

West Dunbartonshire Local Plan
Strategic Environmental Assessment
Environmental Report

Post-Adoption SEA Statement

Cover Note

Part 1

To: SEA.gateway@scotland.gsi.gov.uk

Part 2

A post-adoption SEA statement is attached for the PPS entitled:

West Dunbartonshire Local Plan

The Responsible Authority is:

West Dunbartonshire Council

Part 3

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Signature & Date: *Alistair Gemmell, 23rd April 2010*

Post-Adoption SEA Statement

A post-adoption SEA statement for:

West Dunbartonshire Local Plan

Adopted on:

3rd March 2010

The Responsible Authority is:

West Dunbartonshire Council

Introduction

This document (referred to here as the post-adoption SEA statement) has been prepared in accordance with Section 18 of the Environmental Assessment (Scotland) Act 2005.

Availability of Documents

Website

The full PPS as adopted, along with the Environmental Report and post-adoption SEA Statement are available on the Responsible Authority's website at:

<http://www.wdcweb.info/building-and-planning/local-plans/wd-local-plan/>

Office Address

The PPS, as adopted, along with the Environmental Report and post-adoption SEA Statement may also be inspected free of charge (or a copy obtained for a reasonable charge) at the principal office of the Responsible Authority:

Contact name, address and telephone number:

Alistair Gemmell, Forward Planning & Regeneration Section, West Dunbartonshire Council, Garshake Road, Dumbarton, G82 3PU.
Tel: 01389 737507

Times at which the documents may be inspected or a copy obtained:

Mon – Thurs: 8.45 am to 4.45pm, Fri: 8.45am to 3.55pm

Key Facts

Name of Responsible Authority: West Dunbartonshire Council

Title of PPS: West Dunbartonshire Local Plan (WDLP)

Purpose of PPS: Provide detailed policies and proposals for the use, development, protection and improvement of land in West Dunbartonshire

What prompted the PPS: Statutory requirement: Town & Country Planning (Scotland) Act 1997

Subject: Land Use Planning and Development Management

Period covered: Five years

Frequency of updates: Minimum of every 5 years

Area of PPS: West Dunbartonshire Council area excluding that part within the Loch Lomond and the Trossachs National Park

Summary of nature/content of PPS: Policies for assessing development management applications which form a land use framework that seeks to ensure a sustainable approach to development throughout West Dunbartonshire.

Date adopted: 3rd March 2010

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Date: 23rd April 2010

Strategic Environmental Assessment Process

The West Dunbartonshire Local Plan has been subject to a process of Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004 and as required under the Environmental Assessment (Scotland) Act 2005. This has included the following activities:

- Taking into account the views of the Scottish Environment Protection Agency, Scottish Natural Heritage and the Scottish Ministers (Historic Scotland) regarding the scope and level of detail that was appropriate for the Environmental Report;
- Preparing an Environmental Report on the likely significant effects on the environment of the draft WDLP which included consideration of:
 - the baseline data relating to the current state of the environment;
 - links between the PPS and other relevant strategies, policies, plans, programmes and environmental protection objectives;
 - existing environmental problems affecting the PPS;
 - the plan's likely significant effects on the environment (positive and negative);
 - measures envisaged for the prevention, reduction and offsetting of any significant adverse effects;
 - an outline of the reasons for selecting the alternatives chosen;
 - monitoring measures to ensure that any unforeseen environmental effects will be identified allowing for appropriate remedial action to be taken;
- Consulting on the Environmental Report;
- Taking into account the Environmental Report and the results of consultation in making final decisions regarding the WDLP;
- Committing to monitoring the significant environmental effects of the implementation of the WDLP. This will also identify any unforeseen adverse significant environmental effects and to enable taking appropriate remedial action.

How environmental considerations have been integrated into the West Dunbartonshire Local Plan and how the Environmental Report has been taken into account.

Environmental Considerations and Findings from the Environmental Report	Integrated into the Plan (Yes/No)	How integrated/taken into account or reason for not being taken into account
<p>The assessment considers <i>Framework</i> and <i>Topic Options</i> which determine the broad local plan strategy and subject-specific policy framework. All options have been assessed, with the preferred options identified as those which represent the most environmentally beneficial approach.</p>	<p>Yes</p>	<p>All policies and proposals within the Plan fit within the chosen framework and policy options. Where the preferred option has not been adopted the reasons for this are set out in the Environmental Report.</p>
<p><i>Policies:</i> all policies within the WDLP have been assessed in terms of their likely impact upon the environmental parameters established in the SEA Directive.</p> <p>The policy assessment indicates that none of the policies are likely to have a negative effect on the environment. However, there are a number of instances where it is unknown whether or not the policy will affect the environmental parameter.</p>	<p>Yes</p>	<p>The assessment of each policy as not likely to have a negative effect on the environment confirms that it is appropriate to include the policy within the Local Plan.</p> <p>There are a number of policies where it is unknown whether or not there will be an effect an environmental parameter. In these instances consideration in detail will be expected during policy implementation.</p>
<p><i>Proposals:</i> as part of the SEA process all development proposals (opportunities) have also been assessed. The assessment considered environmental assets and constraints associated with each site on the basis of its proximity to a suite of environmental assets. This provides a strategic level assessment of potential environmental conflicts. 68 sites are assessed as likely to have a significant environmental effect.</p>	<p>No</p>	<p>This aspect of the environmental assessment has not been directly integrated into the WDLP. Instead, it provides a strategic level assessment of potential environmental conflicts and identifies mitigation measures to be implemented where impacts upon environmental assets are likely. The scope of the assessment is not sufficient to make a judgement on whether development sites should be excluded from the plan.</p> <p>The assessment provides information for decision makers to consider when implementing the plan.</p>

<p><i>Cumulative effects:</i> The Environmental Report has identified five locations where cumulative impact may occur, based on clusters of major proposals sites and environmental constraints: Strathleven, Dumbarton Waterfront, Bowling, Carless and Queen's Quay.</p>	<p>No</p>	<p>As with the findings above, the identification of these areas of potential cumulative effect has not been directly transposed into the WDLP, however, the assessment provides information for decision makers to consider when implementing the plan.</p>
<p>WDC, as part of the SEA, has established the need for an Appropriate Assessment which assesses the effects the WDLP may have on the <i>Inner Clyde SPA</i>. The assessment concludes that the WDLP will not adversely affect the integrity of the Inner Clyde Natura 2000 site.</p>	<p>Yes</p>	<p>The Appropriate Assessment identifies additional safeguards for the Inner Clyde SPA which have been incorporated into the WDLP. The full report is provided at Appendix 9 of the Environmental Report.</p>

How opinions expressed during the consultation have been taken into account

In preparing the West Dunbartonshire Local Plan the Council has had a duty to take account of the environmental report and every opinion expressed in response to invitations for opinions on the report at every stage.

The West Dunbartonshire Local Plan Environmental Report has been subject to three periods of consultation. The Consultative Draft WDLP and Draft Environmental Report were published in January 2006 for 10 week consultation period. Approximately 100 separate representations were received to the Environmental Report and a report of the representations received and the Council's response was included in the Statement of Publicity and Consultation (August 2007) that accompanied the Finalised Draft WDLP and also forms Appendix 4 of the Final Environmental Report.

Alongside preparation of the Finalised Draft WDLP, the Environmental Report was revised to take account of, where appropriate, representations received and changes to the WDLP e.g. revised/new policies and proposals. Following consultation on the Finalised Draft and the preparation of Proposed Pre-Inquiry Modifications this revised Environmental Report was deposited with Pre-Inquiry Modifications to the Finalised Draft in May 2008.

A final round of consultation on the Environmental Report was undertaken in September 2009 in the form of an Addendum paper which updates the SEA to take account of proposed modifications to the WDLP following the Local Plan Inquiry.

The table below summarises the opinions expressed during the consultation periods on the revised Environmental Report in 2008 and addendum document (2009) which were relevant considerations in the decision to adopt the Plan and describes how the comments have been taken into account.

Consultee	Summary of Comments	How the comment was taken into account in making the decision to adopt the final PPS
Historic Scotland July 2008	Consider the application of the of the historic environment policies in the Plan will act to mitigate the potentially adverse effects of other policies and proposals included in the Plan and suggest this should be included in the list of assumptions.	The policy assessment outlined in Section 12 of the Environmental Report seeks to assess each policy on its own merits, therefore the implementation of other policies has not been included as an assumption. It is the intended that the Plan should be implemented as a whole and that environmental impacts will be avoided through a combination of policies.

Historic Scotland July 2008	Consider that the effect of the following policies on the historic environment would be more appropriately assessed as neutral: T2, T5, E3A, E7, R6, R7, DC1, DC2, DC4, DC6, DC7.	These policies have been re-assessed as likely to have a neutral effect on cultural heritage assets, with the exception of E7 and R7, which have been assessed as uncertain. The Retention of Woodland and Parkland Policy applies to a number of former estates and other historic landscapes so has the potential to have positive effects on cultural heritage while the framework for any development of the football stadium site may have a positive impact on the setting of the adjacent Castle.
Historic Scotland July 2008	Seek clarification on assessment of following sites H2 (17- 19) and GD2 (11) where our previous comments were accepted but the Proposal Assessment table has not been changed.	The table has been corrected. Note: H2 (17) has been deleted from the Plan and site references have been altered.
Historic Scotland July 2008	With regard to the proposals for monitoring, Historic Scotland is unlikely to be able to provide comprehensive information on the number of restoration projects undertaken in West Dunbartonshire.	Noted. A revised monitoring schedule is provided below.
Historic Scotland SEPA SNH July 2008	With regard to the mapping of potential areas of cumulative impact, there is no accompanying analysis as required by the SEA Regulations; an assessment of the likely effect(s) and proposals for mitigation, where appropriate should have been included in order for the SEA to provide strategic benefit.	Table 3 has been amended to include proposals for general mitigation. It is acknowledged that the surveys themselves would not mitigate potential impacts (see para 13.7.2) and that this section could be strengthened to include a fuller review of likely effects.
SEPA July 2008	The EU Floods Directive 2007/60/EC and the Water Environment and Water Services (Scotland) Act 2003 are identified as additional PPS that should be considered for inclusion within Appendix 2.	Appendix 2 has been updated.
SEPA July 2008	In addition to a summary of the environmental objectives and requirements of the PPS's the Environmental Report should outline the relationship between these PPS's and the Local Plan.	It is not intended to carry this task out retrospectively however it is agreed that this would have strengthened the Environmental Report and plan development process.
SEPA July 2008	Consider that there are some key facts missing from the State of the Environment of the Plan Area outlined at section 5.2 such as an outline of water quality, areas of fluvial or coastal flooding and air quality of the plan area.	The weaknesses of this section of the Environmental Report are acknowledged in paras. 8.1 and 8.2 of the Environmental Report. Developing a more robust environmental baseline – possibly in the form of a State of the Environment Report – will be of importance for future SEAs.

SEPA SNH July 2008	The SEA process includes the assessment of proposals using a GIS assessment which is based on a fairly crude approach of categorising proposals based on the proximity of sites to a number of environmental assets. However, this does not take into account all the environmental issues covered by the SEA objectives. Assessment against the SEA objectives would have been more appropriate and revealing.	It is accepted that assessing the individual policies against the SEA objectives, rather than the selected environmental parameters, would have been a more robust approach.
SEPA July 2008	A number of the proposal sites are potentially at risk from flooding and this should be identified as a potential constraint. There may also be the need for a Strategic Flood Risk Assessment as a mitigation measure to inform Local Plan decision making in relation to specific site allocations and flood risk.	This is acknowledged as a weakness of the Environmental Assessment, however through the local plan consultation process, involving SEPA, it is considered that the Local Plan has robust policies for flooding and that sites where there is a significant flood risk have been amended or deleted.
SEPA July 2008	Some of the sites proposed for development are on brownfield land and therefore may have contamination issues. Mitigation measures should refer to the need to carry out appropriate risk assessment and remediation in accordance with PAN 33.	In addition to flooding (see above), contamination is a constraint that could have usefully been identified as a constraint within the Environmental Report.
SEPA July 2008	Welcome proposed monitoring programme and indicators set out in Appendix 10, however, it does not include a number of indicators listed in Appendix 6, for example flooding. The Council may wish to review the monitoring programme to include some of the indicators in Appendix 6.	Noted. A revised monitoring schedule is provided below.
SNH June 2008	Remain concerned that the list of environmental issues focuses on problems <i>in</i> the environment, whereas SNH consider that threats <i>to</i> the environment would be an important addition. Perhaps the main such issue that the Local Plan should consider is the threat of urban expansion.	Environmental Report has not taken the approach of identifying threats to the environment, however the value in doing so is acknowledged. WDC would welcome the opportunity to discuss how identifying threats to the environment could be usefully included in future SEA and plan development considerations.
SNH June 2008	For many policies SNH question the identification of impacts on biodiversity and landscape as 'positive', however the policies would not necessarily result in positive impacts. Consider that 'positive' mainly only applies to policies directly related to environmental resources and 'neutral' would be more appropriate for a considerable number of policies.	The scoring of a number of policies has been reassessed and adjusted accordingly.

SNH June 2008	Reiterate that SNH cannot be responsible for monitoring loss of natural features or landscape character.	Noted. A revised monitoring schedule is provided below.
Historic Scotland October 2009	Agree with the findings of the assessment and have no detailed comments to offer.	Noted
SEPA October 2009	Satisfied with the assessment of the policy modifications and note that the assessment results show that the modifications are unlikely to lead to significant environmental effects.	Noted
SNH October 2009	Agree with the Policy assessment (addendum).	Noted
SNH October 2009	Two sites at Cable Depot Road (L1(10) Riverside Industrial Estate and H2 (9) Cable Depot Road West) adjoin the Inner Clyde SPA and their development would require further assessment for potential disturbance of the redshank that are the qualifying interest of the SPA. Both sites should be re-assigned to Category B in Appendix 3 of the Addendum.	These sites have re-assigned to Category A (see Appendix 11 of the Environmental Report). All sites are identified as Category A or C.

Reasons for choosing the West Dunbartonshire Local Plan as adopted, in light of other reasonable alternatives

The Strategic Environmental Assessment of the West Dunbartonshire Local Plan, as outlined in the Environmental Report, adopts a hierarchical approach in which SEA objectives have been used to inform the development of the WDLP and ensure that the plan aims and objectives, which provide the context for the development of plan, policies and proposals are consistent with environmental objectives. This top-down approach ensures all levels of the plan will contribute to achieving the Plan's aims and objectives.

Within the SEA hierarchy, Section 11 of the Environmental Report considers alternative framework and topic options for the WDLP. The framework options provide the strategic choices for policy formation and the topic options provide more subject-specific choices in the following areas: housing, economic development, green belt, nature conservation, built environment, contamination, commercial development and transportation.

The overall framework chosen for the WDLP is one which seeks to promote development on brownfield sites and in other suitable locations, with a focus on urban renewal and the conservation of environmental resources. This 'Sustained Growth' option provides land for development to meet the requirements of the structure plan and local development needs. This option is identified as the preferred approach and chosen as the local plan approach and prescribes that pressures on natural systems will be managed through sustainable development that will allow for the promotion of regeneration, in accordance with the Structure Plan. Other reasonable alternatives considered have been assessed and discounted on the grounds of the pressure and problems that would be caused to the environment, either within the Plan area or elsewhere.

In accordance with the SEA approach, all topic options are consistent with the selected framework option. The justification for choosing the option as applied to the WDLP over the reasonable alternatives is outlined below:

Housing: The WDLP adopts a 'Windfall Growth' approach whereby in addition to housing sites identified in the housing land supply, all suitable brownfield sites that come forward during the plan period will be promoted for development. Within the 'Sustained Growth' approach this option is considered preferable as development pressure would be contained and managed in a sustainable manner through the redevelopment of brownfield sites.

Economic Development: The alternative frameworks for the approach to economic development promoted by the WDLP are identified as 'Sustainable Economic Development', 'Enterprise Directed Economic Development' and 'Improving Marketable Industrial Land Supply'. While the sustainable approach is considered preferable in environmental terms due to its transport benefits, the third option has been chosen as it is considered that providing a portfolio of high quality industrial land on existing brownfield sites is more feasible than identifying new sites, which may result in the loss of green belt or open space.

Green Belt: Notwithstanding the potential to create or transfer developer pressure, the WDLP adopts a strict protectionist policy with regards to green belt development. This approach directs planned growth to the most appropriate areas of West Dunbartonshire and supports the area's regeneration.

Nature Conservation: The protection of Nature Conservations Sites (whether local, national or international) – even where this would restrict development on key development sites – is assessed as the only way to ensure that the reasons for their designation remain.

Built Environment: The approach of the adopted WDLP for this topic takes account of both the options identified. These seek to secure high quality design in development and promote enhancement of conservation area and listed buildings.

Contamination: Both alternatives have been selected for the approach of the WDLP to the issue of contamination.

Commercial Development: The approach to commercial development adopted by the local plan emphasises the primacy of town centres for the siting of new retail development. This is considered the most sustainable approach as it reduces the need to travel and helps create a critical mass in town centres that will ultimately contribute to urban renewal.

Transportation: Rather than maximising the use of public and sustainable modes of transport by introducing traffic demand management in town centres and at office locations the preferred topic option advocates sustainable growth aimed at improving and increasing the use of public and sustainable modes of transport. This is assessed as less likely to restrict urban renewal efforts.

Open Space, Access and Recreation: The WDLP focuses on the provision of a network of high quality open spaces on the basis of an open space strategy. This approach will improve the quality of open space.

The policies and proposals within the WDLP are consistent with the framework and topic options adopted.

Measures that are to be taken to monitor significant environmental effects of the implementation of the West Dunbartonshire Local Plan

Significant Environmental Indicator	SEA Objective(s)	Monitoring Activity to be Undertaken	Data Source
Greenfield/Brownfield Development	1, 3, 7, 14	Monitor Planning Applications	WDC
Quality of rivers, canals and freshwater bodies	1, 3, 4	Monitor Water Quality	Scottish Water/SEPA
Habitat loss due to land degradation or development	1, 2, 3, 4, 6	Proportion of protected nature sites in favourable condition (National Indicator 33)	SNH
Area or number of vacant or derelict sites	1, 3, 7, 14	Vacant and Derelict Land Survey	WDC
Area or number of contaminated sites	1, 3, 7	Review changes in land use for known contaminated sites/conduct site investigations for potential contaminated sites	WDC
Percentage of West Dunbartonshire covered by design guides/Conservation Area Appraisals	7, 8, 9, 10	Consult Local Plan	WDC
Percentage of planning applications refused on design grounds	1, 5, 8, 9, 10, 11	Monitor Planning Applications	WDC
Installed renewable energy capacity	13, 18, 17, 18	Monitor Planning Applications (permissions granted)	WDC
Sustainable transport	14, 15, 17	Percentage of adults driving a car to work (National Indicator 39)	Scottish Household Survey
Sustainable transport	14, 15, 17	Percentage of children travelling to school by public or active transport	WDC/ Sustrans
Waste sent to landfill/recycling rates	16, 17, 18	Tonnage of biodegradable municipal waste landfilled (National Indicator 39); Percentage of municipal waste collected that was recycled/composted.	SEPA
Changes in Air Quality	17	Air Quality Monitoring – NO ₂ and PM ₁₀ Concentration	WDC