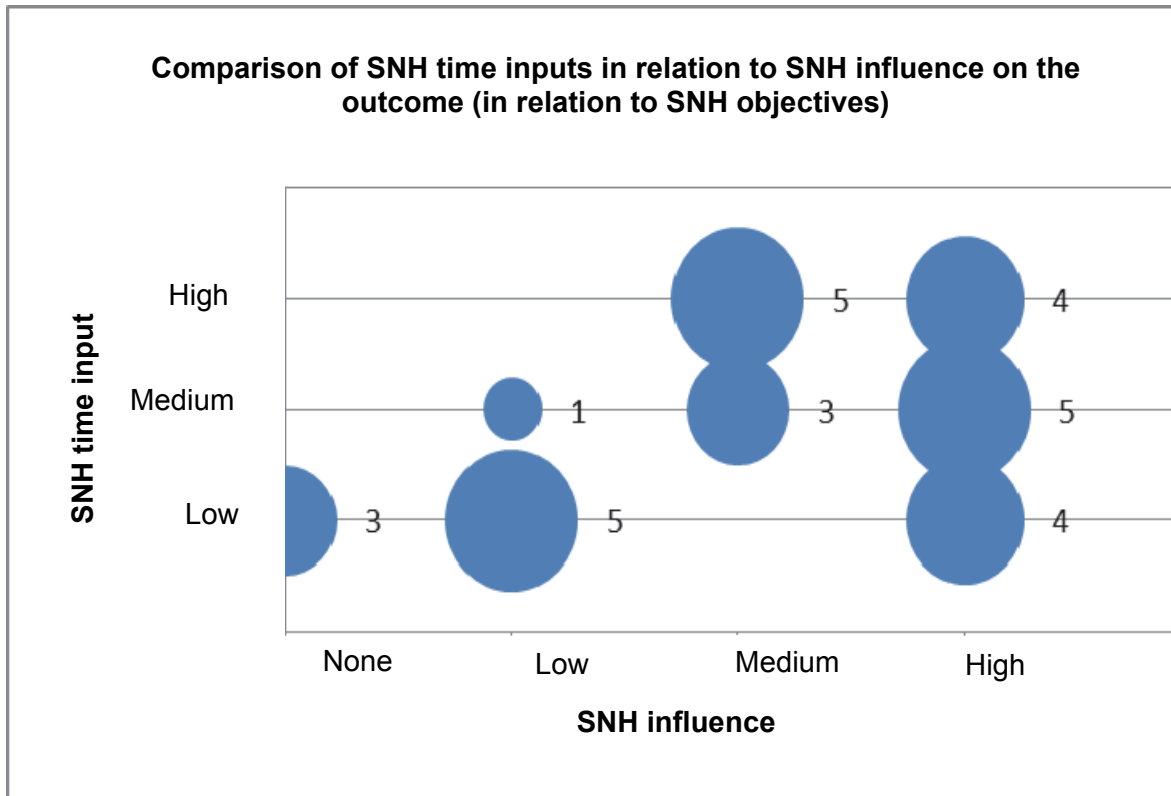


Figure 5.4 Comparison of SNH time inputs in relation to SNH influence on the outcome (in relation to SNH objectives)

Overall the pattern does suggest a relationship between time input and influence, as might be expected. However, it would be wrong to conclude (from this study alone) that the more time SNH spends, the greater its influence. The relationship could reflect a strong relationship between time input and complexity and the fact that the ‘complex’ cases are the ones where the ‘evidence’ of SNH influence is easier to find. In no cases did SNH invest a large amount of time but achieve a poor outcome, which is a positive finding.

**Case study quotes**

- Planning officer for PPP for a hospital: *“SNH are very helpful in assessing applications and are always readily available if you need to consult them on natural heritage issues. They provide proportionate advice relevant to each case.”*
- SNH case officer for a new distillery: *“SNH’s involvement was appropriately timed having been involved in screening & pre-application discussions”.*

#### 5.2.4 Does SNH guidance and sharing good practice have a strong influence on development management outcomes?

**It was not possible to definitively identify the extent to which guidance and good practice influenced planning outcomes, due to a lack of evidence. However, there was good evidence that SNH staff and some planning officers were aware of and used SNH guidance in their work.**

The research was seeking to identify the use of and effectiveness of SNH guidance. SNH guidance documents recommended by SNH are listed in *Annex 2*, which shows how many times an individual guidance document was referred to by SNH. *Annex 4* shows the SNH guidance documents referred to by planning authorities. The categories of guidance referred to broadly reflect the spread of topics covered by the case studies. The case studies sought to find evidence of use of guidance through discussions with case officers. The case studies found:

- Approximately 15% of the case studies identified that guidance referred to had been used;
- Approximately 25% of cases indicated that guidance referred to had not been applied;
- Approximately 25% of cases did not refer to guidance; and
- The remaining cases were unsure if guidance referred to had been applied.

The wind farm applications were typically referred to the greatest number of guidance documents by SNH. This is likely to reflect the relative range and complexity of natural heritage issues which they affect.

These findings highlight the challenges associated with identifying direct evidence of the influence of guidance. SNH reference to guidance in responses to applications indicates that there is awareness of guidance available, but there are only limited cases where it can be ascertained that the guidance has been used.

*Annex 3* shows that the most commonly referred to guidance topics are landscape and protected species. The most frequently referred to documents/web based resources include:

- Scottish Wildlife Series: Otters and Development – Best Practice Guidelines (SNH, 2008);
- SNH website – ‘Planning and Development – ‘Protected Animals’ (SNH, 2013a);
- SNHi information service (SNH, 2013c);
- SNH Service Statement for Planning and Development (SNH, 2012b); and
- Documents within the SNH landscape character assessment series.

Figure 5.5 illustrates the SNH guidance document topics which were referred to by SNH in their written responses to the case studies. Figure 5.6 illustrates the guidance documents referred to by developers in their EIA documents, which relates to seven of the case studies.

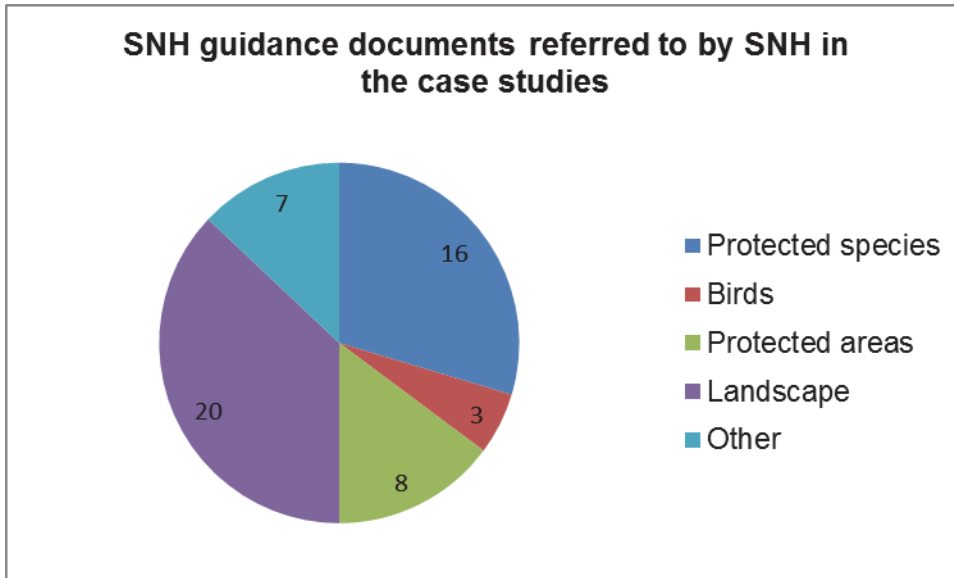


Figure 5.5 SNH guidance documents referred to by SNH in the case studies

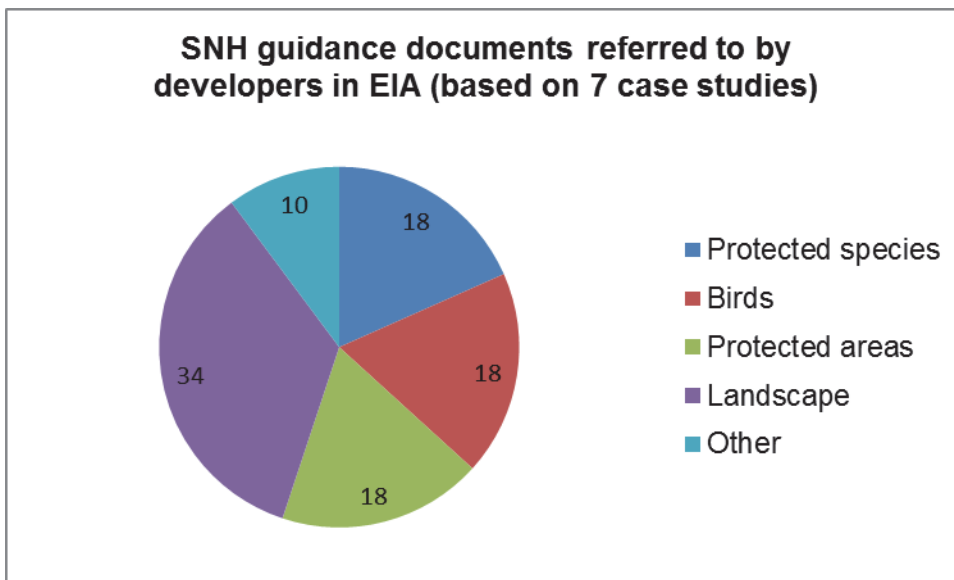


Figure 5.6 SNH Guidance Documents referred to by developers in EIA

**Case study quotes**

Planning officer in relation to conversion of farm buildings to form three dwellinghouses: *“planners and greenspace officer frequently refer to the SNH website for guidance.”*

SNH case officer in relation to transmission overhead line replacement: *“In pre-application meetings/written advice SNH will always endeavour to refer the applicant/developer to the raft of SNH guidance on landscape, protected species, etc. available on the SNH website”.*

Annex 5 illustrates SNH guidance documents referred to by developers based on a review of Environmental Statements or supporting information for the application. Developers referred to a wide range of SNH advice and guidance and information on protected species, birds, protected areas, and other broader issues, but most frequently to landscape related advice. The most commonly cited documents or resources are listed below:

- Scottish Wildlife Series: Otters & Development - Best Practice Guidelines (SNH, 2008);
- SNHi - Information Service (in relation to protected species) (SNH, 2013c);
- Survey Methods for Use in Assessing the Impacts of Onshore Windfarms on Bird Communities (SNH, 2005, revised 2010);
- SNH Sitelink (in relation to protected areas) (SNH, 2013b);
- SNHi - Information Service (in relation to protected areas) (SNH, 2013c);
- Visual Representation of Windfarms: Good Practice Guidance (derived from 2002 report by University of Newcastle) (SNH, 2006);
- Documents within the SNH landscape character assessment series;
- Guidance: Cumulative Effects of Windfarms (SNH, 2005);
- Strategic Locational Guidelines for Onshore Wind Farms in Respect to the Natural Heritage (SNH, 2002, updated 2009); and
- Guidance on the Environmental Impacts of Windfarms and Small Scale Hydroelectric Schemes (SNH, 2002).

Discussions with SNH staff and planning officers did not provide sufficient evidence to identify consistently where SNH guidance had been applied. There were, however, three examples where poor quality landscape and visual impact assessment were cited as key concerns, suggesting that guidance had not been applied. *Annex 3* provides a summary of all guidance documents referred to by SNH.

*5.2.5 To what extent is the advice provided by SNH repeated by other statutory consultees or other stakeholders?*

**Typically it appears that SNH is fulfilling a unique role in providing comments on planning applications both in terms of the breadth of advice and the weight and influence attached to it.**

SNH has a key advisory role and when making planning decisions there was good evidence that the advice provided by SNH was properly taken into account by the planning authorities. The record of each case study was structured to highlight where the same issues were being raised by different parties. Just over a fifth of the cases illustrated where issues highlighted by SNH were reflected by other parties, and vice versa. This was sometimes a direct result of SNH advice formally influencing another consultee such as SEPA, and some overlap between the areas of interest of SEPA and SNH, or as a result of the use of joint site visits between SNH staff and planning officers/landscape advisors informing discussion on case issues. Where SNH and SEPA raise similar concerns these tend to reflect the overlap between SEPA interest in water pollution and SNH interest in the impacts of water pollution on the natural heritage.

**Case study example: Hydro scheme**

The development of a hydro scheme had potential impacts on an SAC. Both SNH and SEPA provided an outright objection to the development, relating to water quality impacts on SAC. The application was subsequently withdrawn. This case study shows a positive synergy between the consultation responses provided by SNH and SEPA.

There were a small number of examples of similar issues being raised by both SNH and a third party such as RSPB, but SNH would typically raise a shared issue alongside a number of other unique natural heritage issues, whereas RSPB focused on issues related to birds.

### **Case study quotes**

Planning officer for a 9 turbine wind farm development: *“Significant weight was attached to SNH’s comments and they did have a greater influence over the decision - other parties had concerns which could be addressed through mitigation measures”.*

### 5.2.6 *Is SNH providing comments on topics outside its remit?*

**Although SNH was not found to be straying from its remit in relation to the topic areas covered, there may be situations where SNH is commenting or being asked to comment on issues which are of minor significance and fall outside the terms of the SNH Service Statement for Planning and Development (SNH, 2012b). These cases could in theory be dealt with by the planning authority.**

The case studies found that all SNH comments appeared to remain within SNH remit and did not refer to issues outside of this. It was, however, identified that SNH were being consulted on issues which were deemed to be of minor significance which planning authorities should have been able to deal with in house. This highlighted a high degree of nervousness by some planning authorities in dealing with some natural heritage issues themselves, most commonly in relation to local small scale, impacts on protected species or landscape. Examples where this was highlighted included a small scale single turbine and the construction of a shed and access track. The case study discussions also highlighted examples of where steps were being taken by SNH to help reduce planning officers’ reliance on their advice. This is further explored in the recommendations.

### **Case study quotes**

SNH case officer in relation to the erection of a shed and access track: *“SNH is consulted on cases which they would prefer not to be consulted on, but when requested they have to take the time to look at a case in order to provide reassurance to the council.”*

SNH case officer in relation to the erection of two greenhouses with potential protected species issues: *“As the application was minor and small scale the planning authority could have undertaken the assessment themselves. SNH case officers spend a lot of time on these cases which could be dealt with by planning authorities if they received proper training and were more aware of the legislative requirements for consulting SNH”.*

SNH case officer in relation to erection of a single wind turbine: *“SNH had no influence on the outcome, it would have been better not to respond at all.”*

Planning officer in relation to modification of an existing mussel farm site: *“Recently SNH have taken a back seat with certain straightforward cases, only commenting on more complex cases allowing the planning authority more control over the outcome of the decision”.*

Planning officer in relation to an application for a single wind turbine: *“SNH are consulted on these applications purely as a safety net and to provide the Council with reassurance regarding natural heritage issues. SNH’s input when received is helpful and particularly valued as the Council have limited internal expertise in relation to natural heritage issues”.*

SNH officer in relation to a dwellinghouse: *“SNH has made efforts to make Councils more independent, undertaking capacity building within Councils to reduce SNH involvement in minor cases. SNH provides reassurance to the Council on natural heritage issues”.*

### 5.2.7 *Is early intervention by SNH more effective (in time inputs and benefits achieved) than later engagement?*

**Early involvement by SNH appears to be more effective in both time inputs and benefits achieved for the natural heritage.**

This is firstly examined through a review of the timing of SNH intervention and information from the stakeholder discussions on the effectiveness of SNH stages of intervention in the planning process.

Where a case had a history of previous planning applications with which SNH had involvement, these are also recorded as pre-application discussion cases. Inputs to EIA screening and scoping are also recorded as pre-application involvement.

In over two thirds of the case studies the study found that the stage of SNH involvement was appropriate to the application. In some cases stakeholders referred to the benefits of SNH's pre-application involvement. In other cases it was noted that there would have been no additional benefit to have had SNH involved in pre-application discussions and its involvement at the application stage alone was sufficient. This was noted in relation to one of the meteorological mast applications, and as being typical to be consulted at this stage for these types of development. In a limited number of cases even though pre-application discussions took place, little heed was paid to SNH comments.

There were a range of opinions on the benefits of pre-application involvement by SNH. Pre-application involvement was seen as beneficial in relation to both simple and more complex cases. In some simpler cases relating to protected species, SNH staff thought that earlier involvement by SNH would have flagged up issues such as out-of-date surveys, and thus avoided SNH comments at application stage resulting in a delay in the decision making process.

Comments were made that in some instances the lack of firm proposals made it difficult for SNH to give definitive advice, but most SNH staff recognised that early involvement allowed SNH to influence information gathering by the developer. This reflects the findings from the 2006 research into SNH inputs to the EIA process.

A review of documentation alone is not always able to track how an original draft proposal may have changed as a consequence of pre-application discussions since many of these discussions associated with the cases were poorly documented. Changes in the location of the proposed development as a result of pre-application discussions with SNH were, however, identified through discussions with SNH officers in two of the case studies. These included the change in location of a single wind turbine with potential impacts on an SPA and that of two dwelling houses to avoid impacts on a national scenic area. The case studies also highlighted a number of cases with a history of lapsed or previously withdrawn planning applications. Where applications have been previously withdrawn and then resubmitted this can be indicative of SNH influence on scheme changes, but unfortunately this is not always easy to capture because such applications are not always linked.

#### 5.2.7.1 Pre application involvement

Discussions with SNH staff indicated that nearly two thirds of the case studies had an element of pre-application involvement. A qualitative assessment of each of the case studies has assessed the likely outcome in relation to SNH Corporate Plan objectives (SNH, 2012c) based on the issues raised by SNH and the planning outcome. Figure 5.7 illustrates the relationship between the likely outcome in relation to SNH Corporate Plan objectives and whether or not pre-application discussions took place.

**Case study example: Underground slurry tank**

SNH had a pre-application discussion and a site visit, and based on this involvement advised the applicant to undertake a great crested newt survey prior to submitting the application. This provided the information that the site was largely unsuitable for great crested newts at an early stage in the planning process.

**Case study quotes**

SNH case officer: *“SNH should be consulted at the pre-application stage more often to avoid delays and additional costs to the applicant.”*

Planning officer, in relation to planning permission in principle for a hospital: *“It was very useful to have SNH involved at the earliest stages of the application process.”*

SNH case officer: *“It would have been advantageous for all parties concerned if SNH were consulted at an earlier stage in the process”.*

SNH case officer: *“Useful to be involved in pre-application discussions for some cases although as this was a relatively small and straightforward case there is nothing that SNH could have said that would be of any further use to the developer when submitting the application”.*

Planning officer in relation to an application for a wind turbine: *“SNH had a strong influence on the outcome of the application and changes to the design as the decision to relocate the single turbine was solely based on SNH’s advice”.*

SNH case officer for a 9 turbine wind farm development: *“SNH would always recommend pre application discussion in this type of case as SNH can provide an ‘early steer’ to the developer on the important natural heritage issues”.*

Planning officer in relation to a hydro power scheme: *“SNH’s advice at pre app stage did not change the design of the scheme but did influence what was included in the submission of the application”.*

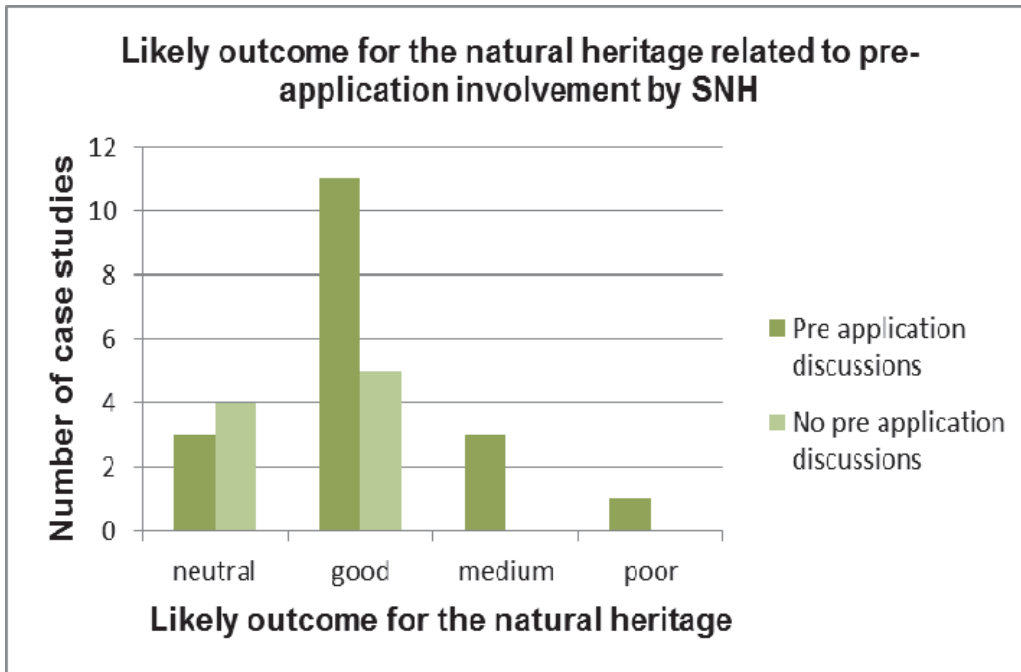


Figure 5.7 Likely outcome for the natural heritage related to pre-application involvement by SNH

This indicates that there is a relationship between pre-application involvement and a better outcome in relation to SNH Corporate Plan objectives (SNH, 2012c). This is particularly true when it is considered that cases without pre-application involvement are often less complex cases for which potential impacts are likely to be dealt with in a straightforward manner.

#### 5.2.7.2 SNH time input

Figure 5.8 illustrates approximate SNH time inputs and whether pre-application discussions took place.

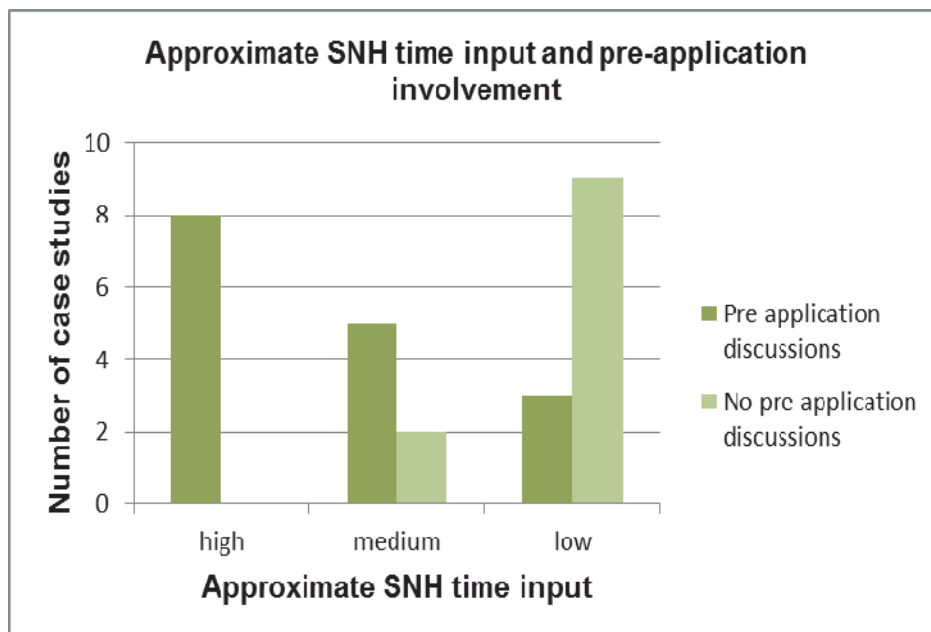


Figure 5.8 Approximate SNH time input and pre-application involvement



Over a third of all case studies were recorded as having low SNH time inputs, with the remaining cases almost equally split between high and medium time inputs. Time inputs by SNH staff were typically lower where no pre-application involvement was recorded. Pre-application engagement typically increases the overall time spent on a case. It is not possible to ascertain whether pre-application involvement results in less time being spent on a case overall, since it would be difficult to isolate and assess the impact of pre-application engagement on the 'total time spent' from other more important factors, such as casework complexity.

Half of all cases had pre-application involvement and this included all of the 'high input' and typically more complex cases. The study found no examples of case studies with high levels of SNH time input where SNH had not been involved at pre-application stage. These would have been indicative of a complex case where pre-application involvement might have been beneficial but did not take place. The results broadly indicate that SNH is being appropriately involved in pre-application discussions.

#### *5.2.8 What aspects of SNH's influence or input are difficult to quantify?*

**The influence and effectiveness of pre-application involvement by SNH is difficult to quantify. There appears to be a lack of consistent recording of SNH pre-application involvement within the CMS even for more recent cases, which suggests that the process of recording pre-application engagement is still becoming embedded.**

**Measuring the influence of guidance and good practice in informing the approach to natural heritage issues in planning applications is challenging. There was some evidence that guidance, particularly in relation to impacts of renewable energy on the natural heritage, was most widely used.**

Where SNH has influenced a change in location through pre-application discussion it may not always be possible to identify this, because it then appears in the planning system as an application in a good location with limited natural heritage issues.

There are also challenges associated with quantifying the value of SNH's moderating role in the provision of advice that no adverse natural heritage impacts are anticipated, which was a feature in one sixth of the case studies.

#### *5.2.9 Is SNH's advice being correctly taken account of at each stage of the planning process?*

**The majority of case studies showed no dilution or modification of SNH's advice, with issues raised being directly reflected in conditions or advisory notes attached to planning applications, or cited by planning authorities in decision notices.**

**There were two (older) examples of where SNH 'advice only' responses were interpreted by planning officers as an objection.**

The effectiveness of SNH's advice was examined through the case study timelines and the follow up discussions with planning officers. This confirmed the general view that SNH's advice was clear. There were some examples where the SNH advice was acknowledged as clear, but the decision maker or the developer disagreed with SNH advice. This illustrates progress from the 2004 research into planning consultations which recommended SNH advice should be clearer (ERM, 2004). This finding suggests that SNH responses are now clearer and more focused, and people know which issues to follow up.

Some issues were raised by planning officers in relation to the use of SNH language and how this was interpreted. Reference was made in a number of case studies to the SNH Service Statement (SNH, 2012b), and the change in SNH use of the term 'object'. Two examples were cited by planning officers where SNH language, although not using the explicit term 'object' was almost as strong in meaning and this resulted in the planning officer interpreting and acting on SNH's advice as an objection.

#### **Case study quotes**

Planning officer in relation to demolition of two buildings and erection of two dwellinghouses: *"SNH's appraisal of the impacts was clear and informative"*.

SNH officer in relation to a met mast application: *"SNH has a good relationship with the planning authority"*.

Planning office in relation to a wind turbine application: *"A close working relationship with SNH helped to reach a quick, effective outcome"*.

Planning officer in relation to erection of an office building: *"The format of SNH's consultation response is very clear"*.

Planning officer in relation to two dwellinghouses: *"SNH provided clear, informative advice and outlined recommendations which we were happy to attach as conditions to the consent"*.

Planning officer, in relation to a wind farm: *"The language used in SNH's response was really useful"*.

Planning officer in relation to a distillery application: *"SNH clearly conveyed the impacts and the importance of the impacts both in writing and during the site visit"*.

Planning officer in relation to a wind farm: *"Mitigation measures presented in SNH's consultation responses were logical and clear"*.

Planning officer in relation to the construction of a new distillery: *"Some responses can still be long and although the information is identified in the document it would be more helpful if the information was more focussed and if SNH could explicitly state whether they object or not to a proposal"*.

SNH case officer in relation to transmission line overhead replacement: *"SNH do not need to object to have their voice heard as their advice is highly regarded and respected. In the limited cases where SNH will object there is a lot of weight attached to SNH's advice and their advice is taken very seriously."*

*5.2.10 Do SNH's inputs (in relation to guidance, informal consultation and formal consultation) achieve benefits for natural heritage and people, in line with SNH Corporate Plan objectives?*

**There is good evidence that SNH's inputs achieve benefits for natural heritage and people in line with its corporate plan objectives.**

This is the overarching question for the research and the findings from the case studies suggest that SNH inputs through informal and formal consultation in the planning process do achieve benefits for the natural heritage and people. In two thirds of the case studies, natural heritage issues were reflected in the planning outcome, and in 75% of these, SNH had a high level of influence.

Figure 5.9 below provides an illustration of the outcome (in relation to SNH Corporate Plan objectives) against the likely level of SNH influence on the outcome of the planning application. The size of the circles represents the number of case studies, which is also indicated by the adjacent number.

#### **Case study quotes**

Planning officer, in relation to erection of a dwelling house with possible protected species issues: *“SNH’s advice added value to the planning authority response.”*

Planning officer in relation to the erection of four dwellinghouses and conversion of a stable block: *“The planning officers rely on SNH for their expertise in natural heritage issues”.*

Planning officer in relation to a 12 turbine wind farm: *“SNH definitely added value to the planning authority’s response”.*

SNH case officer in relation to a 9 turbine wind farm: *“SNH were extremely influential in the outcome of this case and were quoted extensively in the Report of Handling to the Planning Committee. SNH’s response was taken very seriously and the Committee applied a lot of weight to SNH’s assessment”.*

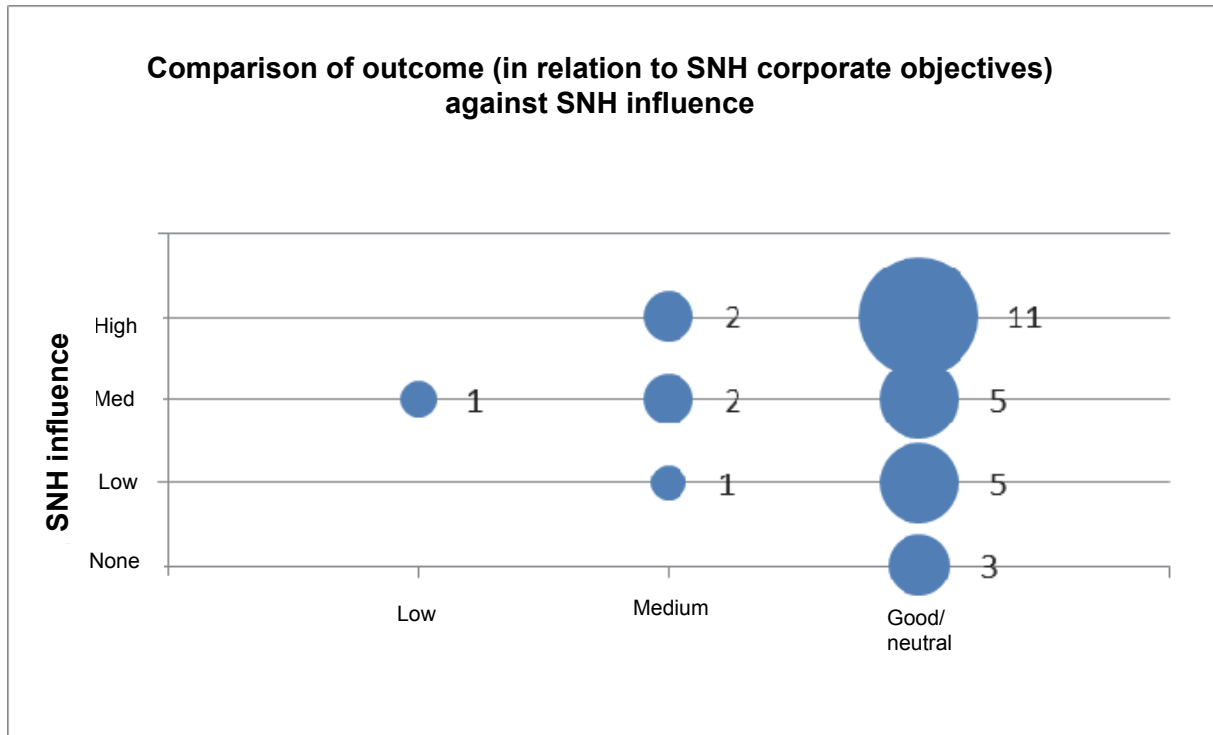
SNH case officer in relation to a modular office building: *“SNH influenced the conditions applied. SNH suggested two mitigation measures in their consultation response relating to screening and the timing of construction and both mitigation measures were applied as conditions to the approval of the application.”*

Planning officer for wind farm development, SNH expressed concerns regarding landscape & visual impacts: *“SNH’s input into the application was excellent and added value, their advice was exemplary. SNH were highly influential in the decision by the council to refuse the application”.*

Planning officer in relation to transmission line overhead replacement: *“SNH’s comments were integral to deciding what protected species and areas needed to be assessed”.*

Planning officer in relation to two dwellinghouses: *“SNH had a strong influence on the outcome of the case, which can be seen from the three attached conditions based on SNHs recommendations”.*

Planning officer in relation to a hydro power scheme: *“SNH’s comments were the determining issue in this case which resulted in the application being withdrawn”.*



*Figure 5.9 Comparison of outcome (in relation to SNH corporate objectives) against SNH influence)*

Although not all case studies showed all issues raised by SNH influencing the planning outcome, this does not reflect the role of SNH in checking potential natural heritage impacts. Even where a proposal is found to have no significant natural heritage impacts, SNH involvement is still facilitating the development by confirming that it can proceed without any natural heritage constraints.

*Annex 9* provides a summary of the evaluation for the case studies. This provides a clear illustration of the difference which SNH is making to the natural heritage and highlights where potential impacts identified by SNH have been addressed through the planning process. This presents a very positive picture of the difference which SNH is making to the natural heritage, and demonstrates progress from the findings by ERM, 2004 which suggested a lower level of influence. This change is likely to reflect the associated improvements in clarity of SNH responses, allowing planning authorities to more easily identify what is important.

## 6. RECOMMENDATIONS

The recommendations draw on the conclusions and findings from the case studies, and reflect the aspirations set out in the Service Statement for Planning and Development (SNH, 2012b).

*'Scottish Natural Heritage: A Service Statement for Planning and Development'* (SNH, 2012b) states:

The main elements of SNH's approach to development management are:

- selective engagement in planning consultation casework;
- emphasis on effective pre-application engagement;
- limited use of objections;
- proportionate requests for further information;
- simpler and shorter advice; and
- an enabling, solutions-based approach.

### 6.1 Selective engagement in planning consultation casework

The case study discussions identified examples of where SNH is being consulted on issues which planning authorities could potentially have dealt with, but where SNH still felt an obligation to comment. This included consultation on single turbines, and requests for comments in relation to protected species for relatively straightforward cases.

Increasing awareness amongst local authority planning officers of SNH's Service Statement (SNH, 2012b) and SNH's preferred approach to discretionary consultations would help to address this issue. However this is likely to be challenging where there are long established working practices which originated under the previous approach to SNH involvement in development management.

**Recommendation 1: For SNH to develop a consistent approach to dealing with consultation requests which do not fit with the SNH Service Statement (SNH, 2012b). This could be achieved by clearly setting out their preferred stance in relation to an issue which they are being consulted on to provide a future reference point. SNH could also seek clarification on opportunities to provide additional guidance or support to enable planning authorities to address natural heritage issues themselves, where appropriate.**

### 6.2 Emphasis on effective pre-application engagement

The case studies did not identify a consistent record of pre-application engagement by SNH within the CMS, although the discussions with SNH case officers were able to recall where these took place. It is recognised that the changes to the SNH casework management system to record pre-application discussions took place in mid-2011, and therefore a time lag would be expected between the change in guidance and the change in practice. In addition, although case studies were selected to be more recent, one third of the case studies would potentially have had pre-application discussions prior to the middle of 2011, and would not therefore be expected to be recorded in the CMS. A further third of the case studies were post mid-2011 but did not have any pre-application involvement. Of the remaining third of the case studies just over half identified pre-application discussions had taken place, but these did not appear in the CMS.

**Recommendation 2: To reiterate to SNH staff the changes to the SNH casework management system and the requirement for recording pre-application discussions.**

### **6.3 Limited use of objections and an enabling, solutions-based approach**

#### *6.3.1 Limited use of objections*

There were two examples where SNH 'advice only' responses were interpreted as an objection by the planning authority, and acted on as such. These cases date from what might be called a 'transition period' when SNH's new approach to a limited use of objections was being embedded in working practices by both SNH and planning authorities, and it is less likely this would happen now the new system has bedded down.

#### *6.3.2 An enabling, solutions-based approach*

The case studies also highlighted examples of where SNH was working with planning authorities to develop an approach to address commonly recurring issues. One of the case studies noted that SNH is procedurally obliged to make a conditioned objection in relation to a Natura site, although the potential natural heritage impacts were low and easily mitigated. In this example the SNH case officer identified this as a recurring issue in their area. SNH is now working with the planning authority to include simple mitigation measures for development impacts on a Natura site for developers to include with their application.

A wind farm case study illustrated the challenges associated with assessing landscape and visual issues in the context of a rapidly changing landscape of wind farm applications and developments. SNH was involved in development of a landscape and visual capacity study for wind farms for the area.

In another case study SNH had been working with the planning authority, SEPA and the developer to develop a consistent approach to the large number of grid related planning applications within the area in question. SNH was involved (alongside SEPA, the developer and the planning authority) in developing a Construction and Environmental Management Approach which includes a set of standard conditions which have been adopted by the planning authority.

These approaches have been developed to help to reduce future SNH time inputs and ensure consistency in the approach to these issues.

**Recommendation 3: To undertake an evaluation by local authority area to identify recurring issues in development management, and to explore opportunities for co-ordinated measures to address these earlier in the planning process.**

**Recommendation 4: To revise staff guidance to ensure the status of advice being given is clear.**

Guidance is a key element of SNH's enabling, solutions based approach. The study has been able to identify where guidance has been cited, but highlighted the challenges with identifying where guidance has been applied.

**Recommendation 5: To undertake further survey of practitioners to explore the use and application of guidance documents.**

**Recommendation 6: To undertake a web based survey of developers to identify guidance they are aware of, which documents are most useful and why, and involvement and benefits in sharing good practice events.**

**Recommendation 7: To undertake analysis of downloads of SNH web based guidance documents to identify those most frequently and infrequently downloaded**

### 6.3.3 *Contributes to SNH Corporate Plan objectives*

The research has found that SNH engagement in the planning system in relation to development management achieves benefits in relation to the topics of wider landscapes, protected species, all biodiversity, land, water and soils, and protected areas. There was less influence on the objectives of raising awareness of climate change, experiencing, enjoying and valuing nature or supporting sustainable places.

This finding is based on the topics which SNH provides advice on, and the influence which SNH has on these topics through the planning process. As discussed in relation to the key findings, the topic areas which SNH was not identified as having influence on through development management include climate change, access recreation and greenspace and quality of places to live. This raises the key question of how these topics are being addressed through the planning system as a whole, and the need to ascertain where further action may be required to cover these topic areas.

**Recommendation 8: To undertake an analysis of development plans to identify how development planning contributes to the SNH corporate plan objectives and to examine how this complements the corporate plan objectives on which development management has a greater influence.**

**Recommendation 9: To undertake an evaluation of development planning to evaluate the achievement of SNH corporate objectives through the planning system and to explore areas in which development management is unable to ensure themes from development planning are carried through.**

**Recommendation 10: To apply the framework for future monitoring. This could include looking at the effectiveness of SNH in relation to specific development types or locations (for example offshore renewables). This would identify key common issues which could be addressed through a co-ordinated approach. Application of the monitoring framework should also include annual monitoring of a random recent sample of case studies to identify any emerging issues.**

**Recommendation 11: Based on the case study sample, there are a small proportion of cases where a planning outcome is not in line with SNH advice. A review of a larger sample of case studies would allow identification of the proportion of cases where this is occurring and allow the reasons for this to be explored in more detail than was possible in this study. This would then allow recommendations to be made on targeted actions to address the issues identified.**

**Recommendation 12: To undertake a review of the effectiveness of approaches in pre-application engagement.**

**Recommendation 13: To establish a mechanism within the Casework Management System to allow SNH staff to track the outcome of planning applications in order to evaluate the effectiveness of SNH staff intervention.**

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**ANNEX 1: SUMMARY OF CASE STUDY EVALUATION**

Case study	Development type	Possible impact on the natural heritage without SNH input (based on NH issues raised by SNH and if development had proceeded) <sup>6</sup>	Extent to which SNH advice ensured NH impacts raised by SNH are avoided	SNH response category	Residual impact on the natural heritage as a result of planning process (based solely on issues raised by SNH)	Outcome for the natural heritage (in relation to SNH objectives)	Description of SNH influence	SNH influence on the planning process	SNH time input	Overall evaluation
1	Modification of an existing mussel farm site	No change	No NH issues raised by SNH	Advice only	No change to NH status	Very good	SNH consulted, no NH issues raised	Low	Medium	SNH had to consider the potential impacts on the natural heritage which justifies the medium time inputs, although SNH influence was low, there was a good outcome for the natural heritage. The application was approved.
2	Erection of a single wind turbine	Potential significant local landscape impacts	SNH advice ensured significant local landscape impacts <b>avoided</b>	Advice only	No change to NH status	Very good	SNH advice informed outcome	High	High	The high time inputs reflect the previous involvement in related planning applications, and an overall good outcome was secured for the NH. The application was refused.
3	Erection of a single wind turbine	Potential impacts on qualifying species of SPA of international significance	SNH advice ensured impacts on SPA and SAC <b>avoided</b>	Advice only	No change to NH status	Very good	SNH advice informed outcome	High	Medium	The NH issues raised by SNH were dealt with in a straightforward manner which allowed a good outcome for the NH with a high level of influence and medium time inputs. The application was approved.
4	Erection of a single wind turbine	No change	No NH issues raised by SNH	No comment	No change to NH status	Very good	SNH consulted, no NH issues raised, withdrawn for non NH reasons	Neutral	Low	SNH had to consider the impacts but did not identify any natural heritage issues and had minimal influence. The application was withdrawn, for non-natural heritage reasons.
5	Erection of a single wind turbine	Potential impacts on SAC of international significance	SNH advice ensured impacts on SPA <b>avoided</b> if development had proceeded	Conditioned objection	No change to NH status	Very good	SNH advice given, application withdrawn for non NH reasons	Neutral	Low	SNH provided relatively straightforward advice to ensure protection of the SPA, with resulting low time inputs, but had no influence on the planning process. The application was withdrawn, for non-natural heritage reasons.
6	Removal of a gravel bank	Potential significant impacts on SAC of international significance	SNH advice ensured significant impacts on SAC <b>avoided</b>	Outright objection	No change to NH status	Very good	SNH advice informed outcome	High	High	SNH had a high time input which ensured all potential impacts on the SAC were explored and the time input was proportionate to the complexity of the case. SNH was highly influential in the planning decision alongside SEPA. The application was withdrawn for natural heritage reasons.
7	Development of a 12 turbine wind farm	Impacts on nationally important habitats and species	SNH advice ensured the <b>majority</b> of impacts on habitats and species <b>avoided</b>	Advice only	Minor potential impacts on habitats and species	Good	SNH advice informed outcome	Medium	High	SNH provided advice on a number of NH issues which resulted in higher time inputs. SNH had minor outstanding concerns regarding

<sup>6</sup> Based on issues raised by SNH. This does not highlight issues which were raised and then found not to be significant on further investigation.

Case study	Development type	Possible impact on the natural heritage without SNH input (based on NH issues raised by SNH and if development had proceeded) <sup>6</sup>	Extent to which SNH advice ensured NH impacts raised by SNH are avoided	SNH response category	Residual impact on the natural heritage as a result of planning process (based solely on issues raised by SNH)	Outcome for the natural heritage (in relation to SNH objectives)	Description of SNH influence	SNH influence on the planning process	SNH time input	Overall evaluation
8	Shed and access track	No change	SNH confirmed no NH issues to be addressed	Advice only	No change to NH status	Very good	SNH advice given, refused for non NH reasons	Neutral	Low	how peat impacts were assessed. The application was approved. SNH considered potential for NH impacts but did not influence the planning outcome. The application was refused for non-natural heritage reasons.
9	Erection of metrological mast	Potential impacts on breeding birds	SNH advice ensured impacts on birds <b>avoided</b>	Advice only	No change to NH status	Very good	SNH advice informed outcome	High	Low	SNH provided straightforward advice which influenced the planning process and ensured a good outcome for the natural heritage. The application was approved.
10	Development of a 13 turbine wind farm	Potential regional impacts on landscape and impacts on nationally important biodiversity	SNH advice ensured impacts on biodiversity <b>avoided</b> , although some impacts on landscape <b>outstanding</b> .	Advice only	Minor potential impacts on landscape	Good	SNH advice informed outcome	Medium	High	SNH provided advice on a number of issues and there were a number of scheme iterations which is reflected in high time inputs. The modifications to the scheme and the conditions attached to the approval did not fully reflect SNH's landscape concerns, reflecting a less than ideal outcome for the natural heritage. The application was approved.
11	Development of a 9 turbine wind farm	Potential significant impacts on SAC of international significance, potential significant regional landscape impacts.	SNH advice ensured significant impacts on SAC and landscape <b>avoided</b>	Outright objection	No change to NH status	Very good	SNH advice informed outcome	High	High	SNH provided advice on a number of natural heritage issues which is reflected in proportionately high time inputs. SNH had a strong influence on the planning decision. The application was refused.
12	Erection of 2 greenhouses	Lack of mitigation should nationally significant great crested newts have been found on site	SNH advice ensured potential minor impacts on great crested newts <b>avoided</b>	Advice only	No change to NH status	Very good	SNH advice informed outcome	Low	Low	SNH confirmed lack of impact on protected areas and provided advice on precautionary action in relation to great crested newts, but had a relatively low influence on the planning process. The application was approved.
13	Change of use, alterations, extension and partial demolition of steading to form distillery café and visitor centre	Potential impacts on nationally important biodiversity (bats, breeding birds and badger)	SNH advice ensured potential impacts on bats, breeding birds and badger <b>avoided</b>	Advice only	No change to NH status	Very good	SNH advice informed outcome	High	Medium	The site visit added to the time inputs for the case but allowed SNH to modify the advice given which was influential on the planning process. The application was approved.
14	Erection of metrological mast	Potential impacts on nationally important breeding birds	SNH advice ensured potential impacts on birds <b>avoided</b>	Advice only	No change to NH status	Very good	SNH advice informed outcome	High	Low	The SNH advice was straightforward and influential on the planning process. The

Case study	Development type	Possible impact on the natural heritage without SNH input (based on NH issues raised by SNH and if development had proceeded) <sup>6</sup>	Extent to which SNH advice ensured NH impacts raised by SNH are avoided	SNH response category	Residual impact on the natural heritage as a result of planning process (based solely on issues raised by SNH)	Outcome for the natural heritage (in relation to SNH objectives)	Description of SNH influence	SNH influence on the planning process	SNH time input	Overall evaluation
15	Development of land for 18 holiday lodges	Potential impacts on nationally important protected species (otter, bats, great crested newts and breeding birds)	SNH advice ensured <b>majority</b> of potential impacts on protected species <b>avoided</b>	Advice only	Minor potential impacts on protected species	Good	SNH advice informed outcome	Medium	High	application was approved. SNH had a history of involvement in previous related applications which resulted in higher time inputs. The SNH advice was not fully translated into conditions, which is represented in the lower level of SNH influence on the planning process. SNH felt that this would not result in any significant impacts. The application was approved.
16	Alteration and conversion of former mill building to holiday let	Potential impacts on nationally important bats	SNH advice ensured potential impacts on bats <b>avoided</b>	Advice only	No change to NH status	Very good	SNH advice informed outcome	High	Low	This was a straightforward case for SNH and their key influence was on triggering an up to date bat survey. The application was withdrawn, because of the out of date bat surveys.
17	Construction of new distillery with associated plant and landscaping	Potential impacts on water quality of nationally important SSSI and potential impacts on nationally important bats	SNH advice ensured potential impacts on water quality and bats <b>avoided</b>	Advice only	No change to NH status	Very good	SNH advice informed outcome	Medium	Medium	The applicant pre-empted issues relating to protected species and had undertaken the appropriate steps without SNH advice, therefore limiting SNH influence on this case. In addition, both SNH and SEPA made comments in relation to a Construction Management Plan, meaning the SNH influence was lower. The application was approved.
18	Installation of hydro power scheme	Potential significant impacts on SAC of international importance and potential impacts on nationally important protected species	SNH advice ensured significant impacts on SAC <b>avoided</b>	Outright objection	No change to NH status	Very good	SNH advice informed outcome	High	Medium	SNH objected to the application and alongside an objection from SEPA was highly influential on the planning decision, which protected the natural heritage interests. The application was withdrawn for natural heritage reasons.
19	Construction of an underground slurry tank	Potential impacts on nationally important great crested newts	SNH advice ensured potential impacts on great crested newts <b>avoided</b>	Advice only	No change to NH status	Very good	SNH advice informed outcome	High	Low	SNH influenced the approach to protected species issues, but the case was relatively straightforward and time inputs were proportionate. This ensured the impacts on the natural heritage were minimised. The application was approved.
20	Planning permission in principle for a hospital	Potential impacts on nationally important protected species and local landscapes	SNH advice ensured impacts on protected species and landscape <b>avoided</b>	Advice only	No change to NH status	Very good	SNH advice informed outcome	High	Medium	SNH ensured consideration of protected species issues in the application. The time inputs were appropriate for planning permission in principle, where further impacts on the natural heritage can be considered in more detail at a later date. The application was approved.

Case study	Development type	Possible impact on the natural heritage without SNH input (based on NH issues raised by SNH and if development had proceeded) <sup>6</sup>	Extent to which SNH advice ensured NH impacts raised by SNH are avoided	SNH response category	Residual impact on the natural heritage as a result of planning process (based solely on issues raised by SNH)	Outcome for the natural heritage (in relation to SNH objectives)	Description of SNH influence	SNH influence on the planning process	SNH time input	Overall evaluation
21	Erection of a dwellinghouse	Potential impacts on nationally important bats, if subsequently found on site.	SNH advice ensured potential impacts on bats <b>avoided</b>	Advice only	No change to NH status	Very good	SNH advice informed outcome	Low	Low	SNH ensured potential impacts on bats were fully considered, although they were not found on site. This is reflected in the low level of influence and low time inputs. The application was approved.
22	Erection of a single wind turbine	Potential local landscape and visual impacts	SNH <b>did not raise any NH issues</b> but referred to guidance for assessing landscape and visual impacts	Advice only	No change to NH status	Very good	SNH consulted, no NH issues raised	Low	Low	SNH took a minor role in relation to this application however the planning decision reflected natural heritage issues. The application was refused.
23	Renewal of planning permission for the conversion of farm buildings to 3 dwellinghouses	No change	SNH <b>did not comment</b> on any NH issues	No comment	No change to NH status	Very good	SNH provided no advice, no NH issues raised	Neutral	Low	SNH had no influence on this case and the application was approved.
24	Demolition of two buildings and erection of two dwellinghouses	Potential nationally significant impacts on NSA, potential impacts on nationally significant otter	SNH advice ensured impacts on NSA and protected species <b>avoided</b>	Conditioned objection	No change to NH status	Very good	SNH advice informed outcome	High	Medium	SNH influenced the design to reduce natural heritage impacts and this reflects the time inputs to the case. The application was approved.
25	Conversion of a steading to form a dwellinghouse	No change	No NH issues raised by SNH	Advice only	No change to NH status	Very good	SNH consulted, no NH issues raised	Low	Low	The case had no natural heritage impacts and SNH had minimal influence. The application was approved.
26	Section 37 application: transmission overhead line replacement	Potential impacts on nationally significant protected species, potential local impacts on woodland	SNH advice ensured potential impacts on protected species, and woodland <b>avoided</b>	Advice only	No change to NH status	Very good	SNH advice informed outcome	Medium	Medium	Natural heritage issues raised by SNH were reflected in planning conditions, alongside a conditioned objection from SEPA to avoid impacts on wet habitats. This reduced the level of SNH influence. The application was approved.
27	Wind farm development 4 turbines	Potential impacts on nationally significant otter, badger and local water quality and regional landscapes	SNH advice ensured potential impacts on otter, badger and water quality <b>avoided</b> , impacts on landscape <b>outstanding</b>	Advice only	Potential landscape and visual impacts	Poor	SNH informed initial outcome and final outcome (on certain NH issues)	High on council, low on appeal	High	SNH were influential on the planning authority decision but only partly influential on the appeal decision because only some of the natural heritage issues were incorporated as conditions. The application was approved on appeal.
28	Erection of modular office/amenities building	Potential impacts on internationally significant SPA	SNH advice ensured potential impacts on SPA <b>avoided</b>	Conditioned objection	No change to NH status	Very good	SNH advice informed outcome	High	High	The natural heritage issues raised by SNH were addressed through the planning process. SNH time inputs included pre-application involvement and a site visit, which are appropriate to ensure protection of the SPA. The application was approved.



Case study	Development type	Possible impact on the natural heritage without SNH input (based on NH issues raised by SNH and if development had proceeded) <sup>6</sup>	Extent to which SNH advice ensured NH impacts raised by SNH are avoided	SNH response category	Residual impact on the natural heritage as a result of planning process (based solely on issues raised by SNH)	Outcome for the natural heritage (in relation to SNH objectives)	Description of SNH influence	SNH influence on the planning process	SNH time input	Overall evaluation
29	Section 36 application for wind farm	Potential impacts on internationally significant SAC and nationally significant SSSI, potential impacts on nationally significant breeding birds. Potential local landscape and visual impacts.	SNH advice ensured potential impacts on breeding birds, SAC and SSSI <b>avoided</b> , some landscape and visual impacts <b>outstanding</b>	Advice only	Potential landscape and visual impacts	Poor	SNH advice informed outcome	Medium	High	SNH time inputs reflected the complexity of the case. SNH landscape concerns remained throughout the planning process, despite modification to the scheme, however other natural heritage impacts were addressed through conditions. The application was granted on appeal.
30	Erection of 4 dwelling houses and conversion of stable block to form holiday accommodation	Potential impacts on internationally significant SAC, potential impacts on nationally significant protected species	SNH advice ensured potential impacts on SAC and protected species <b>avoided</b>	Holding objection, conditioned objection	No change to NH status	Very good	SNH advice informed outcome	Medium	Medium	SNH would have preferred a badger protection plan to be submitted prior to consent, not as a condition attached to the approval, which explains the medium level of influence on the planning outcome. The application was approved.

ANNEX 2: ALL GUIDANCE DOCUMENTS REFERRED TO BY SCOTTISH NATURAL HERITAGE IN THEIR RESPONSES

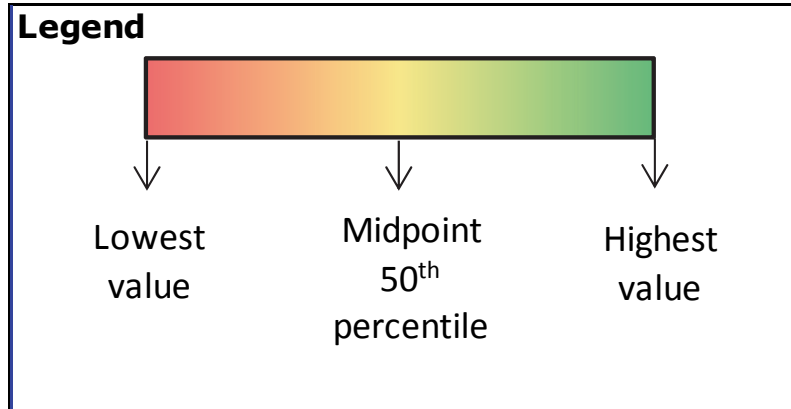
	Removal of gravel bank	Single wind turbine	12 turbine wind farm	Hydro power scheme	PPP for a hospital	Single wind turbine	Single wind turbine	Distillery	Transmission lines	Single wind turbine	Distillery	Meteorological mast	Demolition/erection of houses	Dwellinghouse	Meteorological mast	Shed & access track	13 turbine wind farm	Single wind turbine	9 turbine wind farm	Dwellinghouses & conversion	Mussel farm	Conversion of mill to house	Conversion of steading	Modular office building	Underground slurry tank	Conversion of steading	Two greenhouses	PPP for holiday lodges	4 turbine wind farm	19 turbine wind farm	TOTAL
	-	-	✓	-	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✗	✓	-	✗	✓	✓	-	✓	✓	✓	✓	✓	✓	✓	✓	✓
<b>PROTECTED SPECIES</b>	<b>Guidance:</b> Bat Surveys - Good Practice Guidelines (Bat Conservation Trusts, 2nd edition, 2012)							Y												Y											2
	<b>Guidance:</b> Bats & Onshore Wind Turbines Interim Guidance (Natural England Technical Information Note, TIN051)																												Y	1	
	<b>Legislation:</b> Annex IV of EC Directive 92/43/EEC on the Conservation of Natural Habitats & Wild Flora & Fauna (the 'Habitats Directive')				Y					Y																				Y	4
	<b>Legislation:</b> Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the 'Habitats Regulations')	Y	Y	Y	Y			Y	Y	Y	Y		Y				Y	Y	Y	Y			Y	Y	Y		Y	Y	Y	Y	19
	<b>Legislation:</b> Protection of Badgers Act 1992 (as amended as amended by the Nature Conservation (Scotland) Act 2004)			Y				Y	Y												Y										4
	<b>Legislation:</b> Wildlife & Countryside Act 1981 (as amended by the Nature Conservation (Scotland) Act 2004)			Y	Y																Y		Y						Y	Y	6
	<b>Scottish Government guidance:</b> European Protected Species, Development Sites and the Planning System: Interim guidance for local authorities on licensing arrangements (Scottish Government, 2001)			Y	Y								Y								Y		Y						Y	Y	7
	<b>SNH Online Guidance:</b> 'Planning & Development' - 'Protected Animals'			Y					Y												Y		Y				Y				5
	<b>SNH Website:</b> SNHi - Information Service										Y										Y			Y	Y					Y	5
	<b>SNH Online Publication:</b> Scottish Wildlife Series: Otters & Development - Best Practice Guidelines (SNH, 2008)							Y	Y			Y		Y			Y											Y			5
<b>SNH Publication:</b> Scottish Wildlife: The Law and You (SNH, 2009)										Y																					1

BIRDS	<b>Legislation:</b> Annex 1 of the European Directive on the Conservation of Wild Birds (79/409/EEC)													Y	2
	<b>Legislation:</b> Schedule 1 of the Wildlife & Countryside Act 1981														2
	<b>SNH Commissioned Report:</b> A Review of Disturbance Distances in Selected Bird Species. A Report to SNH (Natural Research Projects Ltd, 2007)													Y	1
	<b>SNH Guidance:</b> Calculating a Theoretical Collision Risk Assuming No Avoiding Action (guidance & spreadsheet) (SNH, 2000)		Y												1
	<b>SNH Guidance:</b> Survey Methods for Use in Assessing the Impacts of Onshore Windfarms on Bird Communities (SNH, 2005, revised 2010)		Y											Y	2
PROTECTED AREAS	<b>Legislation:</b> Conservation (Natural Habitats &c. ) Regulations 1994 as amended (the 'Habitats Regulations')	Y	Y		Y	Y			Y	Y		Y	Y	Y	10
	<b>Legislation:</b> EC Directive 92/43/EEC on the Conservation of Natural Habitats & Wild Flora & Fauna (the 'Habitats Directive')			Y							Y			Y	3
	<b>Legislation:</b> Nature Conservation (Scotland) Act 2004													Y	1
	<b>SNH Commissioned Report:</b> The Special Qualities of the National Scenic Areas (Historic Scotland, & SNH, 2010)									Y					1
	<b>SNH Website:</b> SNHi - Information Service		Y			Y					Y		Y	Y	Y
SOILS, ROCKS & MINERALS	<b>Scottish Government guidance:</b> Peat Hazard & Risk Assessment Guide: Best Practice Guide for Proposed Electricity Generation Developments (Scottish Government, 2007)	Y												Y	2
BIODIVERSITY	Local Biodiversity Action Plan											Y		Y	2
	UK Biodiversity Action Plan		Y												1
WOODLAND	<b>Guidance:</b> Ancient Tree Guides No. 3 : Trees & Development (Woodland Trust, 2007)											Y			1
	<b>Policy:</b> Control of Woodland Removal (Scottish Government, 2009)										Y				1



OTHER	<b>Planning Advice Note:</b> PAN 45 - Renewable Energy Technologies											Y	1				
	<b>Planning Advice Note:</b> PAN 68 - Design Statements											Y	1				
	<b>Policy:</b> SPG for Wind Energy Proposals in Perth & Kinross (Perth & Kinross Council, 2005)												Y	1			
	<b>SNH Map:</b> SNH Windfarm Footprint Map (various years)												Y	1			
	<b>SNH Online Guidance:</b> 'Planning & Development'												Y	1			
	<b>SNH Service Level Statement:</b> A Service Statement for Planning & Development (SNH, June 2012)		Y					Y					Y	3			
	<b>SNH Service Level Statement:</b> Renewable Energy Service Statement (SNH, March 2011)												Y	Y	2		
LANDSCAPE	<b>Guidance:</b> Assessment of Highland Special Landscape Areas (Highland Council, 2011)													Y	1		
	<b>Guidance:</b> Guidelines for Landscape & Visual Impact Assessment (Landscape Institute and the Institute of Environmental Management and Assessment, 2nd edition)														Y	2	
	<b>Policy:</b> Scottish Planning Policy Landscape Test														Y	1	
	<b>Research:</b> Landscape study of windfarm development in the Ochil Hills and Part of Southern Highland Perthshire (David Tyldesley & Associates, 2004)														Y	1	
	<b>SNH Commissioned Report:</b> Visual Representation of Windfarms: Good Practice Guidance (derived from 2002 report by University of Newcastle) (SNH, March 2006)														Y	2	
	<b>SNH Commissioned Reports:</b> Landscape Character Assessments (SNH, various years)	Y						Y	Y						Y	5	
	<b>SNH Guidance:</b> Assessing the Cumulative Impact of Onshore Wind Energy Developments (SNH, March 2012)												Y			1	
	<b>SNH Guidance:</b> Assessing the Impact of Small-Scale Wind Energy Proposals on the Natural Heritage (SNH, February 2012)												Y			2	
	<b>SNH Guidance:</b> Cumulative Effects of Windfarms (SNH, April 2005)														Y	Y	2
	<b>SNH Guidance:</b> Identifying Natural Heritage Issues of National Interest in Development Proposals (SNH, December 2011)														Y	1	
	<b>SNH Map:</b> Map of Scotland's Relative Wilderness (SNH, April 2013)														Y	1	

<b>SNH Policy Statement:</b> Strategic Locational Guidelines for Onshore Wind Farms in Respect to the Natural Heritage (SNH, 2002, updated 2009) <b>SNH Publication:</b> Siting and Designing Windfarms in the Landscape (SNH, January 2010)	Y																			Y	Y	3						
										Y	Y										Y		3					
	1	2	10	8		3	4	5	12	2		3			5	2	10	12		3	8	4	3	2	3	8	21	



**Note**

*The case studies shaded grey did not refer to any guidance documents. It should also be noted that more recently published guidance has been referred to less frequently.*

**SUMMARY** - Guidance documents /resources /legislation/ policy most referred to by SNH in their consultation responses:

- (1) **Legislation:** Conservation (Natural Habitats, &c. ) Regulations 1994 as amended (the 'Habitats Regulations') - Referring to protected species
- (2) **Legislation:** Conservation (Natural Habitats &c. ) Regulations 1994 as amended (the 'Habitats Regulations') - Referring to protected areas
- (3) **Scottish Government guidance:** European Protected Species, Development Sites and the Planning System: Interim guidance for local authorities on licensing arrangements (Scottish Government, 2001)
- (4) **SNH Website:** SNHi - Information Service - Referring to protected areas
- (5) **Legislation:** Wildlife & Countryside Act 1981 (as amended by the Nature Conservation (Scotland) Act 2004)
- (6) **SNH Online Guidance:** 'Planning & Development' - 'Protected Animals'
- (7) **SNH Website:** SNHi - Information Service - Referring to protected species
- (8) **SNH Online Publication:** Scottish Wildlife Series: Otters & Development - Best Practice Guidelines (SNH, 2008)
- (9) **SNH Commissioned Reports:** Landscape Character Assessments (SNH, various years)

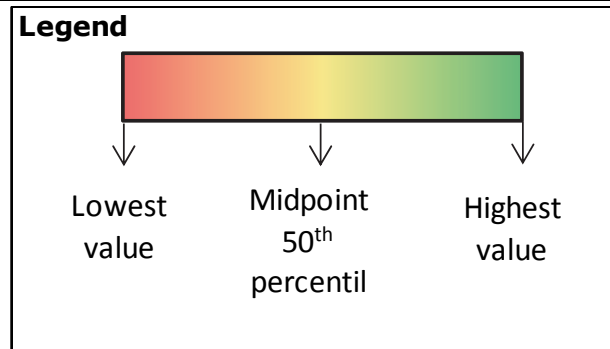
ANNEX 3: SNH GUIDANCE DOCUMENTS REFERRED TO BY SCOTTISH NATURAL HERITAGE IN THEIR RESPONSES

		Removal of gravel bank	Single wind turbine	12 turbine wind farm	Hydro power scheme	PPP for a hospital	Single wind turbine	Single wind turbine	Distillery	Transmission lines	Single wind turbine	Distillery	Meteorological mast	Demolition/erection of houses	Dwellinghouse	Meteorological mast	Shed & access track	13 turbine wind farm	Single wind turbine	9 turbine wind farm	Dwellinghouses & conversion	Mussel farm	Conversion of mill to house	Conversion of steading	Modular office building	Underground slurry tank	Conversion of steading	Two greenhouses	PPP for holiday lodges	4 turbine wind farm	19 turbine wind farm	TOTAL	
		-	-	✓	-	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✗	✓	-	✗	✓	✓	-	✓	✓	✓	✓	✓	✓	✓	✓	✓	
PROTECTED SPECIES	<b>SNH Online Guidance:</b> 'Planning & Development' - 'Protected Animals'		Y						Y												Y		Y				Y					5	
	<b>SNH Online Publication:</b> Scottish Wildlife Series: Otters & Development - Best Practice Guidelines (SNH, 2008)								Y	Y			Y					Y										Y				5	
	<b>SNH Publication:</b> Scottish Wildlife: The Law and You (SNH, 2009)										Y																					1	
	<b>SNH Website:</b> SNHi - Information Service										Y											Y		Y	Y					Y		5	
BIRDS	<b>SNH Guidance:</b> Calculating a Theoretical Collision Risk Assuming No Avoiding Action (guidance & spreadsheet) (SNH, 2000)		Y																													1	
	<b>SNH Guidance:</b> Survey Methods for Use in Assessing the Impacts of Onshore Windfarms on Bird Communities (SNH, 2005, revised 2010)		Y																											Y		2	
PROTECTED AREAS	<b>SNH Commissioned Report:</b> The Special Qualities of the National Scenic Areas (Historic Scotland, & SNH, 2010)																				Y											1	
	<b>SNH Website:</b> SNHi - Information Service			Y						Y												Y		Y	Y		Y		Y		7		
OTHER	<b>SNH Map:</b> SNH Windfarm Footprint Map (various years)																												Y		1		
	<b>SNH Online Guidance:</b> 'Planning & Development'																									Y				1			
	<b>SNH Service Level Statement:</b> Renewable Energy Service Statement (SNH, March 2011)																												Y	Y	2		
	<b>SNH Service Level Statement:</b> A Service Statement for Planning & Development (SNH, June 2012)							Y												Y						Y					3		
LANDSCAPE	<b>SNH Commissioned Report:</b> Visual Representation of Windfarms: Good Practice Guidance (derived from 2002 report by University of Newcastle) (SNH, March 2006)										Y																		Y		2		
	<b>SNH Commissioned Reports:</b> Landscape Character Assessments (SNH, various years)		Y							Y								Y		Y									Y		5		
	<b>SNH Guidance:</b> Assessing the Cumulative Impact of Onshore Wind Energy Developments (SNH, March 2012)							Y																							1		
	<b>SNH Guidance:</b> Assessing the Impact of Small-Scale Wind Energy Proposals on the Natural Heritage (SNH, February 2012)								Y											Y											2		



ANNEX 4: SNH GUIDANCE DOCUMENTS REFERRED TO BY THE PLANNING AUTHORITY IN THEIR RESPONSES

		Removal of gravel bank	Single wind turbine	12 turbine wind farm	Hydro power scheme	PPP for a hospital	Single wind turbine	Single wind turbine	Distillery	Transmission lines	Single wind turbine	Distillery	Meteorological mast	Demolition/erection of houses	Dwellinghouse	Meteorological mast	Shed & access track	13 turbine wind farm	Single wind turbine	9 turbine wind farm	Dwellinghouses & conversion	Mussel farm	Conversion of mill to house	Conversion of steading	Modular office building	Underground slurry tank	Conversion of steading	Two greenhouses	PPP for holiday lodges	4 turbine wind farm	19 turbine wind farm	TOTAL					
		-	-	✓	-	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✗	✓	-	✗	✓	✓	-	✓	✓	✓	✓	✓	✓	✓	✓	✓					
THIR	<b>SNH Service Level Statement:</b> Renewable Energy Service Statement (SNH, March 2011)																																				
LANDSCAPE	<b>SNH Commissioned Report:</b> Visual Representation of Windfarms: Good Practice Guidance (derived from 2002 report by University of Newcastle) (SNH, March 2006)																																	Y	1		
	<b>SNH Commissioned Reports:</b> Landscape Character Assessments (SNH, various years)																																	Y	2		
	<b>SNH Commissioned Report:</b> Public Perceptions of Wild Places & Landscapes in Scotland (SNH, 2008)																																		Y	2	
	<b>SNH Commissioned Report:</b> Public Perceptions of Wild Places & Landscapes in Scotland (SNH, 2008)																																		Y	1	
	<b>SNH Guidance:</b> Assessing the Impact of Small-Scale Wind Energy Proposals on the Natural Heritage (SNH, February 2012)										Y																								Y	1	
	<b>SNH Guidance:</b> Cumulative Effects of Windfarms (SNH, April 2005)																																		Y	1	
	<b>SNH Policy Statement:</b> Wildness in Scotland's Countryside (SNH, 2003)																																		Y	1	
	<b>SNH Policy Statement:</b> Strategic Locational Guidelines for Onshore Wind Farms in Respect to the Natural Heritage (SNH, 2002, updated 2009)							Y																												Y	1
	<b>SNH Publication:</b> Guidance on the Environmental Impacts of Windfarms and Small Scale Hydroelectric Schemes (SNH, 2002)																																		Y	1	
<b>SNH Publication:</b> Siting and Designing Windfarms in the Landscape (SNH, January 2010)																						Y											Y	2			
				1				1														3											8				



**SUMMARY** - SNH guidance documents/resources most referred to by planning authorities:  
**(1) SNH Commissioned Report:** Visual Assessment of Windfarms: Best Practice (University of Newcastle, 2002)  
**(2) SNH Commissioned Reports:** Landscape Character Assessments (SNH, various years)  
**(3) SNH Publication:** Siting and Designing Windfarms in the Landscape (SNH, January 2010)

**Note**  
 The case studies shaded grey did not refer to any guidance documents. It should also be noted that more recently published guidance has been referred to less frequently. All SNH guidance documents/resources were considered in the review but only those which planning authorities referred to are shown in the table.

**NB:** Reviewed Report of Handling & Decision Notices

<b>Dwellinghouses &amp; conversion</b>	Decision notice & report of handling refer to SNH. Should a bat roost be found during construction/demolition, SNH must be contacted. A new Badger Protection Plan must be submitted to SNH for approval prior to construction.
<b>Mussel farm</b>	Decision notice refers to SNH. Any necessary predator control measures must be non-lethal in accordance with guidance provided by SNH.
<b>12 turbine wind farm</b>	Decision notice refers to SNH several times. Peat slide risk assessment, Construction Method Statement, Habitat Management Plan & a method statement for restoration must be completed in consultation with SNH. Officer report refers to SNH guidance.
<b>13 turbine wind farm</b>	Decision notice & report of handling refer to SNH. A Construction Environmental Management Plan/ Method Statement, an Environmental Management Plan and a Restoration Plan must be submitted to the Authority in consultation with SNH.
<b>PPP for a hospital</b>	Decision notice refers to SNH. A Construction Environmental Management Plan/ Method Statement must be submitted to the Authority in consultation with SNH.
<b>Single wind turbine</b>	SNH guidance document referred to as 'material consideration' in the determination of the application.
<b>Distillery</b>	Decision notice & report of handling refer to SNH. A further bat and bird breeding survey must be submitted in consultation with SNH.
<b>Transmission lines</b>	Decision notice & report of handling refer to SNH. SNH must be consulted with in relation to CEMP and pre construction surveys.
<b>Single wind turbine</b>	Report of handling refers to SNH but not to specific guidance.
<b>Meteorological mast</b>	Report of handling refers to SNH but not to specific guidance.
<b>Distillery</b>	Decision notice and report of handling refer to SNH. SNH must be consulted with in relation to CEMP and restoration plan.
<b>Demolition/erection of houses</b>	SNH are not directly referred to in the decision notice but their recommendations are attached as conditions.
<b>Dwellinghouse</b>	SNH are referred to in the report of handling in relation to bats.
<b>9 turbine wind farm</b>	Report of handling refers to SNH several times and to SNH guidance.
<b>Modular office building</b>	Decision notice and report of handling refer to SNH. Development must be carried out with bird breeding season.
<b>Two greenhouses</b>	Decision notice and report of handling refer to SNH. If GCN are found SNH must be contacted immediately.
<b>PPP for holiday lodges</b>	Decision notice and report of handling refer to SNH's recommended mitigation measures.
<b>19 turbine wind farm</b>	PLI Report referred to several SNH guidance documents.

ANNEX 5: SNH GUIDANCE DOCUMENTS REFERRED TO BY DEVELOPERS IN THEIR RESPONSES

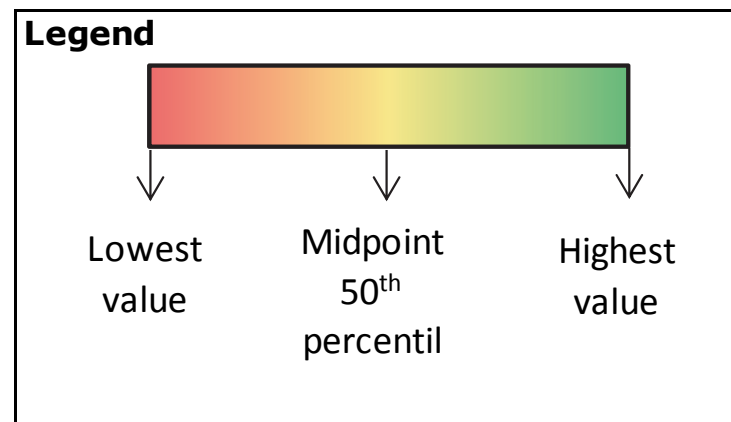
		Removal of gravel bank	Single wind turbine	12 turbine wind farm	Hydro power scheme	PPP for a hospital	Single wind turbine	Single wind turbine	Distillery	Transmission lines	Single wind turbine	Distillery	Meteorological mast	Demolition/erection of houses	Dwellinghouse	Meteorological mast	Shed & access track	13 turbine wind farm	Single wind turbine	9 turbine wind farm	Dwellinghouses & conversion	Mussel farm	Conversion of mill to house	Conversion of steading	Modular office building	Underground slurry tank	Conversion of steading	Two greenhouses	PPP for holiday lodges	4 turbine wind farm	19 turbine wind farm	TOTAL			
		-	-	✓	-	✓	✓	✗	✓	✓	✗	✓	✓	✓	✓	✓	✗	✓	-	✗	✓	✓	-	✓	✓	✓	✓	✓	✓	✓	✓				
PROTECTED SPECIES	<b>SNH Commissioned Report:</b> National Survey of Otter Lutra lutra Distribution in Scotland 2003-2004 (Strachan, 2007)																																1		
	<b>SNH Leaflet:</b> Bats and Human Health (SNH, 2003)																					Y											1		
	<b>SNH Online Publication:</b> Scotland's Wildlife: Badgers & Development (SNH, 2002)				Y			Y														Y												3	
	<b>SNH Online Publication:</b> Scottish Wildlife Series: Otters & Development - Best Practice Guidelines (SNH, 2008)				Y			Y	Y													Y									Y			5	
	<b>SNH Publication:</b> A Five Year Species Action Framework: Making a Difference for Scotland's Species (SNH, 2007)								Y																									1	
	<b>SNH Publication:</b> River Bladnoch SAC: Atlantic Salmon Catchment Management Plan (SNH, 2007)				Y																													1	
	<b>SNH Website:</b> SNHi - Information Service				Y				Y	Y									Y	Y								Y						6	
BIRDS	<b>SNH Commissioned Report:</b> A Review of Disturbance Distances in Selected Bird Species. A Report to SNH (Natural Research Projects Ltd, 2007)																		Y															1	
	<b>SNH Guidance Note:</b> Guidance on Methods for Monitoring Bird Populations at Onshore Wind Farms (SNH, January 2009)																		Y									Y						2	
	<b>SNH Guidance Note:</b> Use of Avoidance Rates in SNH Wind Farm Collision Risk Model: A SNH Avoidance Rate Information and Guidance Note (SNH, September 2010)																		Y																1
	<b>SNH Guidance:</b> Assessing Significance of Impacts from Onshore Windfarms on Birds Outwith Designated Areas (SNH, July 2006)								Y												Y								Y					3	
	<b>SNH Guidance:</b> Windfarms and Birds: Calculating a theoretical collision risk assuming no avoiding action (guidance & spreadsheet) (SNH, 2000)																		Y	Y								Y	Y					4	
	<b>SNH Guidance:</b> Survey Methods for Use in Assessing the Impacts of Onshore Windfarms on Bird Communities (SNH, November 2005, revised December 2010)								Y	Y									Y	Y								Y	Y					6	
	<b>SNH Research Advisory Note:</b> Estimating Collision Risks of Birds with Wind Turbines: An SNH Research Advisory Note (SNH, 2001)			Y																															1



PROTECTED AREAS	<b>SNH Commissioned Report:</b> The Special Landscape Qualities of the National Park (various years)																				1		
	<b>SNH Guidance:</b> Assessing the Impact of Small-Scale Wind Energy Proposals on the Natural Heritage (SNH, February 2012)																					1	
	<b>SNH Guidance:</b> Guidance for Competent Authorities when Dealing with Proposals Affecting SAC Freshwater Sites (SNH, 2006)	Y																					1
	<b>SNH Publication:</b> Bogs: The Ecology, Classification and Conservation of Ombrotrophic Mires (SNH, 1995)		Y																				1
	<b>SNH Site Management Statement:</b> Abbey St Bathans Woodlands Site of Special Scientific Interest: Site Management Statement (SNH, 2010)																						1
	<b>SNH Website:</b> SNH Sitelink	Y			Y						Y												5
	<b>SNH Website:</b> SNHi - Information Service		Y	Y	Y			Y	Y						Y								8
OTHER	<b>SNH Guidance Note:</b> Windfarms & Carbon Savings (SNH, June 2003)																						2
	<b>SNH Map:</b> SNH Windfarm Footprint Map (various years)																						1
	<b>SNH Publication:</b> A Handbook on Environmental Impact Assessment (SNH, 2005, revised 2009 and 2011)		Y				Y								Y								3
	<b>SNH Publication:</b> Natural Heritage Assessment of Small Scale Wind Energy Projects which do not Require Formal Environmental Impact Assessment (SNH, 2008)								Y														1
	<b>SNH Service Level Statement:</b> Renewable Energy Service Statement (SNH, March 2011)		Y												Y	Y							3
LANDSCAPE	<b>SNH Commissioned Report:</b> Visual Assessment of Windfarms: Best Practice (University of Newcastle, 2002)																						2
	<b>SNH Commissioned Report:</b> Visual Representation of Windfarms: Good Practice Guidance (derived from 2002 report by University of Newcastle) (SNH, March 2006)		Y					Y														Y	5
	<b>SNH Commissioned Reports:</b> Landscape Character Assessments (SNH, various years)		Y		Y			Y	Y						Y							Y	8
	<b>SNH Guidance:</b> Assessing the Impact of Small-Scale Wind Energy Proposals on the Natural Heritage (SNH, February 2012)																						1
	<b>SNH Guidance:</b> Cumulative Effects of Windfarms (SNH, April 2005)														Y	Y							5



<p><b>SNH Policy Statement:</b> Strategic Locational Guidelines for Onshore Wind Farms in Respect to the Natural Heritage (SNH, 2002, updated 2009)</p> <p><b>SNH Publication:</b> Guidance on the Environmental Impacts of Windfarms and Small Scale Hydroelectric Schemes (SNH, 2002)</p> <p><b>SNH Publication:</b> Siting and Designing Windfarms in the Landscape (SNH, January 2010)</p>																		
				Y						Y		Y				Y	Y	<b>5</b>
			Y			Y				Y		Y					Y	<b>5</b>
										Y		Y					Y	<b>3</b>
<b>2</b>		<b>8 5 4</b>			<b>2 9 9 1</b>			<b>16</b>			<b>16 1</b>			<b>5 8 12</b>				



**Note**

The case studies shaded grey did not refer to any SNH guidance documents. It should also be noted that more recently published guidance has been referred to less frequently.

**SUMMARY** - SNH guidance documents/resources most referred to by developers:

- (1) **SNH Commissioned Reports:** Landscape Character Assessments (SNH, various years)
- (2) **SNH Website:** SNHi - Information Service (referring to protected areas)
- (3) **SNH Guidance:** Survey Methods for Use in Assessing the Impacts of Onshore Windfarms on Bird Communities (SNH, November 2005, revised December 2010)
- (4) **SNH Website:** SNHi - Information Service (referring to protected species)
- (5) **SNH Online Publication:** Scottish Wildlife Series: Otters & Development - Best Practice Guidelines (SNH, 2008)
- (6) **SNH Website:** SNH Sitelink
- (7) **SNH Commissioned Report:** Visual Representation of Windfarms: Good Practice Guidance (derived from 2002 report by University of Newcastle) (SNH, March 2006)
- (8) **SNH Guidance:** Cumulative Effects of Windfarms (SNH, April 2005)
- (9) **SNH Policy Statement:** Strategic Locational Guidelines for Onshore Wind Farms in Respect to the Natural Heritage (SNH, 2002, updated 2009)
- (10) **SNH Publication:** Guidance on the Environmental Impacts of Windfarms and Small Scale Hydroelectric Schemes (SNH, 2002)

ANNEX 6: DEVELOPMENT MANAGEMENT ASSESSMENT FRAMEWORK

Assessment framework – Development Management

Stage		Screening	Pre-application			Application			Post application – decision making			Likely outcome for natural heritage <sup>7</sup> and extent of SNH influence <sup>8</sup>	Approx. SNH time input	
			Pre-application discussion	Scoping report	Assessment process	Application			Decision	Appeal inquiry	Reporter / Scottish Minister decision			
<b>Date</b>				Apr 2009	Aug 2009	Sept 09				Jun 10		Mar 13		
<b>Key interventions</b>						SNH does not object but strongly recommends conditions. Neighbouring local authority <b>object</b> and RSPB <b>object</b>		RSPB withdraws objection		PLI triggered by objection from neighbouring authority				
<b>Who is the advice for?</b>			Developer											
<b>Is the advice formal or informal?</b>			<i>Informal</i>	<i>Formal</i>	<i>Informal</i>									
<b>Summary of scheme changes</b>												Removal of 3 turbines		
<b>Issues</b>	<b>BIODIVERSITY</b>	Effects on all biodiversity?		<i>Recommend use of SNH guidance for assessing the impact of onshore wind farms on bird communities</i>		<i>Bird survey methodology follows SNH guidance. Recommends <b>planning condition</b> for no construction work during bird breeding season</i>		<i>RSPB Scotland <b>objects</b> to this proposal based on insufficient detail on collision risk for Peregrine. Requests <b>additional information</b>.</i>	<i>RSPB withdraw objection based on additional information. Seeks <b>planning conditions</b> to protect bird habitat and minimise turbine collision risk.</i>				<i>Planning condition 13 <b>protects</b> breeding birds. Removal of 3 turbines <b>reduces</b> impacts on birds.</i>	
		Integrity of protected areas?			<i>Identify need for AA</i>	<i>Identify need for AA</i>	<i>Requested additional detail in ES and Appropriate Assessment on impacts on River Tweed SAC</i>							<i>Planning condition 2, 3 and 12 all related to protection of River Tweed SAC. HRA identified no adverse</i>

<sup>7</sup> Assumes planning conditions correctly applied, where relevant

<sup>8</sup> In terms of protect, minimise loss and enhancement

														effects on integrity of River Tweed SAC.			
		Effects on protected species?															
	LANDSCAPE	Effect on protected landscapes?															
		Effects on all landscapes and environmental quality?						Identifies significant adverse effects on local landscape character. Recommends that consideration is given to the omission/ relocation of three turbines. Refers to SNH best practice <b>guidance</b> Constructed Tracks in the Scottish Uplands (2005)	Neighbouring local authority <b>objects</b> on grounds of visual, landscape and cumulative effects							Removal of 3 turbines <b>reduces</b> visual impact.	
		Effect on opportunities for people to enjoy the outdoors?															
	PUBLIC ENJOYMENT	Effects on quality of places to live?															
		Effects on land, water or soils?															
	SUSTAINABILITY	Climate change mitigation?															
		Climate change adaptation?															
		Effect on the marine environment?															

**ANNEX 7: DEVELOPMENT PLANNING ASSESSMENT FRAMEWORK: LOCAL DEVELOPMENT PLANS**

Notes for users: It is recommended that this is used as a 'work in progress' document prior to the final evaluation of the LDP. Please note any key issues as you respond to the plan in order to provide prompts for the evaluation of SNH influence on the outcome.

PLAN NAME	DATE ADOPTED	DATE OF EVALUATION	EVALUATOR	SNH STAFF ENGAGED IN PLAN-MAKING	
<p>Plan Policy/ Section/ Topic - The expression 'plan' here includes the plan itself and any other relevant adopted supplementary guidance. You may also refer to action programme content if relevant.</p>	<p>SNH outcomes sought</p>	<p>Extent to which outcome was met: Red (not met), Amber (partly), Green (fully)</p>	<p>Level of influence SNH had on the outcome: Low, Med, High</p>	<p>Comment: (Consider addressing some of the following questions):</p> <ol style="list-style-type: none"> <li>1. What aspect of SNH involvement was most influential on achieving the outcome? (e.g. reference to guidance, reference to advice, through formal responses, through informal consultation).</li> <li>2. At what stage/s in the plan making process was SNH most influential? (Evidence Base, Monitoring Statement, Pre-MIR input, SEA, HRA, MIR Response, Pre-proposed plan, Proposed plan representation, Pre-examination input, Examination)</li> <li>3. To what extent did SNH use expertise from PAD/Area?</li> <li>4. If SNH weren't influential, why not – was SNH an active partner or just a consultee?</li> <li>5. If outcome fully achieved, would it have happened without SNH input?</li> </ol>	<p>How could the next plan be improved in relation to this outcome?</p>
<p><b>Vision</b></p>	<p>The vision is place-specific and recognises that good management of natural assets is integral to achieving the vision.</p>				
<p><b>Spatial Strategy</b></p>	<p>The spatial strategy is likely to achieve a sustainable balance of environmental and other objectives.</p>				
<p><b>Green Network</b></p>	<p>There is a clear spatial representation of existing green-networks and opportunities for enhancement.</p>				
	<p>There is a clear policy that protects and enhances existing green-networks. The requirements for green infrastructure are incorporated into new places and links with existing green-networks are clearly identified.</p>				
<p><b>Soils and Peatlands</b></p>	<p>Areas of carbon rich soil are spatially represented in the plan. There are clear policies to protect carbon rich soil.</p>				
<p><b>Landscape protection</b></p>	<p>There is clear spatial representation of NSAs, Local Landscape Designations and (where relevant) Core Areas of Wild Land Character.</p>				
	<p>There are policies which provide appropriate levels of protection for NSAs, Local Landscape Designations &amp; (where relevant) Core Areas of Wild Land Character.</p>				

Notes for users: It is recommended that this is used as a 'work in progress' document prior to the final evaluation of the LDP. Please note any key issues as you respond to the plan in order to provide prompts for the evaluation of SNH influence on the outcome.

PLAN NAME	DATE ADOPTED	DATE OF EVALUATION	EVALUATOR	SNH STAFF ENGAGED IN PLAN-MAKING	
<p>Plan Policy/ Section/ Topic - The expression 'plan' here includes the plan itself and any other relevant adopted supplementary guidance. You may also refer to action programme content if relevant.</p>	<p>SNH outcomes sought</p>	<p>Extent to which outcome was met: Red (not met), Amber (partly), Green (fully)</p>	<p>Level of influence SNH had on the outcome: Low, Med, High</p>	<p>Comment: (Consider addressing some of the following questions):</p> <ol style="list-style-type: none"> <li>1. What aspect of SNH involvement was most influential on achieving the outcome? (e.g. reference to guidance, reference to advice, through formal responses, through informal consultation).</li> <li>2. At what stage/s in the plan making process was SNH most influential? (Evidence Base, Monitoring Statement, Pre-MIR input, SEA, HRA, MIR Response, Pre-proposed plan, Proposed plan representation, Pre-examination input, Examination)</li> <li>3. To what extent did SNH use expertise from PAD/Area?</li> <li>4. If SNH weren't influential, why not – was SNH an active partner or just a consultee?</li> <li>5. If outcome fully achieved, would it have happened without SNH input?</li> </ol>	<p>How could the next plan be improved in relation to this outcome?</p>
	<p>Policies set the context for well-managed landscape change based on analysis of landscape character and capacity.</p>				
<p><b>Biodiversity</b></p>	<p>International, National and Local Nature Conservation Sites (including geodiversity) are shown on a map that forms part of the adopted plan.</p> <p>There are suitable policies that will achieve appropriate levels of protection for International, National and Local Nature Conservation Sites (including geodiversity)</p> <p>The Planning Authority has demonstrated that the plan will have no adverse effect on the integrity of any Natura site.</p> <p>Policies provide appropriate levels of protection for protected species.</p> <p>There is a requirement for developments to achieve benefits for species and habitat biodiversity.</p> <p>Policies enable the planning authority to seek developer contributions to fund biodiversity enhancements.</p> <p>Policies likely to achieve appropriate protection and enhancement of trees and woodlands as set out in SG Control of Woodland Removal Policy.</p>				

Notes for users: It is recommended that this is used as a 'work in progress' document prior to the final evaluation of the LDP. Please note any key issues as you respond to the plan in order to provide prompts for the evaluation of SNH influence on the outcome.

PLAN NAME	DATE ADOPTED	DATE OF EVALUATION	EVALUATOR	SNH STAFF ENGAGED IN PLAN-MAKING	
<p>Plan Policy/ Section/ Topic - The expression 'plan' here includes the plan itself and any other relevant adopted supplementary guidance. You may also refer to action programme content if relevant.</p>	<p>SNH outcomes sought</p>	<p>Extent to which outcome was met: Red (not met), Amber (partly), Green (fully)</p>	<p>Level of influence SNH had on the outcome: Low, Med, High</p>	<p>Comment: (Consider addressing some of the following questions):</p> <ol style="list-style-type: none"> <li>1. What aspect of SNH involvement was most influential on achieving the outcome? (e.g. reference to guidance, reference to advice, through formal responses, through informal consultation).</li> <li>2. At what stage/s in the plan making process was SNH most influential? (Evidence Base, Monitoring Statement, Pre-MIR input, SEA, HRA, MIR Response, Pre-proposed plan, Proposed plan representation, Pre-examination input, Examination)</li> <li>3. To what extent did SNH use expertise from PAD/Area?</li> <li>4. If SNH weren't influential, why not – was SNH an active partner or just a consultee?</li> <li>5. If outcome fully achieved, would it have happened without SNH input?</li> </ol>	<p>How could the next plan be improved in relation to this outcome?</p>
<p><b>Renewables</b></p>	<p>The Spatial Framework identifies Areas of Search for windfarms at a range of scales and is supported by good evidence base (Landscape Character Assessment/ constraints mapping/ HRA where required).</p> <p>The criteria and principles governing the design and location of windfarm/ turbine proposals are clearly set out.</p>				
<p><b>Climate Change</b></p>	<p>The plan supports climate change mitigation measures such as low carbon energy generation and sustainable transport.</p> <p>The plan supports climate change adaptation measures such as flood management, planning to avoid future flood risk or areas at risk of erosion.</p>				
<p><b>Place making and the role of natural heritage</b></p>	<p>There is a strong emphasis on the importance of good design and place-making and the contribution of the natural heritage (including green infrastructure) to making good distinctive places.</p> <p>Site allocations are presented as map based development briefs that set out a broad spatial vision (one that responds to the attributes of a site and its surroundings), the natural heritage issues that need to be addressed and the developer requirements needed to deliver the vision.</p>				

Notes for users: It is recommended that this is used as a 'work in progress' document prior to the final evaluation of the LDP. Please note any key issues as you respond to the plan in order to provide prompts for the evaluation of SNH influence on the outcome.

PLAN NAME	DATE ADOPTED	DATE OF EVALUATION	EVALUATOR	SNH STAFF ENGAGED IN PLAN-MAKING	
<p>Plan Policy/ Section/ Topic - The expression 'plan' here includes the plan itself and any other relevant adopted supplementary guidance. You may also refer to action programme content if relevant.</p>	<p>SNH outcomes sought</p>	<p>Extent to which outcome was met: Red (not met), Amber (partly), Green (fully)</p>	<p>Level of influence SNH had on the outcome: Low, Med, High</p>	<p>Comment: (Consider addressing some of the following questions):</p> <ol style="list-style-type: none"> <li>1. What aspect of SNH involvement was most influential on achieving the outcome? (e.g. reference to guidance, reference to advice, through formal responses, through informal consultation).</li> <li>2. At what stage/s in the plan making process was SNH most influential? (Evidence Base, Monitoring Statement, Pre-MIR input, SEA, HRA, MIR Response, Pre-proposed plan, Proposed plan representation, Pre-examination input, Examination)</li> <li>3. To what extent did SNH use expertise from PAD/Area?</li> <li>4. If SNH weren't influential, why not – was SNH an active partner or just a consultee?</li> <li>5. If outcome fully achieved, would it have happened without SNH input?</li> </ol>	<p>How could the next plan be improved in relation to this outcome?</p>
<p><b>Minerals</b></p>	<p>Where relevant, Areas of Search for minerals are identified based on a good environmental evidence base with a sustainable balance between environmental and other objectives.</p> <p>Policies will ensure robust mitigation and guarantee long term restoration of minerals sites.</p>				
<p><b>Recreation and Access</b></p>	<p>Active travel networks (including Core Paths) and opportunities for enhancement are represented spatially.</p> <p>Policies protect active travel networks (including Core Paths) and ensure they are incorporated within new development.</p> <p>Policies ensure access rights are upheld during and after development activity.</p>				
<p><b>Summary Assessment</b></p>	<p>Comments (Consider addressing some of the following questions):</p> <ol style="list-style-type: none"> <li>1. What aspect of our involvement was most influential on achieving the outcome? (e.g. reference to guidance, reference to advice, through formal responses, through informal consultation).</li> <li>2. At what stage/s in the plan making process were we most influential? (Evidence Base, Monitoring Statement, Pre-MIR input, SEA, HRA, MIR Response, Pre-proposed plan, Proposed plan representation, Pre-examination input, Examination)</li> <li>3. To what extent did we use expertise from PAD/Area?</li> <li>4. If we weren't influential, why not - were we an active partner or just a consultee?</li> <li>5. Of the outcomes that were fully achieved, which would have happened without SNH input?</li> </ol>				
<p><b>Key Areas of Improvement for Next Plan</b></p>	<p>Comment on plan content and/or way of working/ engagement. Where was time wasted? Where was time well spent?</p>				



**ANNEX 8: DEVELOPMENT PLANNING ASSESSMENT FRAMEWORK: STRATEGIC DEVELOPMENT PLANS**

STRATEGIC DEVELOPMENT PLAN NAME	DATE ADOPTED	DATE OF EVALUATION	EVALUATOR	SNH STAFF ENGAGED IN PLAN-MAKING	
<p>Plan Policy/ Section/ Topic - The expression 'plan' here includes the plan itself and any other relevant adopted supplementary guidance. You may also refer to action programme content if relevant.</p>	<p>SNH outcomes sought</p>	<p>Extent to which outcome was met: Red (not met), Amber (partly), Green (fully)</p>	<p>Level of influence SNH had on the outcome: Low, Med, High</p>	<p>Comment: (Consider addressing some of the following questions):</p> <ol style="list-style-type: none"> <li>1. What aspect of our involvement was most influential on achieving the outcome? (e.g. reference to guidance, reference to advice, through formal responses, through informal consultation).</li> <li>2. At what stage/s in the plan making process were we most influential? (Evidence Base, Monitoring Statement, Pre-MIR input, SEA, HRA, MIR Response, Pre-proposed plan, Proposed plan representation, Pre-examination input, Examination)</li> <li>3. To what extent did we use expertise from PAD/Area?</li> <li>4. If we weren't influential, why not - were we an active partner or just a consultee?</li> <li>5. If outcome fully achieved, would it have happened without SNH input?</li> </ol>	<p>How could the next plan be improved in relation to this outcome?</p>
<p><b>Vision</b></p>	<p>The vision is place-specific and recognises that good management of natural assets is integral to achieving the vision.</p>				
<p><b>Spatial Strategy</b></p>	<p>The spatial strategy is likely to achieve a sustainable balance of environmental and other objectives.</p>				
<p><b>Green Network</b></p>	<p>There is a clear spatial representation of existing green-networks (including cross boundary) and opportunities for enhancement are identified.</p> <p>There is a clear policy or statement that protects and enhances existing green-networks and directs LDPs to provide a more detailed spatial framework.</p>				
<p><b>Landscape protection</b></p>	<p>There is clear spatial representation or recognition in policy/text of NSAs and (where relevant) Core Areas of Wild Land Character.</p> <p>Key regional and cross boundary landscape features are recognised and /or spatially represented. Policy framework will enable a more consistent approach (at LDP scale) to managing change affecting such assets.</p>				
<p><b>Biodiversity</b></p>	<p>International and national designated sites are shown on a map that forms part of the adopted plan, or are included in policy/text for protection.</p>				

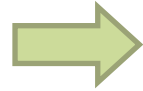


STRATEGIC DEVELOPMENT PLAN NAME	DATE ADOPTED	DATE OF EVALUATION	EVALUATOR	SNH STAFF ENGAGED IN PLAN-MAKING	
	<p>The plan supports the conservation of wider biodiversity in the area.</p> <p>The SDPA has demonstrated that the plan will have no adverse effect on the integrity of any Natura site.</p>				
<b>Renewables</b>	<p>The plan sets out a clear spatial strategy for wind energy which identifies the capacity for onshore wind farm developments including considering cumulative impact pressures, or provides strategic spatial direction for locational strategies for LDPs.</p>				
<b>Climate Change</b>	<p>The plan supports climate change mitigation measures such as low carbon energy generation and sustainable transport.</p> <p>The plan supports climate change adaptation measures such as flood management, planning to avoid future flood risk or areas at risk of coastal erosion.</p> <p>The plan takes a strategic overview where relevant to natural coastal processes in the consideration of the location of coastal developments and opportunities for managed coastal realignment.</p>				
<b>Place Making and the Role of Natural Heritage</b>	<p>There is a strong emphasis on the importance of good design and place-making and the contribution of the natural heritage (including green infrastructure) to making good distinctive places.</p>				
<b>Minerals</b>	<p>The plan either includes a spatial framework for aggregates workings to serve the strategic city region area, based on sound environmental evidence base, or sets out the aggregate supply requirements that LDPs should provide, which takes account of differing environmental constraints.</p>				
<b>Recreation and Access</b>	<p>The plan identifies long distance routes and trails, and provides a positive framework for the development of other long distance trails (including as part of the national network if identified as a national development in NPF3).</p>				

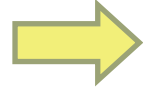
STRATEGIC DEVELOPMENT PLAN NAME	DATE ADOPTED	DATE OF EVALUATION	EVALUATOR	SNH STAFF ENGAGED IN PLAN-MAKING	
<b>Summary Assessment</b>	<p>Comments (Consider addressing some of the following questions):</p> <ol style="list-style-type: none"> <li>1. What aspect of our involvement was most influential on achieving the outcome? (e.g. reference to guidance, reference to advice, through formal responses, through informal consultation).</li> <li>2. At what stage/s in the plan making process were we most influential? (Evidence Base, Monitoring Statement, Pre-MIR input, SEA, HRA, MIR Response, Pre-proposed plan, Proposed plan representation, Pre-examination input, Examination)</li> <li>3. To what extent did we use expertise from PAD/Area?</li> <li>4. If we weren't influential, why not - were we an active partner or just a consultee?</li> <li>5. Of the outcomes that were fully achieved, which would have happened without SNH input?</li> </ol>				
<b>Key Areas of Improvement for Next Plan</b>	<p>Comment on plan content and/or way of working/ engagement. Where was time wasted? Where was time well spent?</p>				

**ANNEX 9: CASE STUDY SUMMARIES**

Key to colour coding in diagrams:



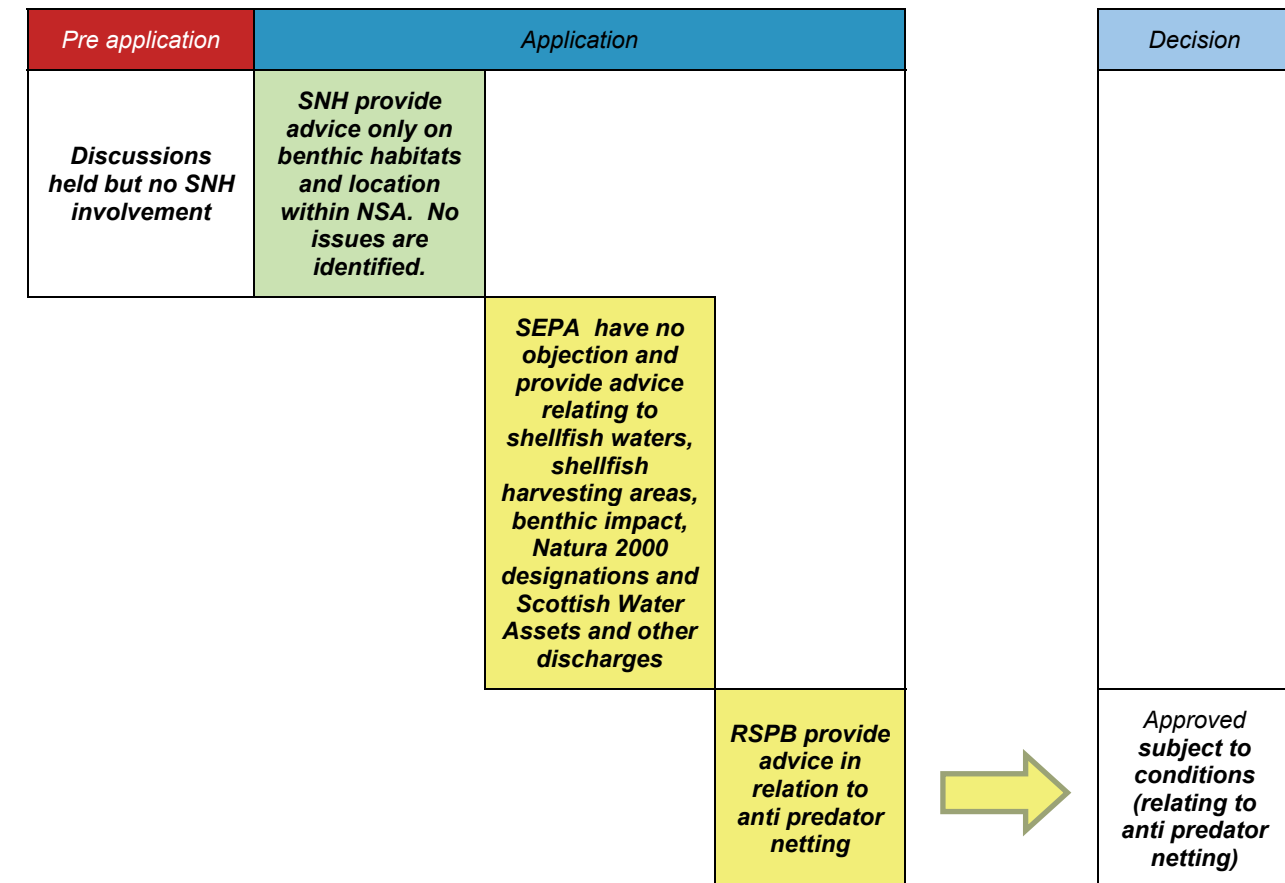
Green arrows denote SNH influence



Yellow arrows denote other influence

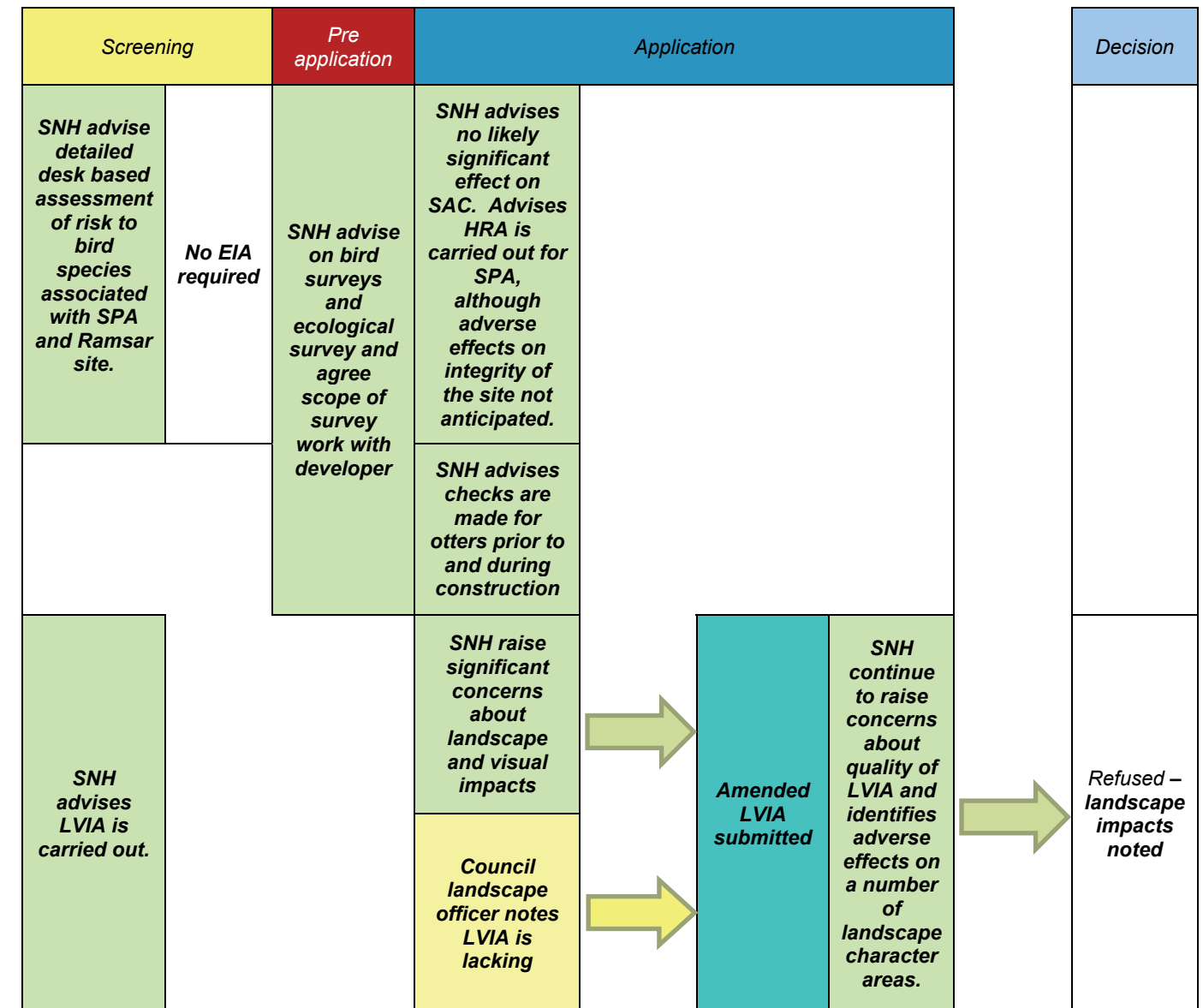
## Case study 1: Modification of an existing mussel farm site, Shetland

<b>Development description</b>	Modification of an existing mussel farm site
<b>Summary</b>	<p>SNH were consulted but did not raise any significant natural heritage issues in relation to this application.</p> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>“SNH provided clear advice and a thorough appraisal of the impacts”.</li> <li>“As the case was relatively straightforward with no constraints or objections, SNH did not influence the decision greater than any other stakeholder consulted”.</li> <li>“Recently SNH have taken a back seat with certain straightforward cases, only commenting on more complex cases allowing the planning authority more control over the outcome of the decision”.</li> </ul> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>“Useful to be involved in pre-application discussions for some cases although as this was a relatively small and straightforward case there is nothing that SNH could have said that would be of any further use to the developer when submitting the application”.</li> <li>“SNH had no influence on the outcome of the decision as there were no significant natural heritage issues”.</li> </ul>
<b>Key quotes</b>	
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>Biodiversity (benthic habitats)</li> <li>Impact on protected landscape (NSA)</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Not significant
<b>Planning outcome</b>	Application approved subject to conditions (relating to anti-predator netting)
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	Low (no significant natural heritage issues identified)
<b>Approx. SNH time input</b>	Medium



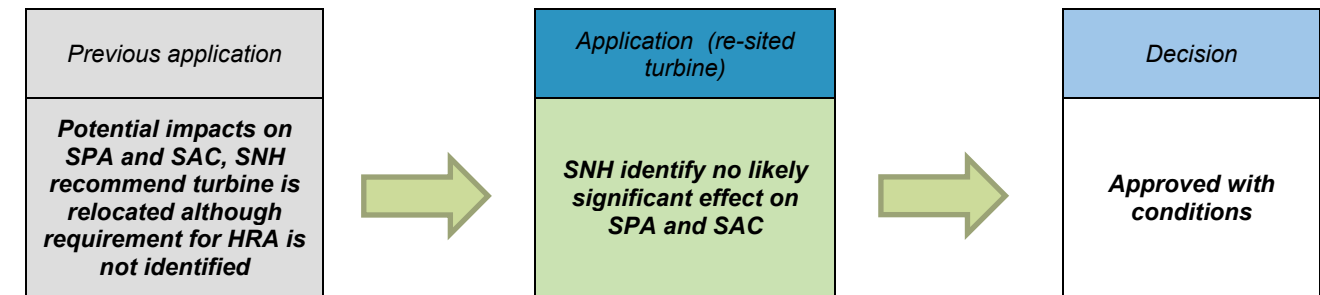
**Case study 2: Erection of a single wind turbine, Sutherland**

<b>Development description</b>	Erection of a single turbine to 78m
<b>Summary</b>	SNH had a history of involvement in the site which had been subject to previous wind farm applications. Although not framed as an objection, the strength of SNH wording was influential in the council decision to refuse the application.
<b>Key quotes</b>	<p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>“SNH’s strong wording was almost seen as an objection although not worded as such the Committee viewed it as that”.</li> <li>“A close working relationship with SNH helped to reach a quick, effective outcome”</li> </ul> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>“SNH comments made a significant difference to the decision and this was reinforced by the Council’s landscape officer who raised similar issues to SNH”.</li> <li>“SNH were providing advice but the developer wasn’t responding appropriately”</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>Protected species: Potential impacts on European Protected Species;</li> <li>Protected areas: Potential impacts on SAC and SPA;</li> <li>Protected landscapes: Lack of assessment of impact on local landscape designations;</li> <li>All landscapes: Poor assessment process relating to LVIA.</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Internationally and nationally significant
<b>Planning outcome</b>	Application refused
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good - significant landscape issues identified and informed councils decision making
<b>Extent of SNH influence on the planning process</b>	High
<b>Approx. SNH time input</b>	High



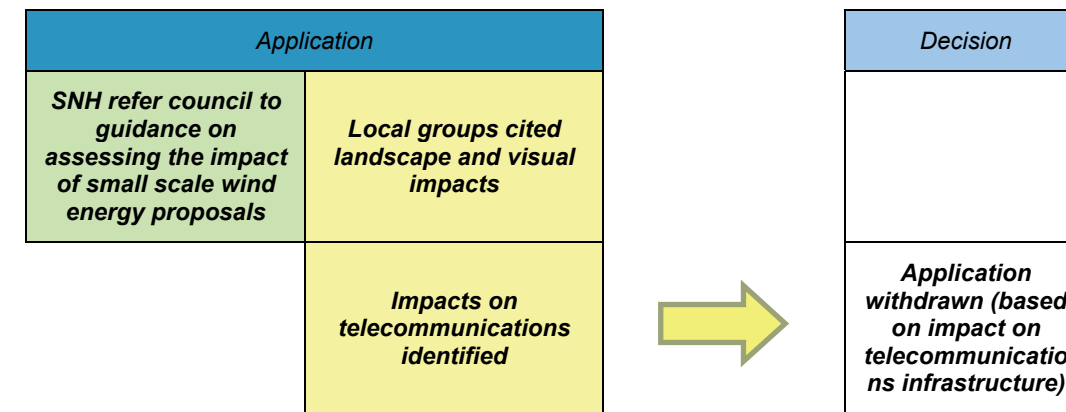
### Case study 3: Erection of a single wind turbine, Orkney

<b>Development description</b>	Re-consultation on erection of a single wind turbine
<b>Summary</b>	SNH were not involved in pre-application discussions which would have identified the significant natural heritage issues. These were only identified through the planning application and the turbine was subsequently relocated and the application resubmitted.
<b>Key quotes</b>	<p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>“SNH’s involvement at the pre-application stage, however informal, would have been greatly beneficial in this case. SNH would have flagged up the potential natural heritage issues and these could have been addressed prior to the application being submitted”</li> <li>“SNH had a strong influence on the outcome of the application and changes to the design as the decision to relocate the single turbine was solely based on SNH’s advice”.</li> </ul> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>“It would have been advantageous for all parties concerned if SNH were consulted at an earlier stage in the process”.</li> <li>“SNH have greatly influenced this application as their advice has relocated the single turbine”.</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>Protected areas: Potential impacts on SPA and SAC</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Internationally significant
<b>Planning outcome</b>	Approved with conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	High
<b>Approx. SNH time input</b>	Medium



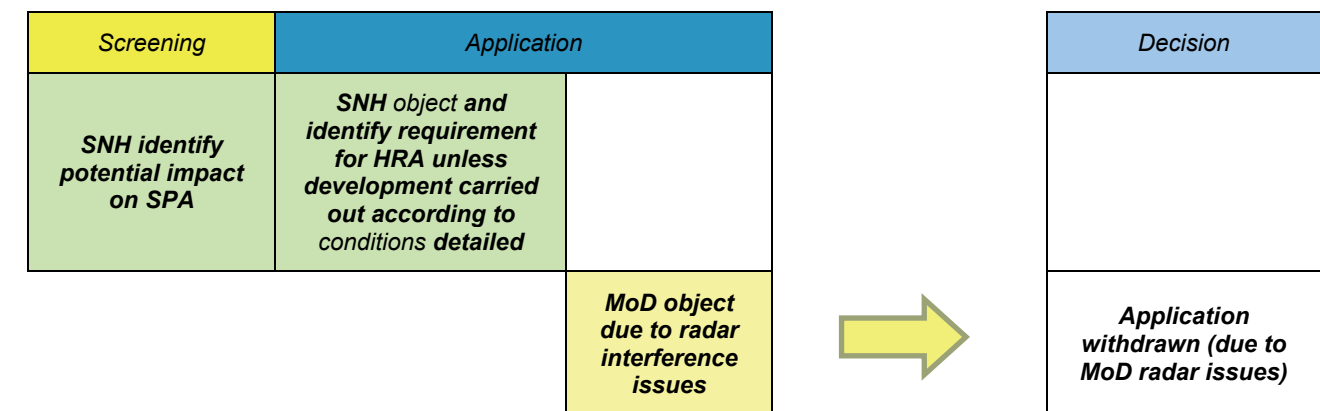
#### Case study 4: Erection of a single wind turbine, Midlothian

<b>Development description</b>	Erection of a single wind turbine (45m)
<b>Summary</b>	<p>SNH had been consulted on a previous application for the site, prior to the publication of the SNH Service Statement and therefore had a history of involvement which led to the consultation on a single turbine less than 50m in height, although no issues were raised by SNH.</p> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>“SNH’s input when received is helpful and particularly valued as the Council have limited internal expertise in relation to natural heritage issues”.</li> <li>“SNH are consulted on these applications purely as a safety net and to provide the Council with reassurance regarding natural heritage issues”.</li> </ul> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>“I do not believe that SNH’s advice influenced the outcome of the proposal as our response was one of ‘no comment’”.</li> </ul>
<b>Key quotes</b>	
<b>SNH position (initial and final)</b>	No comment
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>All landscapes</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Not significant
<b>Planning outcome</b>	Application withdrawn (on non-natural heritage grounds)
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	Neutral
<b>Approx. SNH time input</b>	Low



## Case study 5: Erection of a single wind turbine, South Uist

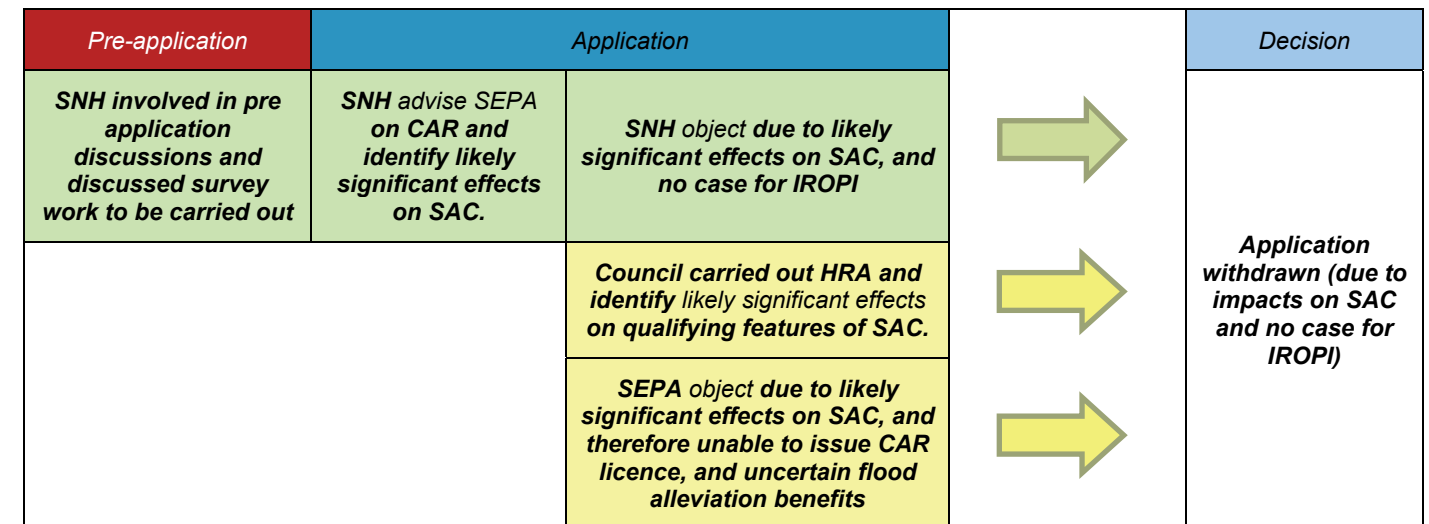
<b>Development description</b>	Erection of a single wind turbine (15m)
<b>Summary</b>	<p>SNH identified that the development would be acceptable with simple mitigation, but because of the potential impacts on the SPA this had to be presented as a conditioned objection. SNH are now working with the planning authority to ensure mitigation wording is included within applications as they are submitted. The application was withdrawn due to impacts on radar.</p> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>“The impacts and the mitigation measures SNH requested were clearly explained in their consultation response”.</li> <li>“SNH did not have any influence in the decision to withdraw the application. The withdrawal solely related to the radar interference”.</li> </ul> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>“SNH were involved in pre-application discussions but this did not highlight any key concerns because impacts on the SPA can be mitigated by the inclusion of straightforward conditions to mitigate potential impacts”</li> </ul>
<b>Key quotes</b>	
<b>SNH position (initial and final)</b>	Conditioned objection
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>Protected areas: SPA</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Internationally significant
<b>Planning outcome</b>	Application withdrawn
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	Neutral
<b>Approx. SNH time input</b>	Low





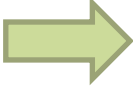

## Case study 6: Removal of a gravel bank, Angus

<b>Development description</b>	Proposed removal of a gravel bank for flood alleviation
<b>Summary</b>	SNH were involved in pre-application discussions which informed early survey work relating to both the SAC and flood alleviation benefits of the scheme. As the work progressed it became clear that the scheme had adverse effects on the SAC and would not achieve flood alleviation benefits, resulting in the application being withdrawn.
<b>Key quotes</b>	<p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>“SNH comments were integral in identifying the impact of the development on the SAC”.</li> <li>“SNH had a high level of influence on the final decision by the council to withdraw the application”</li> </ul> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>“It was beneficial for SNH to be involved at the pre application stage, because it ensured the relevant surveys were undertaken”</li> </ul>
<b>SNH position (initial and final)</b>	Outright objection
<b>Natural heritage issues commented on</b>	Protected areas: SAC
<b>Scale and complexity of natural heritage issues commented on</b>	Internationally significant
<b>Planning outcome</b>	Application withdrawn
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Good
<b>Extent of SNH influence on the planning process</b>	High
<b>Approx. SNH time input</b>	High



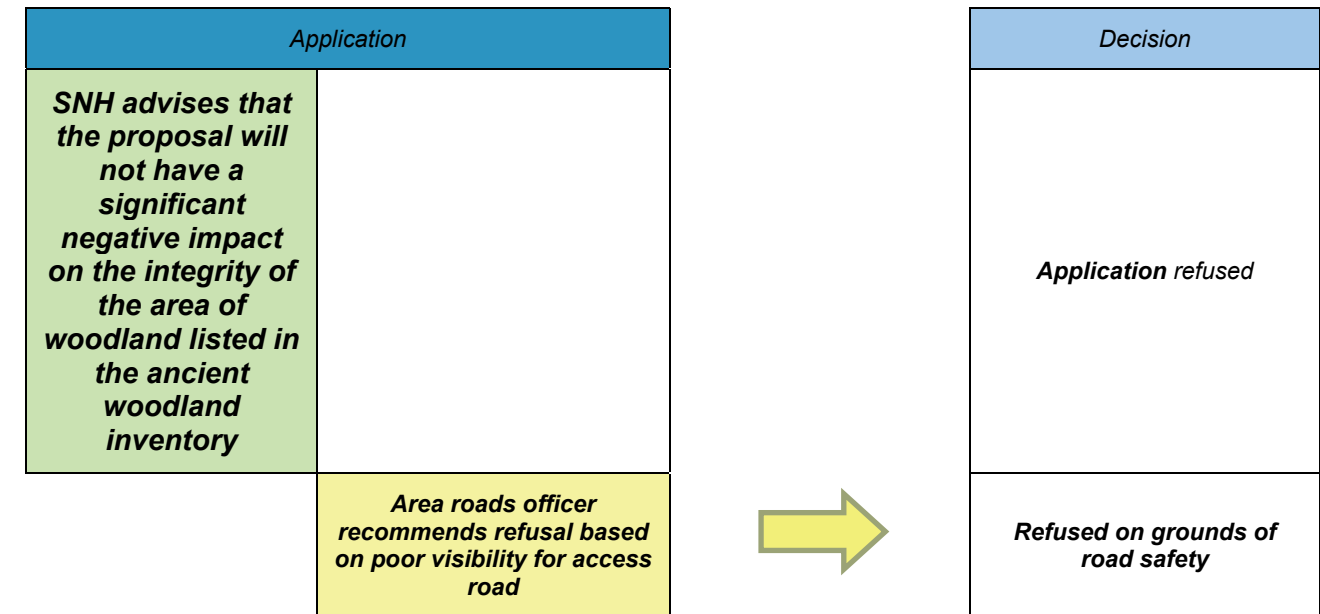
## Case study 7: 12 turbine wind farm, South Lanarkshire

<b>Development description</b>	Wind farm (12 turbines)
<b>Summary</b>	<p>SNH were involved in pre application discussions but these had limited influence. The majority of SNH's recommendations were taken on board and reflected in planning conditions; however some concern was raised over consideration of peat depths post application, rather than prior to consent.</p>
<b>Key quotes</b>	<p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>• <i>Good working relationship between SNH and the developer to iron out the problems during the application stage resulting in a positive outcome for both parties</i>.</li> <li>• <i>"SNH provided clear advice and a thorough appraisal of the impacts"</i>.</li> <li>• <i>"SNH definitely added value to the planning authority's response"</i>.</li> <li>• <i>"SNH's appraisal of the impacts and their advice alleviated a lot of concerns that objectors had"</i>.</li> </ul> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>• <i>"SNH were disappointed to see that many of the points in their scoping response were not addressed in the ES"</i>.</li> <li>• <i>"Not the best outcome for SNH"</i>.</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>• All biodiversity</li> <li>• All landscapes: landscape and visual impacts</li> <li>• Protected species: Otter, bat, badger, water vole, breeding birds</li> <li>• Land, water or soils: Peat</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally significant
<b>Planning outcome</b>	Approved with conditions Conditions (relating to natural heritage successfully discharged)
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Good
<b>Extent of SNH influence on the planning process</b>	Medium
<b>Approx. SNH time input</b>	High

Pre-application	Scoping	Application					Decision
<p><i>Discussion of assessment approach and methodologies between developer and SNH</i></p>	<p><i>SNH note habitat and protected species surveys.</i></p>	<p><i>SNH request species protection plans and development of a HMP.</i></p>	<p><i>SNH advise a revised assessment of impacts on hen harriers is carried out.</i></p>	<p><i>A breeding bird protection plan will be developed on SNH's advice</i></p>	<p><i>SNH notes comments on species protection plans and HMP have been taken into account. SNH welcome mitigation measures to offset impacts on hen harriers.</i></p>		<p><i>Approved with conditions relating to Habitat Management Plan, Protected Species protection plans, peat slide risk assessment and construction method statement</i></p>
	<p><i>SNH note landscape and visual impacts</i></p>						
		<p><i>SNH note peat slide issues</i></p>	<p><i>SNH request peat slide risk assessment inconsistencies are addressed.</i></p>		<p><i>SNH concern that peat slide assessment is inadequate</i></p>		

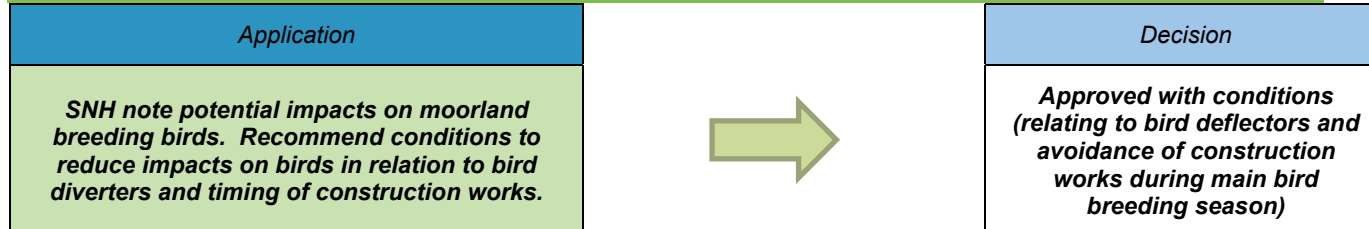
### Case study 8: Shed and access track, Argyll and Bute

<b>Development description</b>	Erection of a shed and formation of an access track
<b>Summary</b>	SNH provided advice because the development affected ancient woodland and the application included a tree plan, and these were areas the planning authority did not feel able to cover. The application was refused on road safety grounds. <b>Planning officer:</b> <ul style="list-style-type: none"> <li>“SNH’s response didn’t form a massive part in the decision of the proposal”.</li> </ul>
<b>Key quotes</b>	<b>SNH officer:</b> <ul style="list-style-type: none"> <li>“SNH is consulted on cases which they would prefer not to be consulted on, but when requested they have to take the time to look at a case in order to provide reassurance to council”.</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>All biodiversity: ancient woodland</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Locally significant
<b>Planning outcome</b>	Application refused
<b>Outcome for the natural heritage (in relation to SNH objectives)</b>	Very good
<b>Extent of SNH influence on the planning process</b>	Neutral
<b>Approx. SNH time input</b>	Low





### Case study 9: Erection of metrological mast, South Ayrshire

<b>Development description</b>	Erection of meteorological mast, South Ayrshire
<b>Summary</b>	SNH commented on bird issues relating to the mast, and the advice was directly reflected in the conditions applied. <b>Planning officer:</b> <ul style="list-style-type: none"> <li>• “SNH normally provide a timely response and their advice is helpful and valued”.</li> </ul>
<b>Key quotes</b>	<b>SNH officer:</b> <ul style="list-style-type: none"> <li>• “SNH has a good relationship with the planning authority”.</li> <li>• “The conditions mirror exactly what SNH advised”.</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>• All biodiversity: breeding birds</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally significant
<b>Planning outcome</b>	Approved with conditions
<b>Outcome for the natural heritage (in relation to SNH objectives)</b>	Very good
<b>Extent of SNH influence on the planning process</b>	High (influenced conditions)
<b>Approx. SNH time input</b>	Low



## Case study 10: Development of 13 turbine wind farm, Scottish Borders

<b>Development description</b>	Development of 13 turbines
<b>Summary</b>	<p>There was a good working relationship with SNH, the developer and planning authority which facilitated iteration of the scheme on landscape and biodiversity grounds.</p> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>• “SNH’s timing was useful and well considered”.</li> <li>• “SNH had a strong influence throughout the process”.</li> <li>• “The language used in SNH’s response was really useful”.</li> </ul> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>• “The developer was keen to engage and listen to SNH’s advice and was eager to understand the reasons for SNH’s advice”.</li> <li>• “SNH generally don’t see the conditions which are attached as SNH don’t get involved post application. This is because of a lack of resources and it is not an area of SNH responsibility”.</li> <li>• “SNH were most influential at application stage due to the good working relationship with the Council”.</li> </ul>
<b>Key quotes</b>	
<b>SNH position (initial and final)</b>	<p>Advice only</p> <ul style="list-style-type: none"> <li>• All biodiversity: habitat survey required</li> <li>• Integrity of protected areas: impacts on designated sites</li> </ul>
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>• Effects on protected species: survey required</li> <li>• Effects on all landscapes and environmental quality: cumulative landscape and visual impacts</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally and locally significant
<b>Planning outcome</b>	Approved with conditions and informatives
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Good
<b>Extent of SNH influence on the planning process</b>	Medium
<b>Approx. SNH time input</b>	High

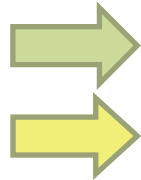
Pre-application	Scoping	Application								Decision
<p>SNH summarised key issues relating to the site at pre application discussions including landscape and visual impacts and key designated sites.</p>	<p>SNH identify need for EIA to consider impacts on designated sites, carry out habitat survey, survey for protected species and provide specific guidance on protected species.</p>	<p>SEPA and SBC request habitat and species survey</p>	<p>SNH concerns about potential impacts on protected species</p>		<p>Mitigation identified for SNH concerns about protected species</p>				          	<p>Approved with conditions for appointment of ECoW, submission of a HMP. Survey for protected species and submission of a species mitigation and management plan. Submission of a plan for landscape planting to mitigate some of the visual effects of the development</p>
		<p>One turbine removed to reduce landscape and visual impact</p>		<p>5 turbines removed, revised layout to reduce landscape and visual impacts</p>	<p>SNH still express serious concerns regarding cumulative landscape impacts, although acknowledge improvements of the revised scheme</p>	<p>Updated cumulative LVIA submitted</p>	<p>SBC comment on revised cumulative LVIA and note impacts are acceptable within the tolerances already accepted</p>	<p>SNH concerns about cumulative landscape and visual effects remain.</p>		

## Case study 11: Development of 9 turbine wind farm, Perth and Kinross

<b>Development description</b>	Development of 9 turbines
<b>Summary</b>	<p>The site had been subject to a previous wind farm application which had been refused at appeal. SNH comments at scoping were not taken on board and landscape and visual issues remained the key issue throughout the process, and had a strong influence on the final decision by the council to refuse the application.</p> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>• <i>“It was useful having SNH’s input at this stage to highlight to the developer the natural heritage issues which SNH felt needed to be addressed”.</i></li> <li>• <i>“SNH provided clear advice and a detailed appraisal of the impacts and the importance of the impacts”.</i></li> <li>• <i>“Significant weight was attached to SNH’s comments and they did have a greater influence over the decision - other parties had concerns which could be addressed through mitigation measures”.</i></li> </ul>
<b>Key quotes</b>	<p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>• <i>“SNH would always recommend pre application discussion in this type of case as SNH can provide an ‘early steer’ to the developer on the important natural heritage issues”.</i></li> <li>• <i>“SNH were extremely influential in the outcome of this case and were quoted extensively in the Report of Handling to the Planning Committee”.</i></li> <li>• <i>“SNH’s response was taken very seriously and the Committee applied a lot of weight to SNH’s assessment”.</i></li> </ul>
<b>SNH position (initial and final)</b>	<p>Outright objection</p> <ul style="list-style-type: none"> <li>• All biodiversity</li> <li>• Protected areas</li> </ul>
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>• Protected species</li> <li>• All landscapes</li> <li>• Land, water and soil: peatland</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Internationally and nationally significant
<b>Planning outcome</b>	Refused
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	High
<b>Approx. SNH time input</b>	High

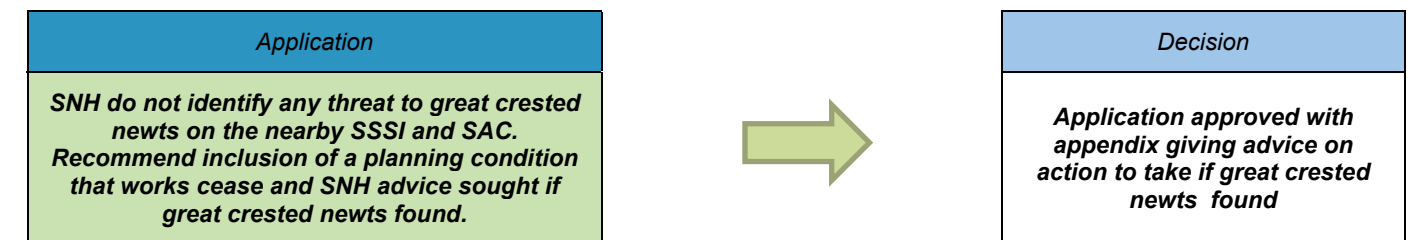


Scoping		Application					Decision
SNH note issues relating to bird ecology	RSPB note potential impacts on eagles and importance of the area for breeding waders	RSPB objects due to potential impacts on golden eagle. Recommended PAT modelling not undertaken. Concerns regarding impacts on other bird species	SNH object until further information on impacts on golden eagle identified	PAT modelling provided	SNH withdraw objection on impacts on golden eagle		
Potential impacts on protected sites			Likely significant effect on SAC identified unless mitigation applied		SNH maintain conditioned objection in relation to SAC requiring Construction Management Plan		
Potential impacts on EPS and other protected species.							
Note requirement for Phase 1 habitat survey	SEPA note EIA should consider wetland ecology	SEPA object due to impacts on ground water dependent terrestrial ecosystems and water environment		Additional information on water environment provided	SEPA maintain objection		
Identifies issues to be considered in LVIA			SNH objects on landscape and visual impact grounds		SNH maintain outright objection on landscape and visual impact grounds	SBC landscape officer objects on siting and design, visual and landscape impacts and cumulative effects	Application refused on landscape grounds, including impact on setting of A listed buildings.
Identifies need to consider potential impacts on recreation and tourism							
Identifies location of peatland	SEPA note EIA should consider disruption to peatlands	SEPA object due to impacts on peatland		Additional information on peatland provided			



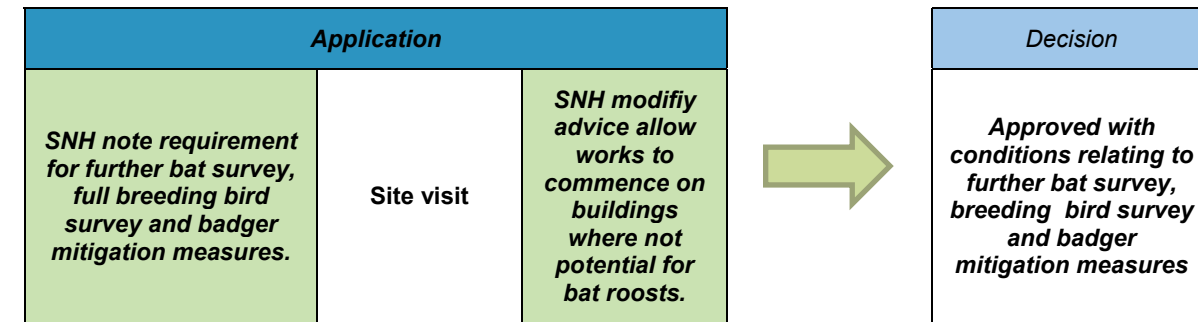
## Case study 12: Erection of two greenhouses, Dumfries and Galloway

<b>Development description</b>	Erection of 2 greenhouses
<b>Summary</b>	<p>This was a simple case regarding potential impacts on protected species on nearby designated sites. SNH advised that there was no likely impact and provided advice on action should protected species be discovered which was included as an appendix to the decision notice.</p> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>“SNH had very little influence on the outcome of the decision. As the application was minor and small scale the planning authority could have undertaken the assessment themselves”.</li> <li>“As the majority of planning case work is small scale, SNH case officers spend a lot of time on these cases which could be dealt with by planning authorities if they received proper training and were more aware of the legislative requirements for consulting SNH”.</li> </ul> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>“As SNH were the only party to be consulted they did have a strong influence on the outcome of the decision”.</li> <li>“SNH’s advice is always very clear and precise”.</li> <li>“Rely on SNH for their expertise in natural heritage issues and place a lot of weight on what advice and recommendations SNH give”.</li> </ul>
<b>Key quotes</b>	
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	Protected species: Great crested newt
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally significant
<b>Planning outcome</b>	Approved
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	Low
<b>Approx. SNH time input</b>	Low



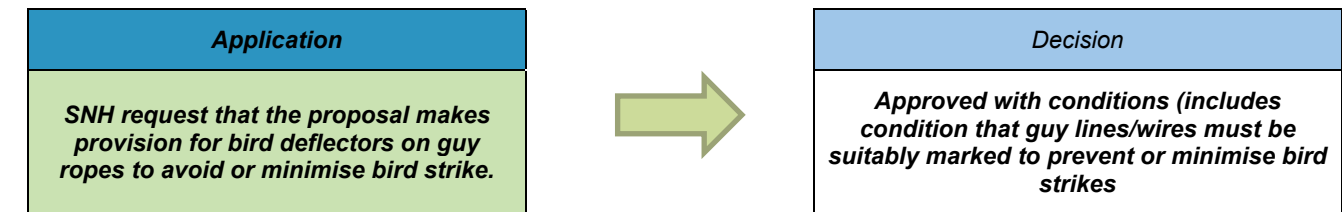
**Case study 13: Change of use, alterations, extension and partial demolition of steading to form distillery café and visitor centre, Fife**

<b>Development description</b>	Change of use, alterations, extension and partial demolition of steading to form distillery café and visitor centre
<b>Summary</b>	The application was made with out of date protected species surveys. A site visit allowed SNH to modify their advice as part of the site was found to be unsuitable for bats and therefore development could proceed in this part of the site without further survey. Conditions were applied reflecting the other protected species advice.
<b>Key quotes</b>	<p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>“SNH have a major influence on development proposals and should be consulted at the pre application stage more often which will avoid delays and additional costs to the applicants”.</li> </ul> <p><b>Planning Officer:</b></p> <ul style="list-style-type: none"> <li>“SNH clearly conveyed the impacts and the importance of the impacts both in writing and during the site visit”.</li> <li>“SNH and the planning authority are usually ‘singing from the same hymn sheet’ when it comes to natural heritage issues”</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	Protected species: bats, badgers and breeding birds
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally significant
<b>Planning outcome</b>	Approved with conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Good
<b>Extent of SNH influence on the planning process</b>	High (conditions applied)
<b>Approx. SNH time input</b>	Medium



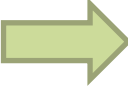

## Case study 14: Erection of a 80m high meteorological monitoring mast, East Ayrshire

<b>Development description</b>	Erection of a 80m high meteorological monitoring mast
<b>Summary</b>	<p>This was a straightforward application where SNH advice on birds was directly reflected in the conditions.</p> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>• “Comments during the pre-application discussions did not influence the proposal in any way”.</li> <li>• “One of the planning conditions for approval of consent related to the bird deflectors, which was the only recommendation made in the consultation response”.</li> </ul>
<b>Key quotes</b>	<p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>• “As the proposal was for a temporary small scale development it was not necessary for SNH to be involved at pre app stage”.</li> <li>• “Take account of SNH’s advice and in most cases their advice is very helpful”.</li> <li>• “As we are a smaller Council we do not have in-house experts on natural heritage and SNH’s advice is always very welcome”.</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	All biodiversity: Birds
<b>Scale and complexity of natural heritage issues commented on</b>	Locally significant
<b>Planning outcome</b>	Approved with conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	High (condition applied)
<b>Approx. SNH time input</b>	Low



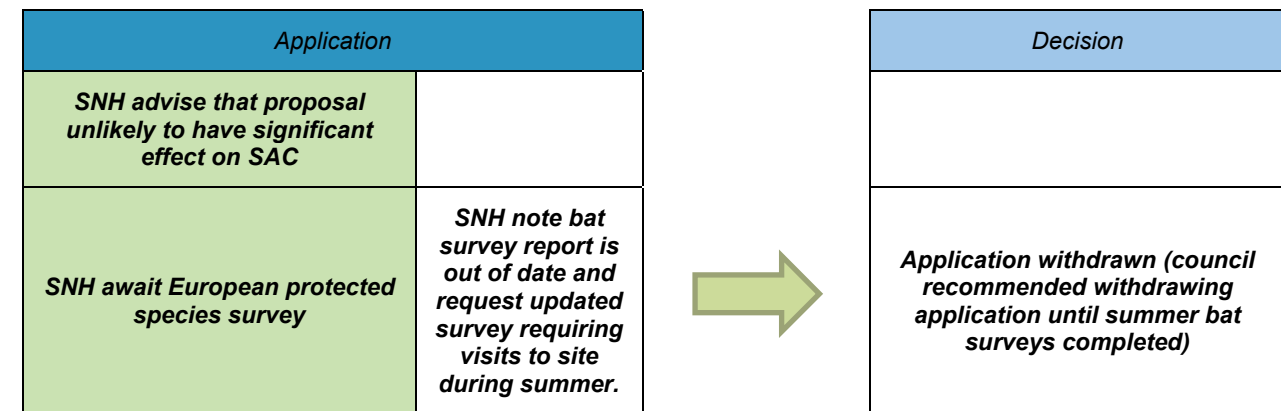
**Case study 15: Development of land for 18 holiday lodges and associated car parking, access road and landscaping, Falkirk**

<b>Development description</b>	Development of land for 18 holiday lodges and associated car parking, access road and landscaping
<b>Summary</b>	SNH had a history of involvement with earlier planning applications relating to this site and the application is also in the context of wider development of the area for tourism and recreation. SNH advice on protected species was not adequately taken on board until the later application.
<b>Key quotes</b>	<p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>• <i>“Pre application involvement was beneficial”.</i></li> </ul> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>• <i>“SNH were not fundamental to the outcome of the decision”.</i></li> <li>• <i>“The planning authority relies on SNH’s review of survey work and their responses add value to the planning authority response”.</i></li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>• All biodiversity</li> <li>• Protected species: otters, badgers, great crested newts and breeding birds</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally significant
<b>Planning outcome</b>	Approved with conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Good
<b>Extent of SNH influence on the planning process</b>	Medium
<b>Approx. SNH time input</b>	High (SNH had input in previous related applications)

Previous application	Application					Decision
<p><i>SNH advises on further ecological survey work for otters, bats and great crested newts.</i></p> <p><i>Recommend pre-construction checks for these species and breeding birds.</i></p>	<p><i>SNH will only provide comment if recent survey evidence of protected species</i></p>		<p><i>Ecological survey report completed, identifies presence of otter</i></p>	<p><i>SNH provide advice on EPS and assessing if otter licence required. Provide advice to protect otter during construction period</i></p>		<p><i>Approved with conditions and directives related to:</i></p> <p><i>A construction environmental management plan</i></p> <p><i>Updated protected species survey</i></p> <p><i>A site biodiversity plan</i></p> <p><i>Walkover survey if development not commenced within 12 months</i></p>

## Case study 16: Alteration and Conversion of Former Mill Building to Holiday Let, Angus

<b>Development description</b>	Alteration And Conversion Of Former Mill Building To Holiday Let
<b>Summary</b>	The application was submitted with an out of date bat survey (which the planning authority did not identify) and therefore SNH were unable to comment on this issue until further survey work had been completed. This led to the application being withdrawn.
<b>Key quotes</b>	<p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>• “If the application was withdrawn because of bats then this was not the influence that SNH wished to have”.</li> </ul> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>• “SNH was the key factor in the application being withdrawn”.</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>• Protected areas: SAC</li> <li>• Protected species: bats and other protected species</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Internationally and nationally significant
<b>Planning outcome</b>	Application withdrawn
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Good
<b>Extent of SNH influence on the planning process</b>	High
<b>Approx. SNH time input</b>	Low



## Case study 17: Construction of new distillery with associated plant and landscaping, Moray

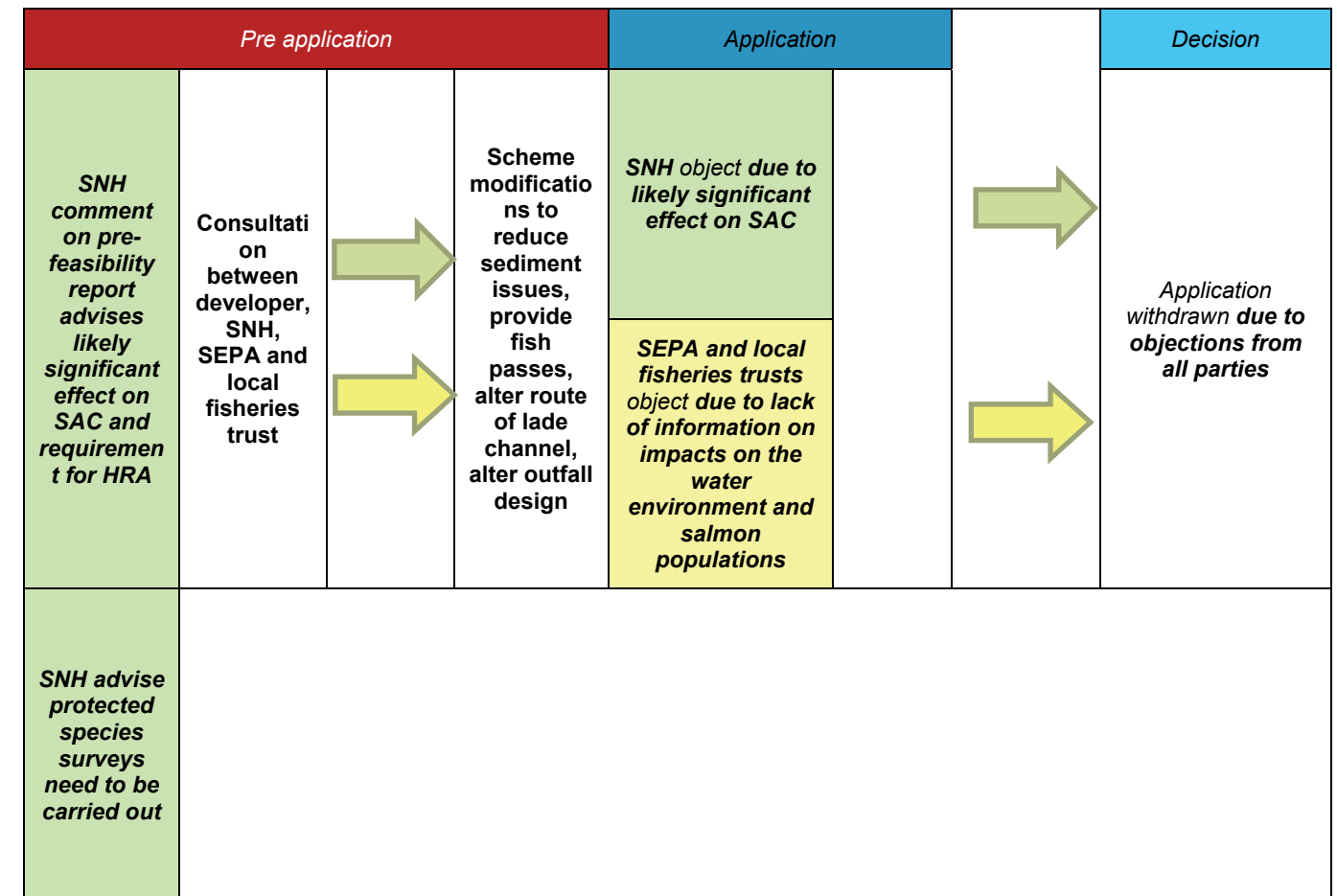
<b>Development description</b>	Construction of new distillery with associated plant and landscaping
<b>Summary</b>	<p>The applicant pre-empted issues relating to protected species and had undertaken the appropriate steps without SNH advice, therefore limiting SNH influence on this case.</p> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>• “SNH’s involvement was appropriately timed having been involved in screening &amp; pre-application discussions”.</li> </ul> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>• “SNH are very accommodating and approachable and are keen to engage with the Council and with applicants”</li> <li>• “SNH tend not to raise matters unless they have to”.</li> <li>• “Some responses can still be long and although the information is identified in the document it would be more helpful if the information was more focussed and if SNH could explicitly state whether they object or not to a proposal”.</li> <li>• “SNH’s advice is imperative to determine an application as they are the expert in providing advice on potential impacts on natural heritage interests”.</li> </ul>
<b>Key quotes</b>	
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>• All biodiversity</li> <li>• Protected areas: SAC and SSSI</li> <li>• Protected species: bats and badgers</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Internationally and nationally significant
<b>Planning outcome</b>	Approved with conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	Medium
<b>Approx. SNH time input</b>	Medium



Screening		Pre application		Application		Decision	
Agent submits report containing ecological surveys	SNH do not consider the proposal poses any significant risks to wildlife and habitats					Application approved with conditions	
	SNH note agent's report sets out mitigation measures to protect SAC, and the implementation of these result in no risk to the SAC.	SNH request developer provides detailed information on abstraction point on SSSI so that likely impacts can be assessed. Also requests detailed information on abstraction and discharge regimes on SAC/SSSI.		SNH advise no likely significant effects on SAC. SNH awaiting details of water supply design to advise on impacts on SSSI.	→		Condition 15: Prior to the commencement of works, details of the extent of the required refurbishment to be carried out to the water supply must be submitted to the Council, in consultation with SNH.
	SNH note sufficient information and appropriate information to allow EPS application for bats		Separate application submitted for erection of bat roost building to compensate for demolition of existing building.	EPS licence granted and no impacts on bats.	→		
		SNH advise the use of SUDS and requests submission of an Environmental Management Plan with application		SEPA do not object but will object if a condition is not attached for a Construction Environmental Management Plan due to flood risk and drainage issues.	→		Condition 13: No development will commence until details have been submitted to the Council in consultation with SEPA and SNH regarding a Construction Environmental Management Plan (CEMP)

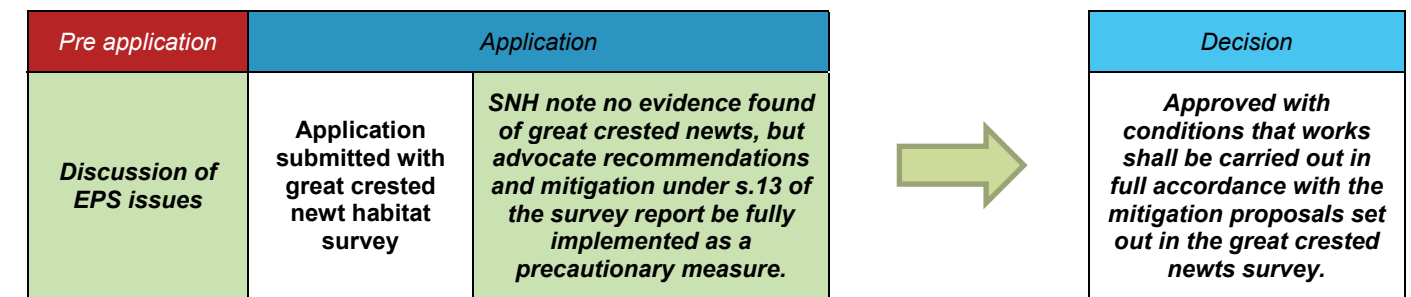
**Case study 18: Installation of hydro power scheme, including construction of intake, construction of lade channel, erection of turbine house and formation of access**

<b>Development description</b>	Installation of hydro power scheme, including construction of intake, construction of lade channel, erection of turbine house and formation of access
<b>Summary</b>	<p>Pre application discussions had raised issues relating to SAC but developer pursued the application. Additional survey work identified significant issues relating to the SAC and as a result both SNH and SEPA issued outright objections.</p> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>“SNH prefer to get involved at an early stage in the process particularly with renewable applications as it allows SNH to consider the issues relevant to the site without the same time pressures as later on in the process.”</li> <li>“The planning authority generally listens closely to what SNH have to say and therefore SNH have a good level of influence”.</li> </ul>
<b>Key quotes</b>	<p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>“SNH’s advice at pre app stage did not change the design of the scheme but did influence what was included in the submission of the application”.</li> <li>“SNH’s comments were the determining issue in this case which resulted in the application being withdrawn”.</li> <li>“SNH’s comments would have been given a significant amount of weight in the decision making process had the applicant not withdrawn the application”.</li> </ul>
<b>SNH position (initial and final)</b>	Outright objection
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>Protected areas: SAC</li> <li>Protected species</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Internationally and nationally significant
<b>Planning outcome</b>	Application withdrawn
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Good
<b>Extent of SNH influence on the planning process</b>	High
<b>Approx. SNH time input</b>	Medium



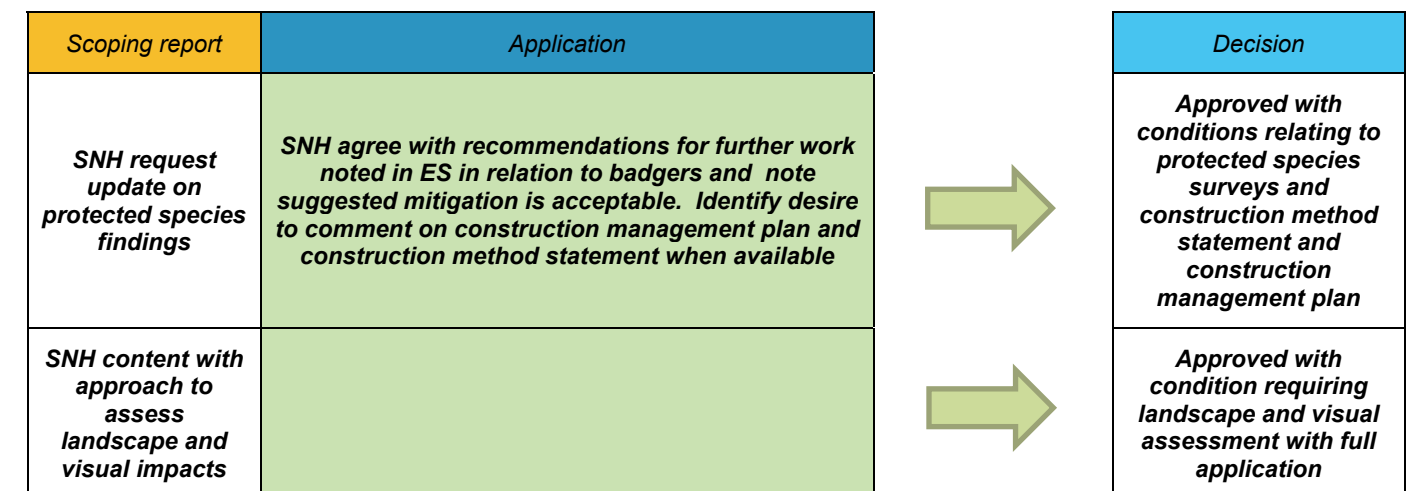
### Case study 19: Construction of an underground slurry tank, Dumfries and Galloway

<b>Development description</b>	Construction of an underground slurry tank
<b>Summary</b>	SNH involved at pre-application and site visit to establish protected species issues. This confirmed overall lack of suitability of the site for great crested newts, but SNH comments on actions to be taken if great crested newts discovered were translated directly into conditions.
<b>Key quotes</b>	<p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>“SNH had strong influence on the outcome through the conditions imposed”.</li> </ul> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>“SNH did have a strong influence over the conditions applied as the only condition applied in this case related to natural heritage”.</li> <li>“We rely on SNH for their expertise in natural heritage issues and place a lot of weight on SNH advice and recommendations”</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	Protected species: Great crested newts
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally significant
<b>Planning outcome</b>	Approved with conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	High
<b>Approx. SNH time input</b>	Low



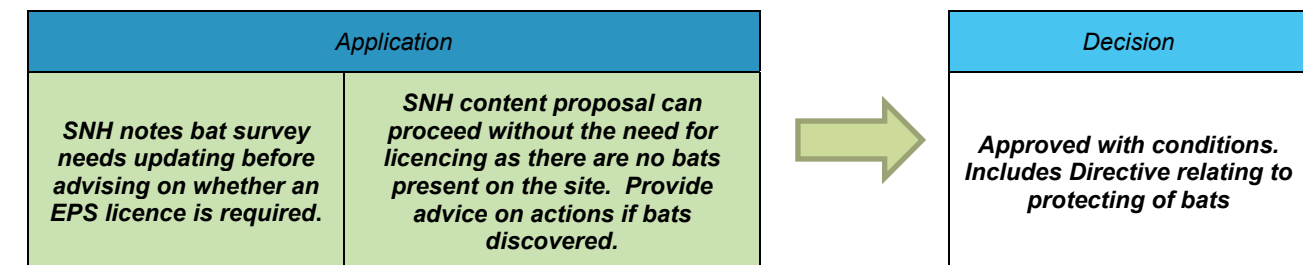
## Case study 20: Planning permission in principle for a hospital

<b>Development description</b>	Erection of a 350 bed hospital, staff residences, energy centre, formation of new access road and internal road network, formation of helipad and car park, landscaping and ancillary development
<b>Summary</b>	SNH were content with how the natural heritage issues raised were addressed and that they would have further opportunity to influence the development at a later stage because it was only planning permission in principle. <b>SNH officer:</b> <ul style="list-style-type: none"> <li>• “Developer took SNH views on board particularly in relation to badgers”.</li> <li>• “On the issues which SNH could influence, SNH had a reasonable amount of influence”.</li> </ul>
<b>Key quotes</b>	<b>Planning officer:</b> <ul style="list-style-type: none"> <li>• “Very useful to have SNH involved at the earliest stages of the application process”.</li> <li>• “SNH are very helpful in assessing applications and are always readily available if you need to consult them on natural heritage issues. They provide proportionate advice relevant to each case.”</li> <li>• “The mitigation recommended by SNH was secured as conditions”.</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>• Protected species</li> <li>• All landscapes</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally and regionally significant
<b>Planning outcome</b>	Approved subject to conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	High
<b>Approx. SNH time input</b>	Medium



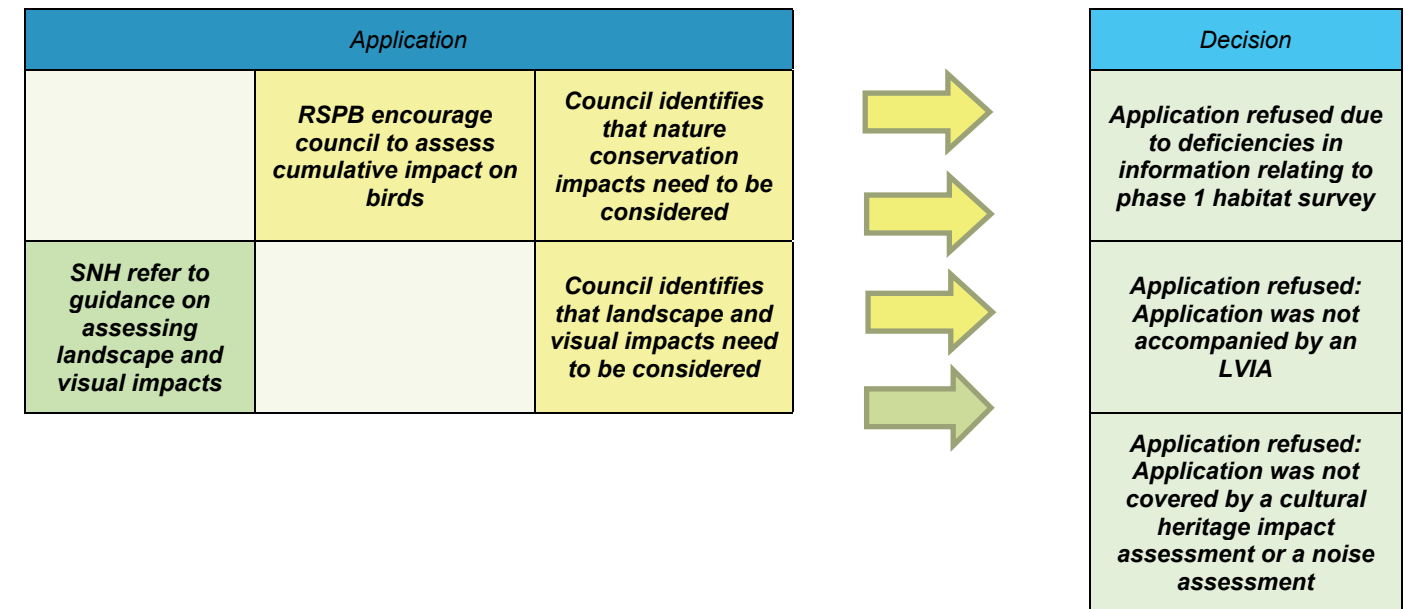
## Case study 21: Erection of a dwelling house

<b>Development description</b>	Erection of a dwelling house
<b>Summary</b>	The application was submitted with an out of date bat survey, SNH triggered an up to date survey which found no evidence of bats. Precautionary wording should bats be found was included as a directive in line with SNH advice.
<b>Key quotes</b>	<p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>“SNH have worked with council to try and get them to only consult SNH once a bat survey has been carried out to save SNH having to point out that one needs done”.</li> </ul> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>“SNH are very approachable and the Council will often speak with SNH informally to gauge their opinions on different natural heritage issues”.</li> <li>“Everything SNH suggested was taken on-board.”</li> <li>“SNH’s advice added value to the planning authority response”.</li> <li>“SNH influenced the decision as they were the only third party to make a representation on the case relating to natural heritage issues”.</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	Protected species
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally significant
<b>Planning outcome</b>	Approved with conditions and directives
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	Low
<b>Approx. SNH time input</b>	Low



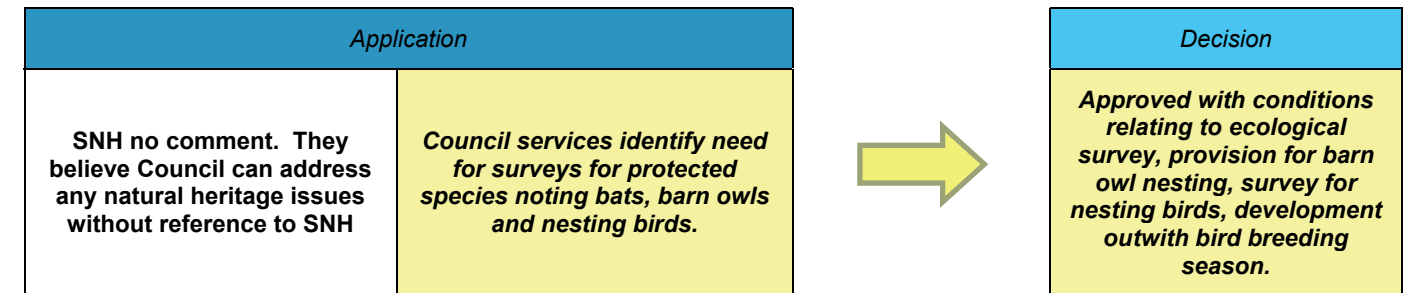
**Case study 22: Erection of a single wind turbine, Aberdeenshire**

<b>Development description</b>	Construction of a single turbine (79m to tip)
<b>Summary</b>	The application was noted as lacking in detail on several natural heritage issues which led to refusal by the planning authority and SNH made minor comments referring to SNH guidance but did not raise any natural heritage issues.
<b>Key quotes</b>	<p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>• “SNH had no influence on the outcome”.</li> <li>• “If SNH don’t explicitly object to an application it can be viewed as SNH are by default endorsing the proposal. The SNH template response letters are not ‘one size fits all’ and often these grey areas leave SNH’s response open to interpretation”.</li> </ul> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>• “The standard response issued by SNH did not add much value to the case”.</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	All landscapes
<b>Scale and complexity of natural heritage issues commented on</b>	Regionally significant
<b>Planning outcome</b>	Refused
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	Low
<b>Approx. SNH time input</b>	Low



**Case study 23: Renewal of planning permission for the conversion of farm buildings to form 3 dwellinghouses, Dumfries and Galloway**

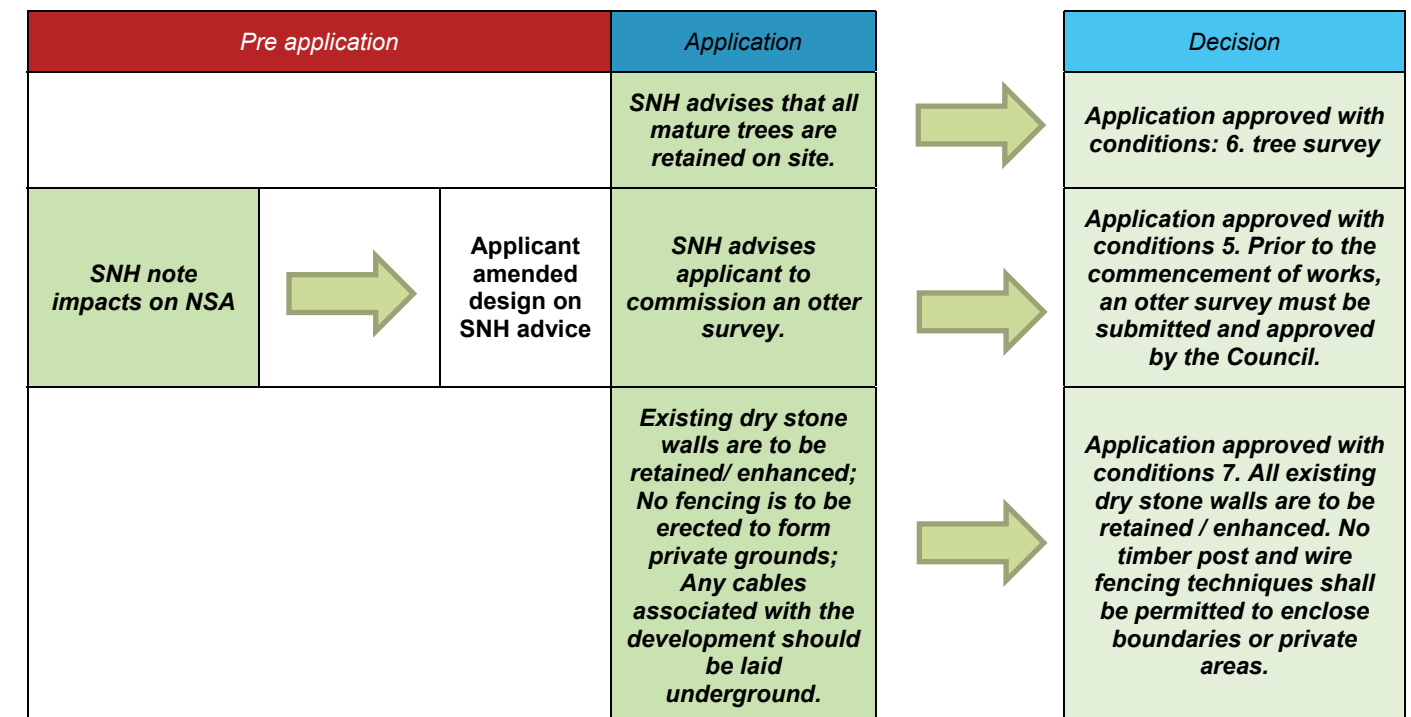
<b>Development description</b>	Renewal of planning permission for the conversion of farm buildings to form 3 dwellinghouses
<b>Summary</b>	SNH provided no comment and the planning authority addressed the natural heritage issues in-house. <b>SNH officer:</b> <ul style="list-style-type: none"> <li>“Satisfied that the condition didn’t relate to natural heritage issues and I felt that since it wasn’t a condition that concerned SNH, the planning authority was capable of dealing with the condition without SNH’s involvement”. Note: The condition related to the timeframe construction on the development must be started by.</li> </ul>
<b>Key quotes</b>	<b>Planning officer:</b> <ul style="list-style-type: none"> <li>“Planners and greenspace officer frequently refer to the SNH website for guidance”.</li> <li>“Worthwhile getting SNH’s opinion and advice with matters relating to the natural environment”.</li> </ul>
<b>SNH position (initial and final)</b>	No comment
<b>Natural heritage issues commented on</b>	None
<b>Scale and complexity of natural heritage issues commented on</b>	Not significant
<b>Planning outcome</b>	Approved with conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	Neutral
<b>Approx. SNH time input</b>	Low





**Case study 24: Demolition of two buildings and erection of two dwellinghouses, Argyll and Bute**

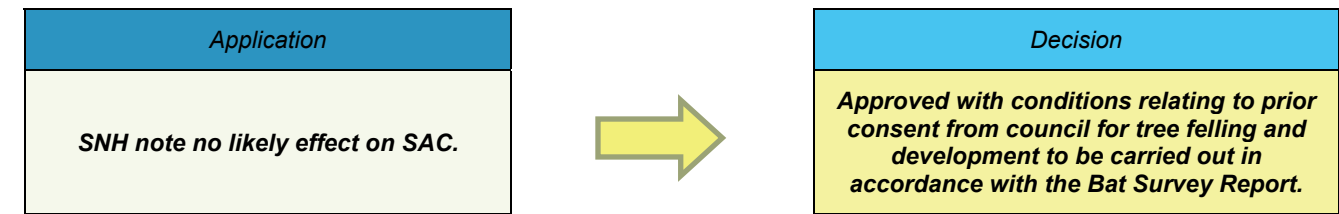
<b>Development description</b>	Demolition of two buildings and erection of two dwellinghouses
<b>Summary</b>	Pre application discussions resulted in amendment to the design to avoid impacts on NSA. Further SNH comments on landscaping and otter survey were reflected in conditions.
<b>Key quotes</b>	<p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>“SNH had particular influence on the amendment of the proposal”.</li> <li>“SNH’s advice has influenced the outcome of the design and the conditions attached to the consent”.</li> </ul> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>“SNH provided clear, informative advice and outlined recommendations which we were happy to attach as conditions to the consent”.</li> <li>“SNH had a strong influence on the outcome of the case, which can be seen from the three attached conditions based on SNHs recommendations”.</li> <li>“SNH’s appraisal of the impacts was clear and informative”.</li> </ul>
<b>SNH position (initial and final)</b>	Conditioned objection
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>All biodiversity</li> <li>Protected species</li> <li>All landscapes</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally and regionally significant
<b>Planning outcome</b>	Approved with conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	High
<b>Approx. SNH time input</b>	Medium





**Case study 25: Conversion of a steading to form a dwellinghouse, Angus**

<b>Development description</b>	Conversion of a steading to form a dwellinghouse
<b>Summary</b>	SNH confirmed no impact on the SAC to the planning authority. <b>SNH officer:</b> <ul style="list-style-type: none"> <li>“SNH has made efforts to make Councils more independent, undertaking capacity building within Councils to reduce SNH involvement in minor cases. SNH provides reassurance to the Council on natural heritage issues”.</li> </ul>
<b>Key quotes</b>	<b>Planning officer:</b> <ul style="list-style-type: none"> <li>“SNH had a low level of influence because there were no real impacts arising from the case”.</li> <li>“SNH’s advice was provided at the appropriate time”.</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	Protected areas
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally significant
<b>Planning outcome</b>	Approved with conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	Low
<b>Approx. SNH time input</b>	Low



**Case study 26: Section 37 application: transmission overhead line replacement, Highland**

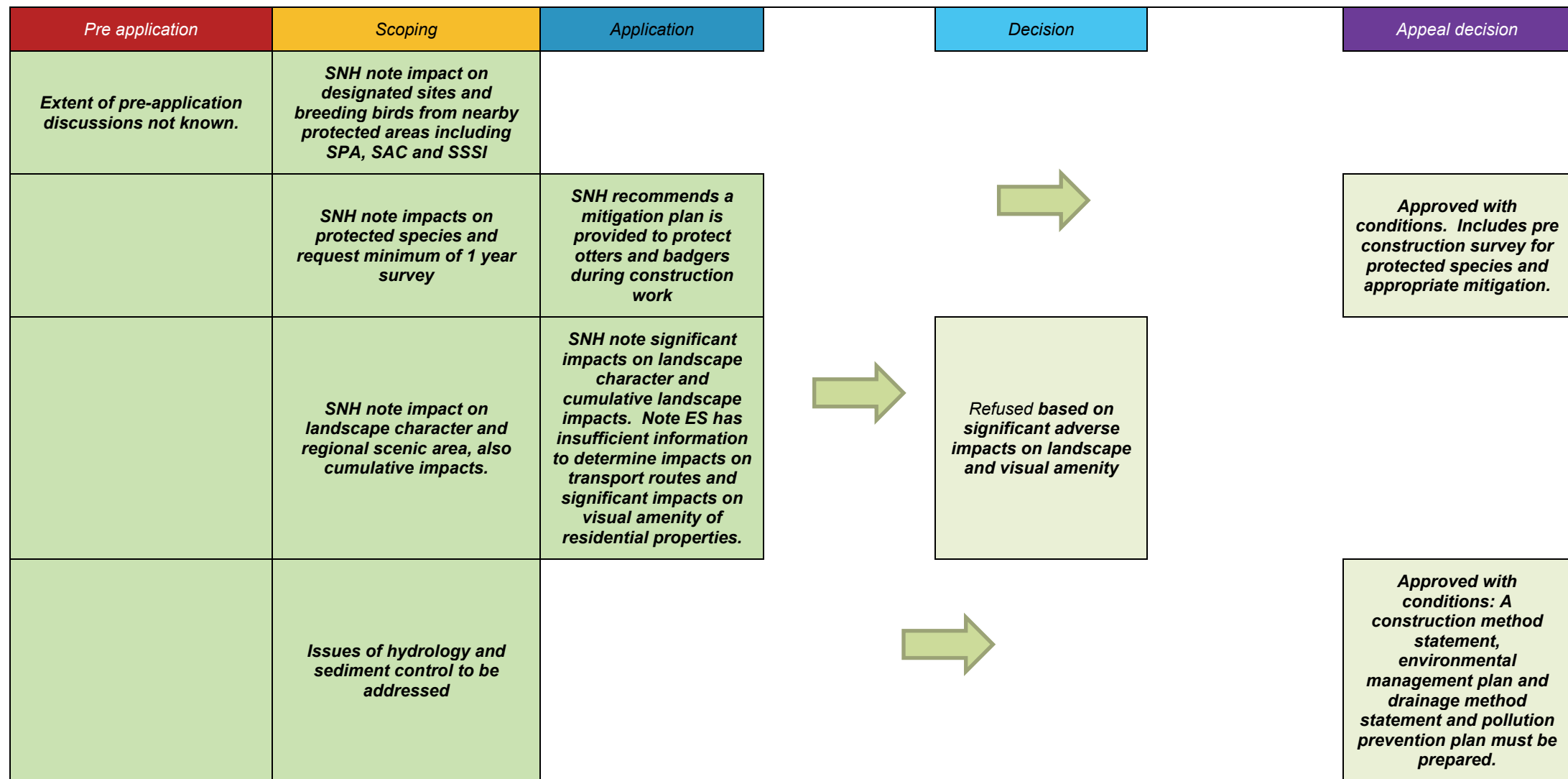
<b>Development description</b>	Section 37 application: transmission overhead line replacement
<b>Summary</b>	<p>A number of protected area and protected species issues were raised by SNH. All are reflected in the conditions applied to the approval.</p> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>• <i>“All appropriate survey work recommended by SNH was undertaken and mitigation measures were put in place to prevent any offence from occurring”.</i></li> <li>• <i>“The pre application discussions were very important as all the issues are highlighted early on in the project and the applicant can factor in these issues into their application”.</i></li> <li>• <i>“In pre-application meetings/written advice SNH will always endeavour to refer the applicant/developer to the raft of SNH guidance on landscape, protected species, etc. available on the SNH website”.</i></li> <li>• <i>“SNH do not need to object to have their voice heard as their advice is highly regarded and respected. In the limited cases where SNH will object there is a lot of weight attached to SNH’s advice and their advice is taken very seriously.”</i></li> </ul> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>• <i>“SNH’s comments were integral to deciding what protected species and areas needed to be assessed”.</i></li> <li>• <i>“The planning authority has a good working relationship with SNH”</i></li> </ul>
<b>Key quotes</b>	
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>• All Biodiversity</li> <li>• Protected species</li> <li>• Protected areas: SPA and Ramsar site – impacts on qualifying species</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally significant
<b>Planning outcome</b>	Approved with conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	Medium
<b>Approx. SNH time input</b>	Medium

Scoping	Application		Decision	
<i>SNH identify need to include wildcats in extended phase 1 habitat survey</i>	<i>SNH note badger protection plan required</i>		<i>Planning authority request condition for preconstruction surveys for badger, wildcat, red squirrel and pine marten.</i>	<i>Condition for pre-construction survey for mammals</i> <i>Condition for badger protection plan</i> <i>Condition for Construction and Environmental Management plan to include actions should pre-construction survey indicate effects on protected species.</i>
<i>SNH identify potential impacts on qualifying interests of two SPA</i>	<i>SNH note no impact on integrity of SPA. Likely significant effects on qualifying interests of SPA and requirement for HRA.</i>			
<i>SNH identify potential significance of tree loss</i>	<i>SNH note a woodland management plan should be produced</i>		<i>Planning authority request condition for a woodland management plan</i>	<i>Condition for producing woodland management plan</i>
		<i>SEPA conditioned objection: condition that requires development to avoid wet heath, marshy grassland and mire.</i>		<i>Condition for pylons and access tracks to be at least 60m from wet heath, marshy grassland and mire.</i>
		<i>SEPA conditioned objection: preparation of a construction Environmental Management plan</i>	<i>Planning authority request condition for a construction Environmental Management plan</i>	<i>Condition for construction environmental management plan</i>



## Case study 27: Wind farm development 4 turbines, Dumfries & Galloway

<b>Development description</b>	Wind farm development
<b>Summary</b>	<p>SNH expressed serious concerns about the landscape and visual impacts of the development, although did not object. This position influenced the planning authority decision to refuse the application on landscape grounds. The application was subsequently approved on appeal.</p> <p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>• <i>“Likely that SNH did have a strong influence on the Council’s decision”.</i></li> </ul>
<b>Key quotes</b>	<p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>• <i>“SNH’s input into the application was excellent and added value, their advice was exemplary”.</i></li> <li>• <i>“SNH were highly influential in the decision by the council to refuse the application”.</i> Note: Approved on appeal.</li> </ul>
<b>SNH position (initial and final)</b>	<p>Advice only</p> <ul style="list-style-type: none"> <li>• Protected areas</li> <li>• Protected species</li> </ul>
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>• Protected landscapes</li> <li>• All landscapes</li> <li>• Land, water or soils</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally, regionally and locally significant
<b>Planning outcome</b>	Approved on appeal, subject to conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Poor
<b>Extent of SNH influence on the planning process</b>	High on council decision, low on appeal decision
<b>Approx. SNH time input</b>	High



**Case study 28: Erection of modular office/amenities building, stores, security cabin, containers, car park and perimeter fence with associated infrastructure, Falkirk**

<b>Development description</b>	Construction of a modular office/ amenities building
<b>Summary</b>	SNH provided a conditioned objection in order to secure mitigation measures to protect the interests of the nearby SPA. The mitigation measures were directly reflected in the conditions attached to the approval of the proposal. <b>SNH officer:</b> <ul style="list-style-type: none"> <li>“SNH influenced the conditions applied. SNH suggested two mitigation measures in their consultation response relating to screening and the timing of construction and both mitigation measures were applied as conditions to the approval of the application.”</li> </ul>
<b>Key quotes</b>	<b>Planning officer:</b> <ul style="list-style-type: none"> <li>“SNH’s response was critical in this case”.</li> <li>“The format of SNH’s consultation response is very clear”</li> <li>“Two planning conditions were taken through as a direct consequence of SNH’s advice”.</li> </ul>
<b>SNH position (initial and final)</b>	Conditioned objection
<b>Natural heritage issues commented on</b>	Protected areas: SPA
<b>Scale and complexity of natural heritage issues commented on</b>	Nationally significant
<b>Planning outcome</b>	Approved subject to conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	High
<b>Approx. SNH time input</b>	High

Application
<p><b>SNH advise that the proposal is close to and could affect the Firth of Forth SPA classified for it’s over wintering waders and waterfowl.</b></p> <p><b>SNH object to the proposal unless it is made subject to the following mitigation measures:</b></p> <p><b>(1) Heavy construction work must be completed between 1 April and 31 August;</b></p> <p><b>(2) The earth embankments around the development will remain in place to provide additional screening between the site and the SPA.</b></p>



Decision
<p><b>Application approved subject to conditions:</b></p> <p><b>(1) Heavy construction work must be completed between 1 April and 31 August;</b></p> <p><b>(2) The earth embankments around the development will remain in place to provide additional screening between the site and the SPA.</b></p>

**Case study 29: S.36 application for a 19 turbine wind farm, East Lothian**

<b>Development description</b>	Section 36 application for a 19 turbine wind farm
<b>Summary</b>	Issues relating to protected areas, protected species and wider biodiversity are addressed through the application process. Issues relating to landscape and visual impacts were outstanding throughout the decision making process despite reductions in the number of turbines. The final decision excluded a further 3 turbines explicitly to reduce landscape and visual impacts on a conservation area.
<b>Key quotes</b>	<p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>• “There was no evidence that issues raised by SNH at pre application stage were taken on board by the developer”.</li> <li>• “SNH’s response highlighted significant adverse landscape impacts for the local area. It is quite probable that the removal of the 3 turbines is a strong SNH influence although another party was also recommending the removal of these three turbines”.</li> </ul> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>• “Mitigation of landscape issues highlighted by SNH were addressed by the reporter by the removal of three turbines”</li> </ul>
<b>SNH position (initial and final)</b>	Advice only
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>• All biodiversity</li> <li>• Protected areas: SAC</li> <li>• Protected landscapes: AGLV</li> <li>• All landscapes: LVIA and cumulative effects</li> <li>• Land, water and soils: water</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Internationally, Regionally and locally significant
<b>Planning outcome</b>	Granted on appeal
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Poor
<b>Extent of SNH influence on the planning process</b>	Medium
<b>Approx. SNH time input</b>	High

Pre application	Scoping	Application						Decision	
	SNH notes that EIA should include Phase 1 habitat survey and national vegetation classification survey.	SNH identify bird impact can be off-set through habitat enhancement in HMO and request planning condition to avoid construction work during bird breeding season							
SNH notes impact on SAC	SNH notes scoping report omits reference to impacts on SAC with likely significant effects and impacts on SSSI.	SNH identify need for Appropriate Assessment, note inadequate levels of detail in ES. Request construction and decommissioning plans. Request condition of buffer zone of 100m between turbine and SSSI							
	Proposal is within an AGLV			Planning authority (b) object on grounds of significant adverse impact on AGLV	Supplementary Environmental Information: Removal of 8 turbines within planning authority (b) area			PLI triggered by planning authority (b) objection	
	LVIA should consider cumulative effects. SNH provide advice on how to select viewpoints.	SNH recommend relocating or omitting 3 turbines to reduce impacts on conservation village. SNH notes significant adverse impacts on local landscape character and visual amenity	Planning authority (a) do not object but recommend consideration is given to removal of 3 turbines to reduce impacts on conservation village. Also recommend consideration is given to relocation, reduction in height or removal of a further 6 turbines which impact on conservation village.	Planning authority (b) object on grounds of unacceptable cumulative landscape and visual impacts		SNH recommend relocating or omitting 3 turbines to reduce impacts on conservation village. SNH notes significant adverse impacts on local landscape character and visual amenity	Planning authority (a) do not object but recommend consideration is given to removal of 3 turbines to reduce impacts on conservation village. Also recommend consideration is given to relocation, reduction in height or removal of a further 6 turbines which impact on conservation village.		Planning authority (b) object due to landscape impacts
									Section 36 consent and planning permission granted with conditions for 19 of the 22 turbines applied for.
									Condition: land management plan to mitigate against loss of habitats
									Conditions: Method statement for decommissioning, Construction method Statement must be produced and Ecological Clerk of Works appointed to minimise impacts on integrity of SAC. Condition of 100m buffer zone to protect SSSI
									Permission not granted for 3 of the turbines





	<i>SNH notes the designated watercourse should be given careful consideration in the EIA</i>					
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**Case study 30: Erection of 4 dwelling houses and conversion of stable block to form holiday accommodation, South Lanarkshire**

<b>Development description</b>	Erection of four dwelling houses and conversion of stable block to form holiday accommodation
<b>Summary</b>	SNH identified insufficient information to determine impacts on SAC and advised protected species surveys are carried out. Applicant provided further information and SNH identified likely significant effect on SAC, and identified mitigation measures. Applicant withdrew application for stable block conversion due to road safety issues. Developer submitted species protection plan.
<b>Key quotes</b>	<p><b>SNH officer:</b></p> <ul style="list-style-type: none"> <li>• <i>“Disappointed that the applicant did not take on board SNH’s advice at pre application stage. It is always worthwhile putting in the effort at pre application stage even if it doesn’t always pay off”.</i></li> </ul> <p><b>Planning officer:</b></p> <ul style="list-style-type: none"> <li>• <i>“Since SNH were requesting additional bat surveys to be completed, this may have influenced the agent to withdraw this part of the proposal”.</i></li> <li>• <i>“SNH’s advice on the impacts &amp; the importance of the impacts was clear. From their consultation responses it was clear what mitigation was required to limit the impacts on natural resources”.</i></li> <li>• <i>“SNH informed the decision but did not influence it”.</i></li> </ul>
<b>SNH position (initial and final)</b>	Holding objection, Conditioned objection
<b>Natural heritage issues commented on</b>	<ul style="list-style-type: none"> <li>• Protected area: SAC</li> <li>• Protected species (bats, otter, badger)</li> </ul>
<b>Scale and complexity of natural heritage issues commented on</b>	Internationally and nationally significant
<b>Planning outcome</b>	Approved with conditions
<b>Outcome for the natural heritage in relation to SNH objectives</b>	Very good
<b>Extent of SNH influence on the planning process</b>	Medium
<b>Approx. SNH time input</b>	Medium

Application								
<i>SNH notes insufficient information on impacts on SAC and issues holding objection</i>	<b>Developer provides additional information on impacts on SAC</b>			<i>SNH issues conditioned objection due to likely significant effects on SAC.</i>				
<i>SNH advise protected species surveys carried out.</i>		<i>SNH reiterates additional survey requirements</i>	<b>Developer submits amended application without conversion of stable block</b>	<i>SNH requests additional protected species survey and species protection plan for bats and badger protection plan.</i>	<b>Developer confirms stable block no longer being converted removing additional survey requirement</b>	<i>SNH confirms no further survey work but reiterates requirement for species protection plan and badger protection plan</i>	<b>Developer provides additional report on badger</b>	<i>SNH request mitigation measures for badger, rather than Badger protection plan</i>



	Decision
	<b>Condition: 15m buffer zone between development and SAC</b>
<b>Approved subject to conditions</b>	<b>Condition: submission of badger protection plan</b> Condition: Development should not begin until all mitigation measures have been implemented & completed in accordance with the Bat Protection Plan and Nesting Bird Protection Plan.

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