

*Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement*

**Dumfries & Galloway Local Development Plan 2: Adopted October 2019  
Strategic Environmental Assessment  
Post-adoption Statement**

**Contents**

1. Introduction
2. Overview of the Plan and its SEA Process
3. How did SEA make a difference to this Plan?
4. Consideration of alternatives for the Plan
5. LDP2 Adoption
6. Monitoring

**Tables**

Table 1: Baseline Environmental Issues

Table 2: Log of SEA Engagement with Dumfries & Galloway Local Development Plan 2 (LDP2)

Table 3: SEA Objectives for Dumfries & Galloway LDP2

Table 4: Integration of Environmental Report findings in LDP2

Table 5: Assessment of comments to the Environmental Report

Table 6: Assessment of comments to the Updated Environmental Report

**Acronyms and Abbreviations**

2005 Act: The Environmental Assessment (Scotland) Act 2005

2006 Act: The Planning etc. (Scotland) 2006

DGC: Dumfries & Galloway Council

ER: Environmental Report

LDP: Local Development Plan

LDP1: The first Local Development Plan, adopted in 2014

LDP2: The second Local Development Plan, adopted in 2019

ER: Environmental Report

MIR: Main Issues Report

PAS: Post-adoption Statement

PP: Proposed Plan

SEA: Strategic Environmental Assessment

SR: Scoping Report

*Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement***1. Introduction**

This Post Adoption Statement (PAS) has been prepared as the final step in the Strategic Environmental Assessment (SEA) process for Dumfries & Galloway Local Development Plan 2 (LDP2) which was adopted in October 2019. It shows that the SEA process under the Environmental Assessment (Scotland) Act 2005, including the Environmental Report (ER) and responses to the associated public consultation, have been considered in the adopted plan (LDP2). It describes the consideration of alternatives as part of the preparation of the Plan. It sets out the requirements for monitoring of LDP2. As a result, it satisfies the requirements of the 2005 Act for this final part of the SEA process for LDP2.

Section 2 provides an overview of the Dumfries & Galloway LDP2 and its SEA process.

Section 3 provides tables and text to show:

- how environmental considerations have been integrated into the Local Development Plan 2 (as required by Section 18(3)(a) of the 2005 Act);
- how the Environmental Report has been considered in the preparation of the Local Development Plan 2 (as required by Section 18(3)(b) of the 2005 Act); and
- how opinions expressed in response to the consultations on the Environmental Report have been considered in the preparation of the Local Development Plan 2 (as required by Section 18(3)(c) of the 2005 Act).

Section 4 describes the reasons for choosing the Local Development Plan 2, as approved, in the light of other reasonable alternatives outlined in the Main Issue Report (as required by Section 18(3)(e) of the 2005 Act).

Section 5 provides reason for the adoption of LDP2 and the influence the SEA process has had on it.

Section 6 sets out the measures that are to be taken to monitor the significant environmental effects of implementation of the Local Development Plan 2 (as required by Section 18(3)(f) of the 2005 Act).

*Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement*

**2. Overview of the Plan and its SEA Process**

SEA formed a necessary adjunct to the process of preparing the Dumfries & Galloway Local Development Plan 2 (LDP2). This Plan, which has been developed from and replaced LDP1 is understood as being provided at 3 planning levels:

- The Spatial Strategy, including Vision and individual strategies for: Economy; Energy; Retail; Housing; Transport; and Waste Management.
- The plans for individual settlements. These comprise general and area specific policies.
- The Plan Policies. These form the framework to be used to assess all development proposals, including those for sites allocated in settlements in this Plan.

The SEA assessment of the Dumfries & Galloway LDP2 recognised that in development plans environmental considerations are a central and fundamental concern. The SEA process involving assessment and preparation of an Environmental Report has worked with the Plan to support the integration of environmental considerations in its preparation.

As noted above, LDP2 has been developed from LDP1. This is as anticipated in the SEA Scoping Report for LDP2 which said: “LDP2 will supersede but principally build upon the policies, programmes and actions within the adopted LDP (adopted in September 2014) and all its associated supplementary guidance. LDP2 will focus on the most significant elements of change from the adopted LDP which will need a specific policy response.”

The Scoping Report said: “It is considered that LDP2 is unlikely to involve a full-scale policy overhaul but is more likely to involve minor modifications to the existing policy wording and site allocations in the majority of cases.” and “The overall strategic direction and vision of the plan is unlikely to change significantly, however LDP2 will need to address those areas of change which are being identified from current trends, issues, surveys, analysis, assessments, and monitoring work which has been carried out.”

It follows from the above understanding that although all policies were assessed for LDP2 the impact of the SEA process on the terms of LDP2 has for the most part already happened during the preparation of LDP1.

In addition to the above considerations, the process for site selection in the plan, including consideration of alternatives fully integrated the planning and SEA assessments. The assessments which informed the conclusions in the Main Issues Report (MIR) and later the Proposed Plan (PP) were presented in the ER. It follows from this that whereas SEA has had impact in the final assessment of every site, this cannot be separated out from the overall process by which the Plan was developed. It also follows that although all sites were assessed for LDP2 the impact of the SEA process on the terms of sites included in LDP2 has for the most part already happened during the preparation of LDP1.

**Dumfries & Galloway Environmental Baseline**

The most basic summary of the Dumfries & Galloway environmental position is that there is a high quality natural and cultural heritage environment. This makes it a desirable place to live and is the basis for the main long-term elements of the economy. The headline environmental issues are how to nurture the asset as a continuing resource whilst at the same time responding to the growing and critical issues of climate change.

At an area-wide level environmental issues for the Plan were identified in the Environmental Report (ER). The adopted Plan seeks to secure most of its effects through:

- the allocation of sites for housing and industry; and

*Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement*

- the application of a framework of policies in the determination of planning applications.

There are 3 Overarching Policies, of which 2 are of particular relevance to environmental effects: Policy OP1 deals with Development Considerations and covers: General Amenity; Historic Environment; Landscape; Biodiversity and Geodiversity; Transport and Travel; Sustainability; and Water Environment. Policy OP2 deals with Design Quality of New Development.

As noted above, LDP2 supersedes but principally builds upon the policies, programmes and actions within LDP1 which was adopted in September 2014. The preparation of LDP2 focussed on the most significant elements of change from the adopted LDP which appeared to require a specific new or updated policy response.

Table 1 below sets out the baseline environmental issues in Dumfries & Galloway as identified in the Environmental Report (ER). This Table also sets out a summary of the responses to these problems in the Proposed Plan (PP).

**Table 1: Baseline Environmental Issues**

| Key environmental issues/problems   | Summary of Plan Response  |
|---|---|
| <b>Biodiversity, Flora and Fauna</b>  |   |
| <p>there are a number of international and national designations across the region<br/> of the 29 international designations, 10 have some element that is in an unfavourable and declining state<br/> biodiversity generally is in decline but the rate of decline appears to be slowing<br/> invasive non-native species continue to spread<br/> approximately a third of the region is covered in woodland and forestry<br/> climate change may rise in significance in the future, adding to existing pressures</p>   | <p>Overarching Policy OP1: Development Considerations provides the overview policy position in respect of Biodiversity and Geodiversity. The issues of biodiversity, flora and fauna are covered through policies for the natural environment. These intend to protect and enhance the natural environment and the sustainable use and enjoyment of it.</p> |
| <b>Population and Human Health</b>  |   |
| <p>declining and older population with high life expectancy rates<br/> the number of households is increasing although household size is predicted to decrease<br/> over a quarter of the region's population live in Dumfries but overall, the region has a relatively low population density of 23 persons per km<sup>2</sup><br/> overall, there are low levels of household income with a poorly performing labour market<br/> the region is diverse containing some of the most and least deprived areas of Scotland<br/> there is high reliance on car ownership in the rural parts of the region although 20% of households do not have access to private transport<br/> there is a wealth of recreational opportunities within the region</p> | <p>The spatial strategy says that it aims to get the right type of development in the right place which meets the need of the community whilst promoting a more sustainable pattern of development, creating opportunities for sustainable economic growth, reducing carbon emissions and minimising the need to travel.</p>                                |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

| Key environmental issues/problems  | Summary of Plan Response  |
|--|---|
| <b>Soil</b>  |   |
| <p>only a small proportion of land is considered to be prime agricultural land</p> <p>the region contains large areas of peatland</p> <p>there are a number of sites with potential contaminated land issues that may require mitigation</p> <p>there are issues of soil erosion particularly through flood events and in coastal areas</p>  | <p>There are policies that intend to protect better quality soils and to support the role of soils as natural carbon sinks.</p>   |
| <b>Water</b>   |   |
| <p>there are a number of watercourses that are subject to potential flood risk</p> <p>the number of flood incidents has fluctuated over the years and appears to be directly related to rainfall</p> <p>the condition of water bodies has generally improved over the long term but not in the short term</p> <p>the quality of groundwater in the region is generally good but there appears to be a declining trend</p> <p>the quality of the public water supply is generally high although there is a relatively high number of private water supplies</p> <p>climate change may cause increased competition for water, as well as increased flood risks</p> | <p>There is a set of policies (including Water Environment in OP1) to cover the issue of water quantity (flooding) and support for water quality. In respect of water quantity, the plan intends to avoid adding to flood risk.</p> |
| <b>Air</b>   |   |
| <p>air quality within the region is generally good</p> <p>there are no Air Quality Management Areas within the region</p>  | <p>The spatial strategy which aims to minimise the need to travel is expected to support the maintenance of generally good air quality across the region.</p>   |
| <b>Material Assets</b>   |   |
| <p>the number of vacant and derelict sites in the region has recently reduced</p> <p>there are a number of important mineral resources in the region</p> <p>a programme to rollout recycling collections across the region is ongoing along with a regional network of household waste recycling centres</p> <p>designation of the Galloway Dark Sky Park has provided a driver to install LED street lights</p>   | <p>The spatial strategy says that it aims to maximise the use of existing infrastructure and minimise the need for travel. There are 4 policies dealing with aspects of waste and 1 policy regarding the Dark Sky Park.</p>         |
| <b>Climatic Factors</b>  |   |
| <p>anticipated that summers will be warmer and drier, autumn and winter will be milder and wetter, with an increase in intense rainfall, and rising sea levels</p>   | <p>The spatial strategy which aims to get the right type of development in the right place is intended to minimise the need to travel and assist in the reduction of CO2</p>  |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

| Key environmental issues/problems   | Summary of Plan Response   |
|---|--|
| <p>there are a significant number of renewable energy schemes installed throughout the region using a variety of technologies with wind and hydro being the main elements</p> <p>car ownership in the region is relatively high recognising the relatively sparse population and limited public transport options</p> <p>rail usage has increased in the region however overall the region is poorly served by rail routes</p> <p>observed climate changes have had impacts on many aspects of our environment, the resilience of our businesses, the health and well-being of our people and our infrastructure and these impacts will continue and even intensify in the projected future climate</p> | <p>emissions. Overarching Policy OP2: Design Quality and Placemaking requires that it integrates sustainable energy measures.</p> <p>Overarching Policy OP1 part f) sustainability seeks to limit the impacts of climate change by, inter alia, setting targets for carbon emission reductions from new buildings.</p>   |
| <b>Cultural Heritage</b>  |  |
| <p>the region contains a range of diverse historic assets there have been few changes to the number of designated historic assets</p> <p>a significant number of historic assets are under-used or in poor condition</p> <p>within the region, there are potential restoration schemes for 15 of the buildings on the Buildings at Risk Register for Scotland</p> <p>there are a relatively high number of designated archaeological sites throughout the region</p>  | <p>Overarching Policy OP1 provides the overview policy position in respect of the Historic Environment. The issues of cultural heritage are covered through Historic Environment in OP1 and eight subject specific policies (HE1-8). These intend to respect, protect and enhance the environment. This approach guided the identification of specific sites in settlements in the Plan.</p> |
| <b>Landscape</b>  |  |
| <p>the region has a rich and diverse landscape and includes areas designated for their landscape and scenic qualities at both the national and local levels</p> <p>SNH have identified two areas of wildland in the region</p> <p>TPO records in the region are limited and require updating</p> <p>the loss of larch and ash trees to Phytophthora ramorum and ash die-back is likely to have a significant impact on region's landscape</p> <p>the changing climate is already altering our unique Scottish landscapes</p>  | <p>Overarching Policy OP1 provides the overview policy position in respect of Landscape. The issues of landscape in designated areas are covered by two subject specific policies (NE1 and NE2): These intend to protect and enhance the quality of National and Regional Scenic Areas. This policy approach guided the identification of specific sites in settlements in the Plan.</p>     |

The above issues are relevant for LDP2 in so far as they set the default and framework for decisions on development proposals. In this context account must also be taken of the possible impacts of climate change and the need to provide mitigation or adaptation. The SEA framework, against which the LDP was appraised, comprised environmental objectives for each of the planning levels. These were originally set out in the Scoping Report and refined for the Environmental Report (see Table 3 below). Objectives were developed for each SEA topic. The environmental objectives were devised to cover the scope of the plan relative to each environmental topic. They took account of the baseline data and environmental issues. The appraisal framework against which the LDP was

*Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement*

assessed therefore reflected environmental considerations and provided a means of appraising the performance of the LDP using a consistent approach, enabling its potential effects to be identified and mitigated where possible, and enhancements recommended. The appraisal was an iterative process and its findings have been integral to refining the terms of the Plan. It is important to note that the most effective SEA practice can be during the phase leading up to an assessment in an ER.

The SEA process for the Dumfries & Galloway LDP2 started with the Scoping Report (December 2015). This set up the broad terms of the process based on the then current Development Plan Scheme. There was assessment of the Main Issues Report in the ER and assessment of the changes made from that in the Proposed Plan in an update to the ER. The Plan seeks to secure its effects through the allocation of sites for housing and industry and the application of a framework of policies in the determination of planning applications.

Public consultation is an important part of the SEA process. The 2005 Act requires that the public be given an 'early and effective' opportunity to participate in the process. Public consultation was carried out on the ER associated with the Main Issues Report (MIR) published in January 2017 and ER Update associated with the Proposed Plan (PP) published in January 2018. It is also a requirement of the 2005 Act that the SEA Consultation Authorities be consulted on the ER and the SEA process for the Dumfries & Galloway LDP2 included consultation with the Consultation Authorities on both the ER published with the MIR and ER Update published with the proposed Plan.

*Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement*

### 3. How did SEA make a difference to this Plan?

#### SEA Engagement with LDP2

Section 2, above, has outlined that the Dumfries & Galloway LDP is an important Plan and also that there has been an associated SEA process. The stages of the SEA process are set out in Table 2 below. The sub-sections in the text below show how each step helped this second Dumfries & Galloway LDP (LDP2) to be more sensitive to environmental concerns than might otherwise have been the case.

**Table 2: Log of SEA Engagement with Dumfries & Galloway LDP2**

| SEA Stage   | SEA activity  | LDP response   | PAS comment  |
|---|---|--|--|
| Scoping Report  | Environmental baseline prepared and main environmental issues identified.<br>Development of SEA objectives    | Response in respect of identified environmental issues in PP                                 | Shows that account was taken of the Scoping Report in the preparation of the MIR.                |
| Preparation of ER   | Preparation of State of the Environment Report.<br>Engagement during preparation of MIR.<br>Preparation of ER | Responds to environmental issues and objectives identified by Scoping Report                 | Shows that account was taken of the SEA assessment in the preparation of the MIR.                |
| Publication of ER alongside MIR and State of the Environment Report |   |  |  |
| ER consultation responses   | Consideration of ER responses in preparation of Proposed Plan   | Response in the PP to matters raised by ER responses.  | Notes ER responses and how they were dealt with for the PP                                       |
| Publication of ER Update alongside Proposed Plan                    |   |  |  |
| ER Update consultation responses                                    | Consideration of ER Update responses for submission to Examination  | Response in the Examination Plan to matters raised by ER Update responses.                   | Notes ER Update responses and how they were dealt with for the Examination Plan.                 |
| Screening of Examination Reporters Recommendations                  | Screening of Examination Reporters Recommendations  | Accepts the SEA screening of the Examination Reporter's Recommendations and its conclusions. | Notes the SEA screening of the Examination Reporter's Recommendations and notes the conclusions. |
| Preparation of Post-adoption Statement following adoption of LDP2   |   |  |  |



*Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement*

### The Scoping Report

The Scoping Report set up the broad SEA objectives to be used in the assessment of the Plan. Given the broad scope of the Plan in terms of subject matter and spatial application the objectives could not be precisely defined. However, the use of these objectives (Table 3) supported a thorough and comprehensive assessment.

The Scoping Report also contained a broad list of baseline environmental issues in Dumfries and Galloway (Table 1). It should be noted that baseline information relevant to the Plan was set out in the Dumfries and Galloway State of the Environment Report and the LDP Monitoring Report which was published alongside the Main Issues Report in January 2017. As a response to a number of factors, including the baseline information, policies for the appropriate protection and conservation of the environment were set out in the Proposed Plan.

**Table 3: SEA Objectives for LDP2**

| Topic                         | SEA Objective  | Indicators   |
|-------------------------------|--|--|
| Biodiversity, Flora and Fauna | To conserve and enhance biodiversity   | Condition of designated sites<br>Loss of designated sites<br>Additional designated sites<br>LBAP species / habitats stable or increasing<br>Invasive Species control / expansion<br>Area subject to restoration of ancient woodland.<br>Area subject to restoration of peatland. |
| Population and Human Health   | To improve the quality of life, human health, well-being and inclusion for all<br><br>To increase the opportunities for access to, and enjoyment of, greenspaces and the wider landscape<br><br>To encourage development within areas which are easily accessible by public transport as well as having good pedestrian and cycle linkages | Health and well-being indicators (age expectancy, deprivation indexes, population figures, etc.)<br><br>Number of additional and improved access routes and cycle paths<br><br>Open space quantity and quality measured through the Open Space Audit                             |
| Soil                          | To safeguard the soil quality, geodiversity and improve contaminated land<br><br>To reduce negative effects on peat and carbon rich soils<br><br>To reduce and minimise soil and coastal erosion   | Changes in soil quality<br><br>Maintain diversity of geology, natural landforms and processes  |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

| Topic             | SEA Objective   | Indicators   |
|-------------------|---|--|
| Water             | To manage and reduce flood risk and to support opportunities to do so through sustainable flood management (SuDS)   | Maintain or reduce extent of flood risk  |
|                   | To protect and enhance the state of the water environment   | Maintain or improve the state of the water environment   |
| Air               | To maintain and, where possible, improve air quality  | Air quality trends   |
| Material Assets   | To manage, maintain and promote the sustainable use of natural resources  | Number of domestic and commercial renewable energy applications and installations                    |
|                   | To reduce waste production and adopt sustainable waste management practices   | Encourage re-use of brownfield sites and buildings<br><br>Improve recycling facilities and practices |
| Climatic Factors  | To contribute to the reduction of greenhouse gases and reduce energy consumption  | Number of domestic and commercial renewable energy applications and installations                    |
|                   | To promote sustainable energy technologies and energy efficiency  | Changes in carbon emissions  |
|                   | To minimise / reduce the need for travel by car   | Changes in travel patterns<br><br>Number of Developments with Implemented Travel Plans               |
| Cultural Heritage | To protect and enhance the region's rich built and historic environment including its setting   | Number and condition of designated and non-designated sites  |
| Landscape         | To protect and enhance the character, distinctiveness and diversity of the region's landscape.  | Number and condition of designated and non-designated sites  |
|                   | To protect and enhance the landscape setting of settlements plus the landscape and scenic qualities of designated landscapes, areas of wild land, and important views | Changes in Landscape Character Areas<br><br>Changes in landscape capacity following study reviews    |

*Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement***Integration of Environmental Report findings into LDP2**

Table 4 summarises how the ER has been taken account of in LDP2. This includes the measures that were taken to offset significant negative effects highlighted in the report.

**Table 4: Integration of Environmental Report findings into LDP2**

| <b>SEA TOPIC</b>              | <b>Findings from the Environmental Report</b>  | <b>Integrated into the Plan (Yes/No)</b> | <b>How the findings were integrated into the plan.</b>   | <b>When should mitigation be considered?</b>   |
|-------------------------------|--|--|--|--|
| Biodiversity, Flora and Fauna | There is the potential for adverse impacts on species and habitats from development. Implementation of the plan's biodiversity and green network policies should reduce the negative impacts and deliver environmental improvements. | Yes                                      | <p>Overarching Policies specifically set out the development considerations. This includes Biodiversity and Geodiversity which requires development proposals to respect, protect and/or enhance the region's rich and distinct biodiversity, geodiversity and sites identified for their contribution to the natural environment at any level including ancient and semi-natural woodland. The guidance contained within the Local Biodiversity Action Plan, and any subsequent revised or amended document, will be a material consideration in the assessment of proposals.</p> <p>Natural Environment policies set out measures to respect, protect and enhance the environment. Policy NE4-6 relate specifically to the importance and required assessments for international and national Biodiversity areas and species.</p> <p>Site specific mitigation measures, including surveys, are recommended in the site guidance.</p> | During the Environmental Impact Assessment process and the Development Management stage including the preparation of applications, masterplans and strategies. |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|                             |  |     |  |  |
|-----------------------------|--|-----|--|--|
| Population and Human Health | Housing allocations in the Plan take numerous elements into account including population, household types and specific needs such as affordable housing. The region's population is decreasing but the elderly population is rising. Where possible sites should be in close proximity to footpaths and cycleways and to existing open spaces or will require the provision of additional or improved open spaces through developer contributions. | Yes | <p>Part of the Plans spatial strategy is to get the right development in the right place to meet the needs of the community and create opportunities for active travel. Housing policies are intended to meet the housing needs of the area and a generous supply of housing is maintained throughout the region.</p> <p>In line with the Councils Active Travel Strategy, the Plan has taken into account the location of community facilities, open space, footpaths and cycleways when determining allocated sites. Plan policies in the Community Facilities section cover the:</p> <ul style="list-style-type: none"> <li>• protection and reuse of community facilities;</li> <li>• support for the addition and/or enhancement of green network corridors;</li> <li>• protection, provision and maintenance of open space, and;</li> <li>• the protection of existing and provision of new access routes.</li> </ul> <p>Where relevant, site guidance provides additional information regarding population and human health requirements such as pedestrian and cycleway links.</p> | During the Development Management stage including the preparation of applications, masterplans and strategies. |
| Soil                        | Potential development would have a negative impact on greenfield and   | Yes | Prime agricultural land in the region is scarce and therefore the policy has broadened the definition to good quality agricultural   | During the Environmental Impact Assessment process and   |

*Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement*

|  |  |  |   |  |
|--|--|--|---|--|
|  | <p>prime agricultural land. The difficulty in mitigating this is acknowledged given the region is a large rural area where brownfield sites are limited in both their supply and location and where whole settlements may be surrounded by prime (or good quality) agricultural land.</p> <p>There are a number of allocated sites where potential contaminated land concerns have been identified and would require mitigation through investigation and implementation of any measures.</p> <p>There are issues of soil erosion through flood events and in coastal areas.</p> |  | <p>land which includes slightly lower quality of land as being worthy of protection. The Plans overarching principle for sustainable development includes the consideration of brownfield and vacant and derelict land and buildings before greenfield land. Where possible, priority has been given to the re-use of brownfield land for future development.</p> <p>The Plan promotes sustainable development through minimising adverse impacts on soil quality in Overarching Policy 1: Development Considerations. The Plan includes specific policies relating to soil in which development on prime agricultural land or land of lesser quality that is locally important should not be permitted except for a limited number of specified circumstances. Where sites have been allocated that are considered to be worthy of protection, these are generally category 3.2 (Mixed Agriculture) of the Land Capability for Agriculture.</p> <p>Policy IN10: Contaminated and Unstable Land aims to ensure that development will not result in unacceptable health risks and will protect the natural environment by requiring applicants to undertake necessary investigation and remediation.</p> | <p>the Development Management stage including the preparation of applications, masterplans and strategies.</p> |
|--|--|--|---|--|

Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement

|       |  |     |  |  |
|-------|--|-----|--|--|
|       |  |     | <p>Policy NE9: Undeveloped Coast aims to ensure that issues of coastal erosion are fully considered in relevant development proposals.</p> <p>Policy NE10: Erosion and Coastal Protection aims to ensure that coastal defence works do not have a wider adverse impact on coastal erosion.</p>   |  |
| Water | <p>Potential development could have significant impact on the water environment, and for increased flood risk.</p> <p>Opportunities for mitigating negative impacts, including implementing measures identified in flood risk assessments or drainage impact assessments and avoiding development on certain parts of sites, have been identified in the site assessments.</p> | Yes | <p>Overarching Policy 1: Development Considerations promotes sustainable development through minimising adverse impacts on water and maintenance or enhancement of water quality. Natural Environment policies relate to Coastal development, support for the water environment and protection of water margins.</p> <p>The application of water and flooding policies in the plan should reduce the impacts of new developments. Where significant impacts have been identified and either or both the Council’s Flood Risk Management Team and SEPA have objected in principle to development of the site these have not been allocated in the LDP2. Where sites have been allocated where there is potential for flood risk, a Drainage Impact Assessment and/or Flood Risk Assessment are required in the Plan site guidance prior to development.</p> | <p>During the Habitats Regulations Assessment, Environmental Impact Assessment process and the Development Management stage including the preparation of applications, masterplans and strategies.</p> |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|                 |   |     |   |  |
|-----------------|---|-----|---|--|
| Air             | <p>Cumulatively, the proposals in the plan are likely to have significant adverse impacts on air quality and greenhouse gas emissions, particularly through increased emissions from construction, road transport and domestic energy consumption. However, walking and cycling infrastructure and continued promotion of a change in traffic patterns is likely to contribute to mitigating greenhouse gas emissions from transport.</p> <p>Most of the sites are accessible by active travel and public transport, they can play a positive role in potentially promoting and encouraging these modes thereby reducing emissions and improving air quality.</p> | Yes | <p>The Active Travel Strategy sets out Councils priorities. The overarching principle of the Plan is that all development proposals should support sustainable development, including the reduction of carbon and other greenhouse gas emissions. Principles outlined in the plan include:</p> <ul style="list-style-type: none"> <li>• maximising the use of existing infrastructure including public transport;</li> <li>• consider reuse of brownfield, vacant and derelict land and buildings instead of greenfield;</li> <li>• consider opportunities to develop mixed communities.</li> </ul> <p>Overarching Policies specifically set out the development considerations for General Amenity including air pollution, encouragement of active travel, sustainability to be designed with people, not vehicle movements, as a primary focus.</p> <p>Policy T2: Location of Development/Accessibility expects developments to prioritise personal travel by mode in the following order: walking, cycling, public transport and lastly car and other motorised vehicles; Development/Accessibility</p> | During the Development Management stage including the preparation of applications, masterplans and strategies. |
| Material Assets | There are a number of important mineral resources in the region and it  | Yes | Policy ED15: Minerals will safeguard mineral deposits from development that might sterilise their   | During the Development Management stage including  |

Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement

|  |  |  |   |   |
|--|--|--|---|---|
|  | <p>is important to safeguard all which are of economic or conservation value and ensure they are not sterilised by other development. The landscape impacts of mineral extraction can be long term and cover extensive areas and although schemes will include restoration this will often not be expected for a long time in the future.</p> <p>The vision and spatial strategy are likely to contribute strongly to accessibility to waste recycling facilities. The waste management strategy aims to improve the operation and accessibility of recycling facilities and practices.</p> <p>Artificial lighting, particularly in rural areas, can have an impact on the natural environment. This is especially detrimental to the Dark Sky Park.</p> |  | <p>extraction. The policy will ensure mineral reserves are not sterilised and the extraction minimises the impact on local communities.</p> <p>Policy OP2: Design Quality of New Development would ensure development proposals provide a variety of links to waste facilities.</p> <p>Policy OP3: Developer Contributions ensures contributions are sought for waste management facilities where the need arises resulting from the development.</p> <p>Policies IN3 aims to ensure treatment of waste is accommodated in sustainable locations and supports development for new waste management. Policy IN4 aims to ensure treatment of waste is accommodated in existing locations. IN5 aims to support energy recovery from waste proposals in appropriate locations. IN6 aims to ensure relevant proposals are supported by a Site Waste Management Plan.</p> <p>The Dark Sky policy has been expanded to support the installation of dark sky friendly lighting in all development across the region and not just within areas that impact on the Dark Sky Park.</p> | <p>the preparation of applications, masterplans and strategies.</p> |
|--|--|--|---|---|



## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|                  |   |     |  |  |
|------------------|---|-----|--|--|
| Climatic Factors | <p>Any new development is likely to lead to an increase in greenhouse gas emissions through its construction and increase in traffic. However, support for walking and cycling infrastructure and continued promotion of a change in traffic patterns is likely to contribute to mitigating greenhouse gas emissions from transport.</p> <p>Housing in the Countryside is unlikely to be well served by public transport and, therefore, does not support a reduction in the need to travel.</p> <p>National and Regional Scenic Areas are protected as wider areas of open space and important landscape character but this can inhibit development of visually prominent renewable energy sources.</p> <p>There is potential on all sites for sustainable development which would result in</p> | Yes | <p>Policies OP1 outlines the considerations development should have of transport and travel and landscape. OP2 states relevant proposals should be designed with people, not vehicle movement, as the primary focus, incorporating the principles set out in 'Designing Streets' and where possible increase connectivity to nearby places, paths, streets and open spaces. A broad principle of the Plan is maximising the use of existing infrastructure including public infrastructure.</p> <p>The Plans Energy policies provide a basis to consider the evolving energy field for existing technologies and new technologies coming forward. Policy IN1 provides a general framework for the assessment of all forms of renewable energy whilst IN2 addresses Wind Energy.</p> <p>Maximising passive solar gain through design, layout and orientation of buildings is a broad principle in the Plan to guide the preparation of all development proposals and reflected in Policy OP2 through the integration of sustainable energy and design measures.</p> | During the Development Management stage including the preparation of applications, masterplans and strategies. |
|------------------|---|-----|--|--|

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|                   |   |     |  |   |
|-------------------|---|-----|--|---|
|                   | <p>environmental benefits. This can take many forms from the use of sustainable construction techniques and to designing for solar gain or providing shelter by planting tree belts. This will very much depend on the implementation of the policies within the plan that support sustainable development.</p> |     |  |   |
| Cultural Heritage | <p>There is potential for significant negative impacts on historic sites and buildings. A significant number of historic assets are under-used or in poor condition.</p> <p>There is a relatively high number of archaeological sites throughout the region.</p>  | Yes | <p>Policy OP1b aims to preserve the special significance, traditional features and local identity of the historic environment of the region. Where relevant, recommendations for mitigating significant negative impacts on historic sites and buildings have been made in site guidance. The application of historic environment and layout and design policies in the plan aims to help reduce negative impacts.</p> | <p>During the Development Management stage including the preparation of applications, masterplans and strategies.</p> |
| Landscape         | <p>There is potential for significant negative impacts on landscape character.</p> <p>The landscape impacts of mineral extraction can be long term and cover extensive areas and although schemes will include restoration this will often not be expected for a</p>  | Yes | <p>Policy OP1c aims to respect, protect and enhance landscape character, scenic qualities and features. Where relevant, recommendations for mitigating significant negative impacts on the landscape have been made in site guidance. The application of landscape and layout and design policies in the plan should help to reduce negative impacts.</p> <p>Policy OP2: Design Quality and Placemaking states</p>     | <p>During the Development Management stage and Environmental Impact Assessment process.</p>                           |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|  |                          |  |   |  |
|--|--------------------------|--|---|--|
|  | long time in the future. |  | <p>relevant proposals should incorporate a hard landscaping and planting scheme which includes the proposed treatment of existing trees and other landscape features.</p> <p>Through LDP2s Natural Environment policies the Council will respect, protect and enhance the environment.</p> <p>Where possible, recommendations for mitigating landscape impacts have been made in the site guidance. The application of landscape and layout and design policies in the plan should help reduce these impacts.</p> |  |
|--|--------------------------|--|---|--|

**Consultation Representations**

Tables 5 and 6 summarise the representations made during the consultation stages and the Councils subsequent response. Tables 5 is the assessment of comments to the 2017 Environmental Report which accompanied the MIR and Table 6 is the assessment of comments to the 2018 Updated Environmental Report.

**Table 5: Assessment of comments to the Environmental Report**

| Representor                             | Representation Number | Representation Summary  | Council Response   |
|---|-----------------------|---|--|
| Historic Environment Scotland - General | 0012.005              | In some instances effects on the historic environment could have been drawn out to a greater degree, particularly where positive effects may occur as a result of the policy approaches set out in the Main Issues Report. Also consider that a greater emphasis could have been given to the change in environmental baseline caused by the recent designation of Battle of Sark (Inventory Battlefield BTL40) | Comments noted and positive and negative effects of site and policy have on the historic environment will be considered in subsequent reports. |
| SNH – General                           | 0122.003              | Note that our advice at scoping stage has been taken  | Comments Noted   |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|   |          |   |  |
|---|----------|---|--|
|   |          | into account in the Environmental Report.   |  |
| <b>Historic Environment Scotland - Introduction</b> | 0012.005 | This section clearly sets out the purpose of Strategic Environmental Assessment (SEA) and how it relates to the preparation of the emerging development plan.   | Comments Noted   |
| <b>Historic Environment Scotland - Context</b>      | 0012.005 | A number of key issues for the historic environment have been drawn into the Environmental Report here, consider that a key baseline change has occurred with the recent designation of the Battle of Sark (Inventory Battlefield, BTL40) and that this should also be recognised here.   | The State of the Environment Report has been updated to include the Battle of Sark.  |
| <b>SNH – Context</b>                                | 0122.003 | <p>Information in Table 1 requires some update and clarification. Specifically:</p> <p>Biodiversity, Flora and Fauna – the number of international designations is inaccurate. The statement “biodiversity generally is in decline, but the rate of decline appears to be slowing”.</p> <p>Soils – It would be useful to include some detail on the condition of the peatlands in the region.</p> <p>Landscape – One of the wild land areas (Talla – Hart Fell) is a cross-boundary area that extends into Scottish Borders Council area.</p> <p>Landscape - While trees play an important role in landscape character and setting as well as amenity of place, unclear on the inclusion of TPO records as a key landscape issue. The contribution of trees and woodland to landscape character and setting extends beyond protected areas. This issue would benefit from further detail.</p> | Comments noted and the number of international designations will be included in the updated Environmental Report. The statement of biodiversity is in decline is the 3 <sup>rd</sup> bullet point in this section of the table. Regarding the Soils section, the State of the Environment Report includes further information on the condition of peatlands in the region. Regarding the Landscape section, The Talla-Hart Fell will be noted as a cross-boundary area in the updated Environmental Report. The inclusion of TPOs will be reviewed for subsequent plans. |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|  |                 |  |   |
|--|-----------------|--|---|
| <b>SNH – Context</b>   | 0122.003        | Agree with the summary of the likely change in the area in the absence of the LDP, the influence of the spatial strategy and its role in securing necessary infrastructure.  | Comments noted  |
| <b>Historic Environment Scotland – Assessment Methods: SEA Objectives for LDP2</b> | 0012.005        | Support the use of SEA Objectives as an assessment method and that the SEA Objective for the cultural heritage is appropriate.   | Comments Noted  |
| <b>SEPA – Assessment Methods: SEA Objectives for LDP2</b>                          | <b>0120.003</b> | <p>The following additions would give a more comprehensive picture of the effects of the plan:</p> <p>Indicators:</p> <p>Human Health - Compliance with criteria set to protect health e.g. air, soil and water regulation.</p> <p>Soil - Area of peat / organic rich soils within Plan area (e.g. hectares)</p> <p>Surface area affected by loss of soil organic matter within Plan area (e.g. hectares)</p> <p>Area of statutorily contaminated land within Plan area (e.g. hectares).</p> <p>Water - Length of waterbody classified as being at “poor” ecological status / potential through River Basin Management Planning (RBMP) process within Plan area (km). Reported incidents of water pollution within Plan area (number per month).</p> <p>Properties at risk from flooding within Plan area (number).</p> <p>Number and type of flooding incidents within Plan area (per year).</p> <p>Air - Concentration of all Air Quality Strategy (AQS) pollutants within urban areas (<math>\mu\text{g}\cdot\text{m}^{-3}</math>).</p> <p>Trunk road length and capacity within Plan area (per year) / traffic flow on key routes within Plan area</p> | Comments noted and the additional indicators listed will be considered for inclusion within subsequent plans. |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|  |                 |   |  |
|--|-----------------|---|--|
|  |                 | <p>(vehicles per month).</p> <p>Number of complaints made regarding nuisance (by type per month).</p> <p>Material Assets - Amount of waste generated and disposed of annually (by disposal route e.g. % of waste recycled, composted etc.).</p> <p>Proportion of construction and demolition waste that is reused and recycled.</p> <p>Number of new / existing developments connected to new / existing heat networks.</p> <p>Climatic Factors - % of council housing stock which meets the Scottish Housing Quality Standard for energy efficiency.</p> <p>% of social housing stock which meets the Energy Efficiency Standard for Social Housing.</p> |  |
| SEPA –<br>Assessment<br>Methods: SEA<br>Objectives for<br>LDP2 | <b>0120.003</b> | <p>Note that the symbols used in Table 4: Proposed Scoring Guidelines are not the same as those used in Table 5: Vision and Strategy Assessment. The same applies to Table 7: Assessment of Major Changes to the Policy Framework and the scoring guidance above it. The scoring guidance in both cases uses +/- to indicate 'both positive and negative impacts', the tables use +/-x.</p>   | <p>Comments noted. The scoring of Table 4 has been amended in the updated Environmental Report to reflect the negative symbol (x) indicated in Tables 5 and 7.</p> |
| SNH –<br>Assessment<br>Methods: SEA<br>Objectives for<br>LDP2  | <b>0122.003</b> | <p>Generally, agree with the SEA Objectives and Indicators set out in Table 2. However, the following changes would support more robust monitoring in future:</p> <p>Loss of designated sites – this should be re-phrased as <i>'damage to or loss of designated sites'</i>.</p> <p>Number of additional and improved access routes and cycle paths – recommend that this indicator also includes the quality of new or improved paths.</p> <p>Changes in travel patterns – this indicator needs to be broadened out. Changes in</p>  | <p>Comments noted and the additional indicators listed will be considered for inclusion within the next plan.</p>  |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|   |          |   |   |
|---|----------|---|---|
|   |          | <p>travel patterns could include anything from a shift towards active, sustainable transport or, conversely, an increase in car use. As LDP 2 has aspirations to continue moving Dumfries and Galloway towards being a more sustainable place to live, recommend that this indicator is amended to <i>'changes in travel patterns towards more sustainable travel'</i>. This would more clearly align with the spatial strategy aim that <i>"...sustainable travel is integral to development..."</i></p>   |   |
| <p><b>Historic Environment Scotland</b> – Assessment of Vision and Spatial Strategy</p> | 0012.005 | <p>Note that the over-arching elements of emerging LDP2 are likely to have beneficial effects for the cultural heritage topic area and welcome this.</p>  | Comments noted  |
| <p><b>SNH</b> – Assessment of Vision and Spatial Strategy</p>                           | 0122.003 | <p>there are some queries on some elements of the assessment:<br/> Vision and Spatial Strategy -<br/> The effect of concentrating development in larger settlements is described as being mitigated by <i>"...the promotion of active travel and public transport."</i><br/> While the stated commitment to modal shift is welcomed, it is unclear how this will be achieved. Promotion is generally associated with 'softer' approaches such as behavior changes. While this plays an important role, infrastructure will also be required if the identified effects are to be appropriately mitigated.</p> <p>Transport Strategy - A further positive effect of active travel is on human health, as noted in the assessment of Active Travel and Green Networks.</p> | <p>Comments noted regarding Vision and Strategy. The LDP policy is already in place and the Design Quality of New Development Supplementary Guidance includes infrastructure such as links.</p> <p>Comments noted regarding human health. Text relating to human health will be added to the Active Travel section.</p> <p>Comments noted regarding mitigation and measures will be outlined more clearly in Table 5 of the updated Environmental Report.</p> |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|  |                              |  |  |
|--|------------------------------|--|--|
|  |                              | The next iteration of the Environmental Report should also express mitigation more clearly. The final column of Table 5 is labelled as such but at present the content is more commentary on assessment than identification of required mitigation.  |  |
| <b>Historic Environment Scotland, SEPA, SNH - Assessment of Policy Framework</b> | 0012.005, 0120.003, 0122.003 | The decision to reassess all of the policies rolled forward from the adopted LDP, as well as any reasonable alternatives is to be commended and agree with this outcome.   | Comments noted   |
| <b>SEPA - Assessment of Policy Framework</b>                                     | <b>0120.003</b>              | Our response to the draft ER noted that the comments/mitigation column in the assessment matrices did not explain what mitigation had been considered for each policy. Disappointed to note that this has not been amended. It is now clear that the scoring has been carried out post mitigation and that information gained from the review and monitoring of the current LDP has also been used in assessing elements of the plan.                                | Paragraph 6.8 of the Environmental Report sets out what mitigation is and how the policies have been mitigated. No modification proposed.  |
| <b>SEPA - Assessment of Policy Framework</b>                                     | <b>0120.003</b>              | Assessments of the preferred and alternative approaches to policies are unclear. In Table 8 both the preferred and alternative options for ED5 are the same, no amendment to ED5 has been shown. In Table 9 the wording 'whilst protecting the natural environment asset of Dumfries and Galloway' has been lost when combining the policies. In most cases the text in the Comments/Mitigation column is the same for both preferred and alternative options. It is | The preferred option to policy ED5 was minor amendments to the policy wording. The alternative option was to keep ED5 as currently worded. The environmental impact of the policies has not changed. No modifications proposed. Regarding Table 9 text, this is a factual error and this text has been included in the updated Environmental Report. |



## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|  |          |  |  |
|--|----------|--|--|
|  |          | difficult to see why one approach has been favoured over another for adoption.   |  |
| <b>Historic Environment Scotland -</b><br>Assessment of Policy Framework | 0012.005 | Note that the introduction of new policies for Battlefields and Enabling Development will give rise to positive effects for the cultural heritage topic area. Also welcome where it is identified that revision of the Town Centre Development policies (ED5/ED7) will give rise to positive effects on cultural heritage by encouraging the re-use of buildings and enhancing the environmental quality of these areas. In line with this, also consider that policies for business, tourism and recreation development in the rural area may give rise to positive effects on the historic environment through the re-use of buildings for these purposes. | Comments noted and changes to be made regarding Battlefields and Enabling Developments and Town Centres. After further consideration the alternative approach for Rural Business and Tourism policies is being taken forward into the Proposed Plan. |
| <b>Historic Environment Scotland -</b><br>Assessment of Policy Framework | 0012.005 | Consider that benefits to the cultural heritage topic area may be drawn out to a greater degree in the assessment of policies to be retained and carried forward into LDP2 at Appendix 2. Policies H2, H3 and H8, for example, may give rise to positive effects on the historic environment through the encouragement of sympathetic development.   | Comments noted and the effects policies have on the historic environment have been included in the updated Environmental Report for Housing policies H2, H3 and H8.  |
| <b>SEPA -</b><br>Assessment of Policy Framework                          | 0120.003 | Note that the scores used are post mitigation. The mitigation used should be identified in the Comments/Mitigation column.   | Comments noted regarding mitigation and measures will be outlined more clearly in the updated Environmental Report where possible and within the next plan.  |
| <b>SNH -</b><br>Assessment of Policy Framework                           | 0122.003 | The conclusion that the implementation of the policies will achieve mitigation is somewhat unclear as Tables 7 to 11 set out assessment commentary but not mitigation.   |  |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|  |                 |   |   |
|--|-----------------|---|---|
| SNH -<br>Assessment of<br>Policy<br>Framework                    | 0122.003        | The comments/mitigation column in the policy assessment matrix (appendix 2) should include mitigation measures, where these are relevant.   |   |
| <b>Historic Environment Scotland</b> -<br>Assessment of<br>Sites | 0012.005        | Welcome where preferred or alternative development allocations included within the Main Issues Report are assessed here. Also understand that a comprehensive assessment of all sites considered for inclusion within this plan is provided as part of a separate document, also available for public review, and support this approach. Also welcome where mitigation advice has been provided for inclusion as part guidance for the delivery of sites. | Comments noted.   |
| <b>Historic Environment Scotland</b> -<br>Assessment of<br>Sites | 0012.005        | Note that the potential Dumfries and Galloway Royal Infirmary allocation (DFS.H201) is not assessed due to its early stage in the development process. Given the potential cultural heritage impacts caused by development in this location, however, would strongly recommend that an assessment of this potential allocation is undertaken in support of the Environmental Report for the Proposed Plan.  | Site DFS.H201 is not being recommended for allocation in the Proposed Plan. The Development Framework is being proposed for the Crichton Quarter which proposes to adopt Supplementary Guidance as part of the LDP and will have a Screening Determination. No modification proposed. |
| <b>Historic Environment Scotland</b> -<br>Assessment of<br>Sites | <b>0012.005</b> | Also consider that there is some further scope for effects on the cultural heritage topic area to be identified at Appendix 4. A number of allocations, for example, propose the re-use of listed buildings and have the potential to give rise to positive effects which are not identified in this table. Also note that potential effects on the Battle of Sark (Inventory   | Comments noted. Sites with relevant positive effects have been included in the updated Environmental Report. With regards GTN.H6, it is proposed to remove from the plan.   |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|                                  |          |   |   |
|----------------------------------|----------|---|---|
|                                  |          | Battlefield, BTL40) associated with the allocation of site GTN.H6 have not been identified. Potential effects on the Templand Mains Roman Signal Station (SM2328) associated with the allocation of sites THN.H2 and THN.H3 have also not been identified.  |   |
| SEPA -<br>Assessment of<br>Sites | 0120.003 | <p>Understand that some new sites eg ANN.H201, GTN.MU201, DFS.H248, KBH.H201, DBT.H203, and DBT.B&amp;I201 were recommended for removal through the site assessment process are not proposed to be carried forward in the plan. These sites do not appear in the site summary assessment matrix, it is unclear why this is as the mitigation for these sites would have been removal from the plan. Existing sites MOV.H1, PWL.H1 and CPH.H1 are proposed for deallocation from the plan and are shown in the site summary assessment matrix. However, the overall SEA summary column does not indicate that the sites are proposed for deallocation.</p> <p>It should be clear from the matrix which sites are going forward into the LDP and which are recommended for removal or deallocation.</p> | The Environmental Report assessed sites included in the MIR which shows the preferred and alternative options. Sites such as ANN.H201, GTN.MU201 etc, were neither but the document titled 'Sites submitted through the Call for Sites not included in the MIR' shows that they were considered. The site assessments for all sites are an appendix to the Environmental Report and these states if the site is being allocated in the plan or not. |
| SNH -<br>Assessment of<br>Sites  | 0122.003 | Paragraph 7.7 states that the SEA assessment of existing allocated sites is included in Appendix 4 of the Environmental Report, with full assessments found in the Site Assessments supporting document. While Appendix 4 and the Site Assessments provide comprehensive assessment of preferred and alternative allocations, cannot  | Comments noted. The cumulative assessment of sites have been carried out and included in the updated Environmental Report. The mitigation measures listed in site guidance is considered suitable at this stage. Specific detail of licensing and species management plans will be considered for future plans.   |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|                           |          |   |  |
|---------------------------|----------|---|--|
|                           |          | <p>find an updated cumulative assessment of all sites. As set out in Schedule 3.6(e) of the Environmental Assessment (Scotland) Act 2005 [‘the Act’], the Environmental Report should include assessment of secondary, cumulative and synergistic effects.</p> <p>Understand that your view is that site-specific mitigation measures included in site guidance will reduce cumulative environmental impacts. While that may be achievable, such measures should be informed by assessment that is clearly set out in the Environmental Report.</p> <p>Paragraph 7.13 notes the potential for adverse impacts on species and habitats, stating that mitigation measures, including surveys, will be recommended in site guidance. In support of certainty, and encouraging applications that include all required information, recommend that mitigation in site guidance includes species management plans and licensing, informed by surveys.</p> |  |
| SNH - Assessment of Sites | 0122.003 | <p>Related to our comments on cumulative assessment, note that Appendix 4 sets out a recurring trend in loss of greenfield land and prime agricultural land. There is currently no overview of the loss of these resources. While the Environmental Report acknowledges the difficulties of avoiding loss in predominantly rural areas, it should be assessed as part of establishing a robust approach.</p> <p>Have the following comments on individual site assessments: <u>Canonbie CAN.CF1</u> –</p>   | <p>Paragraph 8.4 notes the negative impact proposals on greenfield and Prime Agricultural Land may have and the difficulty to mitigate these sites in a large rural region where brownfield sites are limited. The cumulative impact of loss of greenfield land and prime agricultural land has been provided in the updated Environmental Report. With regards CAN.CF1 and CSD.H10, comments are noted and both sites will be referenced in updated Environmental</p> |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|  |          |   |  |
|--|----------|---|--|
|  |          | <p>biodiversity is scored as +/- due to <i>“Potential impact on biodiversity and cultural heritage given archaeology site and impact on conservation area.”</i> Assume that the assessed impact on biodiversity relates to the cited ‘conservation area’ and note that while this potential allocation is adjacent to a conservation area, this is not a biodiversity designation. Site boundaries may have some biodiversity interest but impacts could be avoided and/or mitigated through appropriate design of development near boundaries of the site.</p> <p><u>Castle Douglas CSD.H10</u> – loss of ancient/semi-natural woodland should not be regarded as a minor negative effect. As an irreplaceable resource, any potential loss of ancient woodland should be assessed as significant negative impact. Recommend that these assessments are updated accordingly.</p> | Report to reflect these points.  |
| <p><b>Historic Environment Scotland</b> - Summary of Results</p> | 0012.005 | <p>Welcome where the Strategic Environmental Assessment (SEA) process has influenced the development of the Main Issues Report through selecting sites and policy approaches with the aim of minimising environmental effects.</p>  | Comments noted.  |
| <p><b>SNH</b> – Summary of Results</p>                           | 0122.003 | <p>Paragraph 8.3 states that it has been considered impractical to identify specific cumulative and synergistic effects. As discussed above in relation to the assessment of sites, the assessment of cumulative and synergistic effects is a requirement of the Act. The next iteration of the Environmental Report to accompany the Proposed Plan</p>   | Comments are noted and updated Environmental Report will highlight cumulative and synergistic effects. |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|  |                 |   |  |
|--|-----------------|---|--|
|  |                 | should include this information.  |  |
| <b>SNH - Monitoring</b>  | <b>0122.003</b> | Agree with the approach to monitoring set out in this section of the Environmental Report.  | Comments noted.  |
| <b>SNH – Habitats Regulations Appraisal</b>  | <b>0122.003</b> | Paragraph 10.4 of the Environmental Report refers to our guidance on Habitats Regulations Appraisal of plans. When you begin the HRA of LDP2 please ensure that you are referring to the latest version of our guidance, released January 2015. | Comments noted and reference to the 2015 update of the Habitat Regulations Appraisal guidance will be made in updated Environmental Report and subsequent reports. |
| <b>Historic Environment Scotland - Appendix 1: Relevant Legislation Plans Policies and Strategies and Related Environmental Objectives</b> | <b>0012.005</b> | Relevant plans, programmes and strategies (PPS) for the historic environment have been identified in relation to the preparation of the environmental assessment at Appendix 1.   | Comments noted.  |
| <b>SNH – Habitats Regulations Appraisal</b>  | <b>0122.003</b> | Generally agree with the identified plans, policies and strategies. However, note that there is no reference to the Habitats Regulations as relevant international policy.  | Reference to Habitat Regulations has been added to the Table in Appendix 1.  |
| <b>Auchencairn Community Council – Appendix 4: Site summary Assessment Matrix</b>  | <b>0286.002</b> | Also note in the ER on page 74/75 Auchencairn is referred to as a ‘town’.   | Comments noted and reference to Auchencairn as a settlement has been included in the updated Environmental Report.   |

Table 6: Assessment of comments to the Updated Environmental Report

| Representor  | Representation Number | Representation Summary  | Council Response  |
|--|-----------------------|---|---|
| <b>Historic Environment Scotland - Reporting of assessment of findings</b> | 0012.010<br>.001      | It was expected the ER to have been updated to take account of comments on the potential effects of sites brought forward from the main issues report (letter of 24 April 2017 refers). It is therefore welcome the | Comments noted and will be considered for future iterations of the Local Development Plan |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|  |                  |  |   |
|--|------------------|--|---|
| and mitigation   |                  | inclusion of mitigation measures, in the form of site guidance, within the Plan itself, but suggest that for clarity the pre-mitigation effects should have been recorded within the Site Summary Assessment Matrix.   |   |
| <b>Historic Environment Scotland – Monitoring</b>              | 0012.010<br>.002 | Recommend that the monitoring measures should be linked as closely as possible to the predicted outcomes of the plan itself on the historic environment. Relate indicators to the SEA objectives and also to include targets which relate to the relevant policy, to provide a consistent measurable framework.  | Comments noted and be considered for future SEA.  |
| <b>Historic Environment Scotland – Post Adoption Statement</b> | 0012.010<br>.002 | DGC should ensure that the Post Adoption statement sets out clearly how the environmental assessment, and comments made on it, have been taken into account in the adopted Plan  | Comments noted. Tables 4 to 6 of the Post Adoption Statement sets out the issues raised and comments made to the Environmental Report and the Councils responses to them. |
| <b>EDF Energy – General</b>                                    | 0067.003.15      | The significant contribution that commercial-scale wind farms make to reducing greenhouse gas emissions has not been recognised as an environmental benefit. Rather, the SEA only seems to recognise the negative environmental impacts associated with such developments.<br><br>If the Supplementary Guidance and DGWLCS are to be considered part of the LDP, they should also be subject to SEA. | Comments noted and will be considered in future SEA.  |
| <b>SEPA - General</b>  | 0120.005.001     | The inclusion of additional indicators on Human Health, Soil, Water, Air, Material Assets and Climatic Factors, as previously recommended (letter dated 21 April 2017), would have given a more comprehensive picture of the effects of the plan.  | Comments noted and will be considered in future SEA.  |
| <b>SEPA - General</b>  | 0120.005.002     | With regard to the Assessment of the Policy Framework we would highlight in Table 8 the preferred  | It is considered that the policy aim, SEA scoring and comments/mitigation would remain the same as  |

## Dumfries &amp; Galloway Local Development Plan 2 SEA Post-adoption Statement

|  |              |  |  |
|--|--------------|--|--|
|  |              | and alternative options for ED5 still appear to be the same.   | the preferred approach was maintain a policy and deleting another whilst the alternative was to keep both policies.  |
| <b>SEPA - General</b>                            | 0120.005.003 | Although not stated in Appendix 4 we acknowledge the following allocations, namely, MOV.H1, WL.H1 AND CPH.H1, have been all removed from the plan, on the basis that flood risk was considered to be significant constraint to the develop ability of the site.  | Comments noted   |
| <b>SEPA - Policies</b>                           | 0120.005.004 | We note that all policies, whether they are new, amended or are existing ones to be carried forward without change have still been subject to assessment at this stage. Whilst we are satisfied with this approach you may wish to consider whether further assessment of these policies is required once the final wording for LDP2 is agreed.                                      | Comments noted.  |
| <b>SEPA – Appendix 4: Site Assessment Matrix</b> | 0120.005.005 | Comments provided to site assessments should have been incorporated into the Environmental Report to confirm that the potential negative impacts to the water environment from development proposals would be offset by appropriate mitigation   | Comments noted. The incorporation of all environmental impacts that could be mitigated against was considered unnecessary as these are included in the published MIR site assessments. Consideration to the inclusion of all environmental impacts to each site will be made for future plans. |
| <b>SEPA - Monitoring</b>                         | 0120.005.006 | We note that a monitoring programme is being developed to help prevent, reduce or offset significant adverse effects and enhance positive effects of LDP2. We recommend that reference is made to our SEA guidance documents available on our <a href="#">website</a> for further options and indicators which will support the monitoring of the environmental effects of the plan. | Comments noted.  |



*Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement*

|  |              |   |   |
|--|--------------|---|---|
| <b>SNH – SEA Objectives for LDP2</b>                     | 0122.019.001 | Recommended to amend Table 2: SEA Objectives to rephrase indicator from ‘Loss of designated sites’ to ‘Damage to or loss of designated sites’.  | Comments noted. This change will be considered for future iterations of the plan and environmental report.  |
| <b>SNH – SEA Objectives for LDP2</b>                     | 0122.019.002 | Recommended to amend Table 2: SEA Objectives to rephrase objective from ‘To reduce negative effects on peat and carbon rich soils’ to ‘To maintain or improve peat and carbon rich soils and prevent further degradation or loss’.  | Comments noted. This change will be considered for future iterations of the plan and environmental reports.   |
| <b>SNH - Assessment of Vision and Spatial Strategy</b>   | 0122.019.003 | Table 5 should be updated to include what has changed to avoid, reduce or offset identified environmental effects.  | The updated text states that “Negative impacts resulting from this strategy will be mitigated through the implementation of other policies including Overarching Policies”. It is considered that the implementation of the plans policies will avoid, reduce or offset identified environmental effects. |
| <b>SNH - Site Summary Assessment Matrix – Appendix 4</b> | 0122.019.004 | Presentation of updates to the site assessments has been made very clearly in the text. The inclusion of ‘in-combination’ effects on European sites is a useful and relevant link to the HRA of the Proposed Plan and we welcome the overall approach to providing an easily accessed audit trail of changes. | Comments noted  |

**Changes between the Proposed Plan and the Adopted Plan**

The Examination on the Proposed Plan took place between October 2018 and April 2019. The Reporters made 138 recommendations, all of which were accepted by the Council. In summary, it was considered that in almost all cases the recommendations were relatively minor modifications to the Proposed Plan. All of the Reporters’ recommendations, which arose from the consideration of the unresolved LDP2 Issues in the Examination, were screened for their environmental impacts. In most cases the impacts are considered to be nil or minimal. Where environmental effects specific to the recommendations could be anticipated these were all considered to be small, and almost all positive. In all cases it was concluded that there were not likely significant new environmental effects arising from the Reporters’ recommendations. This assessment was developed from the earlier work of the ER, the Updated ER, and Supplementary Report.

*Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement*

#### **4. Consideration of alternatives for the Plan**

In accordance with the requirements of the 2005 Act (Section 18(3)(e)) the likely significant effects of reasonable alternatives for the LDP need to be considered. Given that the framework of policies in the Plan is the principal means through which the higher-level aspirations are carried forward it is the case that much of what they say could also be contained in alternative approaches. Nonetheless, it follows that the scope for reasonable alternatives is constrained in the consideration of sites.”

The Main Issues Report identified 4 main issues:

Issue 1 - Building the Local Economy

Issue 2 - Housing, How Much and Where?

Issue 3 - Creating Places

Issue 4 - Renewable Energy, Sustainability and Climate Change

In addition to the general proposals for the plan area the Main Issues Report should also include proposals which constitute a reasonable alternative (or reasonable alternatives).

The SEA process requires that the ER identify, describes and evaluate the likely significant effects on the environment of implementing reasonable alternatives to the plan being assessed.

The Vision and Spatial Strategy set out in the LDP were only adopted in September 2014 and at the outset in the preparation of LDP2 were still considered to be relevant in helping to deliver the overall objectives. An alternative approach could have been to amend how the vision was set out by identifying themes and associated outcomes so that it followed the themed approach. This is set out in the MIR. If adopted then it may have been appropriate to also amend the layout of the Plan. However, SPP states that the planning service is expected to focus on outcomes, maximise benefits and balance competing interests. Therefore, the preferred approach was to not make any amendments to the wording of the Vision or Spatial Strategy as set out in LDP1.

Nor, for the MIR was it proposed to make significant changes to the majority of the policy framework and site allocations from what was contained in the then current LDP1. These elements of the LDP would not expect to change significantly and therefore no alternative options at a higher level were presented for them within the ER.

The MIR represented the principal opportunity within the plan preparation process for engaging stakeholders on the content of the plan. It identified a number of broad issues and contained one or more reasonable alternative options, where appropriate, in relation to each issue.

It should be noted that an alternative option was not presented for all issues as for some it was considered that there was not a valid and realistic alternative to secure the stated aims or to meet compliance with SPP. In these instances, this was discussed in the MIR commentary.

#### **5. LDP2 Adoption**

It is the view of Dumfries and Galloway Council that SEA has had a positive impact on the development of LDP2. The process has enabled mitigation measures to be devised to address negative effects incorporated into the Plan. Through mitigation measures incorporated in LDP2, negative impacts will be prevented, reduced or compensated throughout the duration of the Plans implementation. SEA has helped guide our preference for development options and alternatives,

*Dumfries & Galloway Local Development Plan 2 SEA Post-adoption Statement*

and it has helped clarify the main issues of LDP2. Monitoring of significant potential effects will take place throughout the duration of the LDP2 period for sites and policies. Lessons have been learned throughout the SEA process which will improve how we carry out future Plan SEAs to provide greater clarity.

**6. Monitoring**

Following the adoption of LDP2, the Council as Responsible Authority is required to monitor the significant environmental effects of the implementation of the Plan in accordance with Section 18(3)(f) of the Environmental Assessment (Scotland) Act 2005. This monitoring will include the provision of information on the measures that are to be taken to monitor for any unforeseen environmental effects so that appropriate remedial action may be taken.

Monitoring will be informed by a number of documents. The 2017 State of the Environment Report will be updated during the preparation of LDP3 to monitor the trends and environmental changes. This will develop the SEA objectives and indicators presented in Table 2 above. A Monitoring Statement will be published in preparation of LDP3 focusing on the wider impact of the plan. An Action Programme has been prepared listing actions required to deliver the specific proposals and policies within the Plan and identifies the agencies, groups and/or individuals who will be required to implement them. Implementation of actions will be monitored regularly by the Council and updated at least every second year. These documents will inform the identification of issues for the plan making process in the future.

As is reflected in the 11<sup>th</sup> edition Development Plan Scheme the Council will monitor the effects of the policies and proposals in LDP2 before looking to start work on LDP3. However, it is necessary to allow the newly adopted Plan sufficient time to become established and tested through the planning system so meaningful monitoring of the new policies and proposals can take place.