

**Appendix 5.2: Highland Council Physical Constraints Supplementary Guidance**

| <b>Constraint</b>   | <b>Description</b>   | <b>Source</b>  |
|---|--|--|
| Within 15m of any water body or water dependent habitat identified in the Register of Protected Areas | These are the protected areas identified for the Scotland River Basin District and currently include: <ul style="list-style-type: none"> <li>• Areas designated to protect economically significant species</li> <li>• Bathing waters</li> <li>• Nutrient sensitive areas</li> <li>• Areas designated for the protection of habitats or species and;</li> <li>• Waters used for the abstraction of drinking waters</li> </ul>  | SEPA Register of Protected Areas<br>Background information is also available in Chapter 5 of SEPA’s River Basin Management Plan  |
| Hazards identified by the Health and Safety Executive   | These are hazards that have been identified as potentially having an adverse impact on public health and safety. Specifically they comprise of: <ul style="list-style-type: none"> <li>• Areas which may be affected by Radon Gas</li> <li>• Areas which contain a gas compound</li> <li>• Areas which are used for explosive storage military or otherwise.</li> <li>• Public Safety Zones (areas where there are significant public safety risks due to existing land uses)</li> </ul> | OLDP   |
| Defence installations   | These are areas which are actively used by the Ministry of Defence and require to be safeguarded due to the nature of their uses. Such areas can include training ranges and airfields.  | No comprehensive data is currently available to publish – we will update this element of the guidance in future revisions  |
| Safeguarding of aerodromes  | Aerodromes should be safeguarded in order to ensure both their operation and development are not inhibited by future developments. Further information and a list of current aerodromes is contained within Scottish Government Circular 2/2003  | Scottish Government Circular 2/2003 CAP 738 – Safeguarding of Aerodromes<br>CAP 764 – CAA Policy and Guidelines on Wind Turbines   |
| Private water supplies  | New developments have the potential to disrupt private water supply to the development it serves as well as posing a risk to the supply in terms of contamination.   | If you think your development may be affected by a private water supply, you are advised to contact Environmental Health who maintain a register of all known private water supplies. They are currently working |

|   |  |   |
|---|--|---|
|   |  | towards making this register map based which will be included in a future revision of this guidance   |
| Designated airport safeguarding areas     | These are areas which are safeguarded from specific types of development which may impact on the operation of an airport or its potential for future expansion   | OLDP  |
| Within 400m of an active quarry           | Active quarries have the potential to impact on public amenity through increase in noise   | No comprehensive data is currently available to publish – we will update this element of the guidance in future revisions   |
| Proven mineral reserves                   | These are areas where it has been proven through land investigations that mineral resources are present on the site. Such mineral resources are essential in ensuring ongoing development within the Highlands and should be protected wherever possible   | No comprehensive data is currently available to publish, however forthcoming Local Development Plans will examine mineral reserves and this information will be included within future revisions of this guidance |
| Poorly drained areas                      | These are areas which have drainage issues and may result in persistent flooding and waterlogging problems. Potential future developments within these areas will require a drainage impact assessment   | OLDP  |
| Within 1000m of wind turbines             | Proposed developments should take into consideration the potential impact that they may have on the operational efficiency of existing and proposed wind turbines. In addition the development of new turbines should take into consideration the impact that they may have on the amenity of other uses. Further guidance on both these issues can be found in the On-shore Wind Energy: Supplementary Guidance and the Small Scale Wind Turbine Supplementary Guidance available online at:<br><a href="http://www.highland.gov.uk/developmentplans">Http://www.highland.gov.uk/developmentplans</a> | OLDP<br>*Please note that this data will be augmented and updated in due course.  |
| Within 150m of trunk/major road corridors | The main purpose of the trunk road network is to provide for the safe and efficient movement of long distance through traffic. To ensure this there are strict limits on the number of direct accesses onto trunk roads. The full implications of development proposals on traffic and road  | OLDP  |

|   |  |                     |
|---|--|---------------------|
|   | safety must be taken into account. This includes Trunk Roads and other locally significant roads (for example A99 to John O' Groats)   |                     |
| ENA Standards 43-48: Overhead line clearances | It is essential that overhead lines are not disturbed by new development as well as ensuring they can be readily accessed for maintenance. This standard provides technical specifications which govern the minimum clearance to be maintained between the conductors, ground, roads, trees and objects on which a person may stand  | ENA Standards 43-48 |
| Railway infrastructure                        | Any new development can potentially pose a risk to the running of the operational railway or impact on existing railway infrastructure such as: bridges; tunnels; embankments; railway access; and level crossings.<br>There are a significant number of level crossings in the Highland Local Authority Area.<br>Development proposals that are likely to result in a significant percentage increase level crossing use must assess level crossing capacity and potential safety impacts borne from proposals including appropriate mitigation where necessary.<br>In addition, a further consideration is that the operational railway produces noise as part of the day to day running of the railway. | OLDP                |
| Trunk water mains                             | All trunk water mains are essential to maintaining the supply of water to the Highlands and may be adversely affected by new development. It is also crucial to ensure such mains can be readily accessed for repair or maintenance works. Developers should contact Scottish Water as early as possible to discuss protective measures and to obtain general advice on sites containing trunk assets.   | OLDP                |
| Oil/Gas pipelines                             | Pipelines carrying oil and gas pose special safety concerns due to their flammable or explosive nature.  | OLDP                |
| Areas of excessive slope                      | Alterations to areas where the slope of the land is more than a gradient of 1 in 7 can result in increased erosion, landslides as well as an increased fire hazard   | OLDP                |
| Flood risk areas                              | These are areas which have an annual probability of flooding of 0.5% or greater (1 in 200 year return period flood extent). This information may be found on the SEPA Indicative Flood Maps. Please note that other information may also be available which indicates areas have a risk of flooding.   | SEPA Flood Map      |

|  |  |  |
|--|--|--|
|  |  |  |
| Rights of way                                  | Any path which is included in the Highland Path Record and subsequently included in one of the Highland Council Core Path Plans should be maintained in new development                  | Core Path Plans  |
| Within 20m of woodland                         | Areas to prevent the loss of amenity of woodland   | Highland Forest and Woodland Strategy  |
| New, existing or former waste management site  | Regard must be had to the safeguarding of waste management sites as well as to any potential impact that the operation of facilities on such a site might have on a proposed development | SEPA Waste Infrastructure Maps   |
| Other contaminated land                        | Areas which have had potentially contaminating previous land uses. Within such areas, remediation measures may be required to ensure the site is safe for new development                | If you think your proposed development site may previously have had a potentially contaminating use, you are advised to contact our Contaminated Land department |
| Within proximity of a sewerage treatment works | Areas to ensure room for expansion of treatment works and to ensure no detrimental impact on public amenity  | Sewerage Nuisance Code of Practice (Scotland) Order 2006   |
| Transmitters                                   | This can be radio, television or telecommunication transmitters  | OLDP   |
| Areas liable to erosion or subsidence          | Areas identified as being at risk of erosion or subsidence.  | No comprehensive data is currently available to publish – we will update this element of the guidance in future revisions  |