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North Ayrshire Local Development Plan 2 (2019)

Strategic Environmental Assessment Post Adoption Statement

On behalf of **North Ayrshire Council**



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

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1 Introduction

1.1 Context

1.1.1 Peter Brett Associates, now part of Stantec (PBA¹) was commissioned by North Ayrshire Council (NAC), to undertake the Strategic Environmental Assessment (SEA) of the Local Development Plan 2 ('the LDP2'). In accordance with Sections 18 and 19 of the Environmental Assessment (Scotland) Act 2005 ('the 2005 Act'), this report provides a SEA Post Adoption Statement to explain how the SEA process and wider environmental considerations have informed the development of the LDP2, which was formally adopted by NAC on 28th November 2019.

1.2 Overview of the North Ayrshire LDP2

Context

1.2.1 The first North Ayrshire LDP was adopted by NAC in 2014 in accordance with the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006. To ensure compliance with statutory requirements and the Scottish Planning Policy (2014), the second LDP ('the LDP2') has now been prepared and adopted by NAC. Key milestones in the preparation and adoption of the LDP2 were:

- LDP2 Main Issues Report Consultation: January – March 2017;
- LDP2 Proposed Plan Consultation: April – June 2018;
- LDP2 Examination: October 2018 – July 2019;
- Finalised LDP2 approval for adoption by NAC: September 2019; and,
- LDP2 adoption (following consideration by the Scottish Ministers: 28th November 2019.

1.2.2 The LDP2 was prepared in the context of an evidence base that draws together detailed information about North Ayrshire and its characteristics, with particular reference to the population, housing and regeneration needs of the area and the delivery of development.

Purpose

1.2.3 The purpose of the LDP2 is to refresh the existing planning strategy for North Ayrshire in order to respond to identified spatial challenges and development needs. In doing so, it provides an up to date, coherent and overarching vision, spatial planning strategy, suite of development management policies and site allocations to guide development within North Ayrshire.

1.2.4 The LDP2 is underpinned by a coherent overarching vision statement which addresses the spatial and land use planning implications of the North Ayrshire Local Outcomes Improvement Plan (LOIP). Following from this, the LDP2 sets out a clear spatial strategy, policy framework and suite of site allocations to address changes in needs, demands and investment priorities over the period 2019 – 2029.

1.3 Strategic Environmental Assessment

Overview

1.3.1 The 2005 Act requires Responsible Authorities, including NAC, to assess the likely significant effects on the environment of implementing relevant plans, programmes and strategies, as defined within the 2005 Act. This assessment, which follows a staged process known as SEA,

¹ On 1st January 2020 Peter Brett Associates LLP formally became part of Stantec UK Ltd.

should support the preparation of the plan and must also examine the likely significant effects of implementing reasonable alternatives to the plan under consideration.

Process

- 1.3.2 In accordance with Sections 4(1) and 5(3) of the 2005 Act, NAC determined in early 2016 that it would be necessary to undertake a SEA of the LDP2. The SEA process was then undertaken throughout the preparation of the LDP2, with the following key documents published at each stage:
- SEA Scoping Report (April 2016);
 - LDP2 Main Issues Report Interim Environmental Report (IER) to accompany LDP2 MIR (January 2017);
 - Environmental Report to accompany LDP2 Proposed Plan (April 2017);
 - SEA Post Consultation Factual Update to LDP2 Proposed Plan Environmental Report (September 2018);
 - SEA Update Note (SEA screening of Examination modifications (August 2019); and
 - Post Adoption Statement (January 2020).
- 1.3.3 The SEA process drew on the LDP2 evidence base to identify likely significant effects from the implementation of the LDP2, particularly any likely significant environmental effects as required by the 2005 Act. The SEA process also provided a mechanism to identify possible mitigation and enhancement measures in order to avoid significant adverse effects, reduce or eliminate other adverse effects, and to enhance the robustness and environmental performance of the LDP2.
- 1.3.4 All substantive components within the final adopted LDP2 were subject to a proportionate level of SEA, namely:
- LDP2 Vision;
 - LDP2 Strategic Policies: Spatial Strategy, Supporting the Local Outcomes Improvement Plan, Placemaking and Community Planning;
 - Subject Policies; and,
 - Site Allocations.

Role of SEA in LDP2 Preparation

- 1.3.5 A key objective of SEA is to enhance the environmental and wider sustainability performance of a plan during its development. This is achieved through identifying any likely significant effects from implementation of the plan as drafted, proposing mitigation measures to address any identified significant adverse environmental effects, and identifying enhancement measures to improve the overall performance of the plan. As such, SEA is an integral part of good policy development and should not be viewed as a separate or retrospective activity.
- 1.3.6 The SEA of the emerging LDP2 was initially progressed in-house by the NAC planning policy team, but in December 2017 PBA was appointed to undertake an independent SEA of the LDP2 Proposed Plan and subsequent stages of the SEA process. This was done to address resource pressures within NAC, ensure that the SEA was undertaken by experienced specialists and to allow the SEA to act as an independent 'critical friend' to support the development of the emerging LDP2.
- 1.3.7 The consultant team from PBA undertook SEA of all LDP2 Proposed Plan components except in relation to individual sites, which were assessed by NAC officers in consultation with the Scottish Government's key agencies. PBA also reviewed responses received from the SEA Consultation Authorities to the LDP2 Proposed Plan Environmental Report and prepared an

independent SEA screening of post Examination modifications prior to NAC approving the finalised LDP2 for adoption.

- 1.3.8 The independence of the consultant team within PBA aided the objectivity of the SEA process and led to the production of a robust suite of mitigation and enhancement recommendations to enhance the sustainability performance of the emerging LDP2 Proposed Plan, all of which were incorporated into the final version of the document prior to its publication. Regular discussions were held between PBA and senior NAC officers throughout the SEA process, which allowed informal and early feedback of key issues to take place. For example, following an initial review of the draft LDP2 spatial strategy by PBA in December 2017, the strategy was amended by NAC officers to respond to key issues identified in the review. The amended spatial strategy was then subject to a full SEA assessment, which identified only a limited number of further mitigation and enhancement recommendations.
- 1.3.9 The SEA process was underpinned by the development of a SEA Framework at SEA Scoping stage, which was subsequently amended in response to comments received from the SEA Consultation Authorities on the IER which accompanied the North Ayrshire LDP2 MIR. As detailed in **Appendix A**, this SEA Framework comprises a suite of 11 thematic SEA Objectives and associated guide questions against which all substantive components of the LDP2 were assessed throughout the development of the plan.

1.4 Structure of this Report

- 1.4.1 Reflecting Article 9 of European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment ('the SEA Directive'), Section 18 of the 2005 Act requires responsible authorities (including NAC) to produce a statement containing the following information as soon as reasonably practical after the adoption of a relevant and qualifying plan or programme:
- How environmental considerations have been integrated into the plan or programme (**Section 2**);
 - How the Environmental Report has been taken into account (**Section 3**);
 - How opinions expressed by the SEA Consultation Authorities on the emerging plan or programme and the accompanying Environmental Report have been taken into account (**Section 4**);
 - The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with (**Section 5**); and,
 - The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme (**Section 6**).
- 1.4.2 It should be noted that this SEA Post Adoption Statement only addresses the requirements of Part 3 of the 2005 Act, rather than providing a wider analysis of how all representations received on the LDP2 MIR and Proposed Plan were addressed by NAC in the final adopted LDP2.

2 How environmental considerations have been integrated into the North Ayrshire LDP2

2.1 Introduction

2.1.1 In broad terms, environmental considerations have been integrated into the adopted LDP2 in two ways:

- Developing policies and proposals to address key environmental issues, as identified through regular plan monitoring by NAC, the preparation of a detailed evidence base to support the LDP2 and through engagement with a wide range of stakeholders including the Scottish Government's Key Agencies and local consultees; and,
- Using the process as a plan making tool to identify key environmental issues which the emerging LDP2 should address and to maximise its sustainability performance. This included developing a SEA Framework to underpin an iterative SEA process and taking account of representations received from the SEA Consultation Authorities regarding the LDP2 IER and subsequent LDP2 Proposed Plan Environmental Report in the development of the final adopted LDP2.

2.2 Environmental Considerations of Relevance to the LDP2

2.2.1 Based upon the LDP2 evidence base and the North Ayrshire LDP2 SEA Scoping Report (April 2016), Appendix A of the LDP2 Proposed Plan Environmental Report presented a detailed review of the key environmental issues which should inform the development of the LDP2. A summary of these key environmental issues is provided in **Table 2.1** below.

Table 2.1: Key Environmental Issues Identified in Relation to the LDP2

SEA Topic	Key Issues
Air Quality & Climatic Factors	<p>The need to minimise the emissions of pollutants to air.</p> <p>The need to safeguard and improve air quality.</p> <p>The need to ensure that new development is adaptable to the effects of climate change, taking account of the coastal location of North Ayrshire.</p> <p>The need to mitigate climate change including through measures to decarbonise key sectors including transport and the built environment.</p>
Biodiversity, Flora & Fauna	<p>The need to conserve and enhance biodiversity including sites designated for their nature conservation value.</p> <p>The need to safeguard and enhance the green infrastructure network within North Ayrshire</p>
Water	<p>The need to protect and enhance the quality of water sources and the water environment</p> <p>The need to locate new development away from areas of flood risk or to fully mitigate potential flood risks, taking into account the effects of climate change.</p>
Land & Soil	<p>The need to encourage and/or facilitate development on previously developed (brownfield) land.</p> <p>The need to optimise the use of available land and existing infrastructure</p> <p>The need to safeguard soil resources and remediate areas of known contamination.</p>
Health	<p>The need to protect and enhance the health and wellbeing of the resident population within North Ayrshire,</p> <p>The need to promote healthy lifestyles and in particular address obesity and levels of physical activity.</p> <p>The need to protect and enhance open space provision and accessibility across North Ayrshire.</p>
Population relevant issues) (including socio-economic issues)	<p>The need to align the LDP2 with the NPF3 and SPP (2014) and to respond to the latest North Ayrshire Housing Need and Demand Assessment (HNDA) to meet identified housing and employment needs.</p> <p>The need to support the development of North Ayrshire's marketable employment/industrial land supply and to achieve economic growth in a sustainable manner that protects the environment whilst allowing social and economic progress that recognises the needs of all people.</p>

SEA Topic	Key Issues
	<p>The need to increase local employment opportunities and provide sufficient associated educational facilities and services.</p> <p>The need to tackle deprivation, including areas with existing deprivation linked to poor accessibility to key services, facilities and economic opportunities.</p> <p>The need to ensure that community facilities and services are appropriate and accessible to users in order to meet the diverse needs of residents and workers within North Ayrshire.</p>
Cultural Heritage	The need to protect and enhance cultural heritage assets and their settings within North Ayrshire.
Landscape	The need to conserve and enhance townscape character, key views and visual amenity within North Ayrshire.
Material Assets	The need to optimise the efficient use of natural resources and infrastructure.

2.3 SEA Framework

- 2.3.1 In accordance with the 2005 Act, in April 2016 NAC prepared a SEA Scoping Report in order to define a SEA Framework, comprising a suite of 11 environmental objectives and associated guide questions, for use in assessing the emerging LDP2 and any reasonable alternatives. This SEA Framework, which was consulted on with the SEA Consultation Bodies, sought to ensure that the identified key environmental issues (**Table 2.1**) were sufficiently addressed through the SEA process and integrated into the LDP2 throughout its development. The SEA Framework was developed by considering:
- i. The environmental topics prescribed within Annex 1 of the SEA Directive and Schedule 3 of the SEA Regulations;
 - ii. The objectives of other relevant plans and programmes at local, national and international scales;
 - iii. The environmental, social and economic characteristics of North Ayrshire and surrounding areas;
 - iv. Key environmental and wider sustainability issues identified as being relevant to North Ayrshire; and,
 - v. Responses received from the SEA Consultation Authorities regarding a draft SEA Framework set out within the SEA Scoping Report (North Ayrshire Council, April 2016).
- 2.3.2 The SEA Framework as originally devised by NAC was subject to minor amendment to take account of feedback received from the SEA Consultation Authorities and an independent review by PBA in 2017 to ensure it provided a robust basis upon which to assess likely significant effects from the emerging LDP2 Proposed Plan. The finalised SEA Framework which was used to assess the LDP2 Main Issues Report, Proposed Plan and subsequent post Examination modifications is provided in **Appendix A**.
- 2.3.3 The use of the SEA Framework in assessing all substantive components of the LDP2 throughout its preparation, in particular all proposed policies and site allocations, ensured that the identified key environmental issues have been appropriately addressed within the final adopted LDP2. Further details of how SEA reporting has informed the LDP2 are provided in **Section 3** below.

3 How SEA reporting has been taken into account in the LDP2

3.1 Overview

3.1.1 In complying with the requirements of the 2005 Act, SEA reporting allowed the SEA Consultation Authorities², the public and decision makers (i.e. NAC elected members) to consider the likely impacts of the emerging LDP2 on relevant environmental issues (as defined in **Table 3.1** above).

3.2 SEA Reporting

3.2.1 In line with statutory requirements, SEA has been undertaken, reported and consulted on at each stage in the preparation of the LDP2. **Table 3.1** below provides further details of this SEA reporting.

Table 3.1 Iterations of LDP2 SEA Reports and Consultations

SEA Reporting	Summary of Issues Considered
SEA Scoping Report (April 2016)	This initial report identified the need to undertake a SEA of the LDP2 and set out a proposed SEA Framework to assess the likely environmental effects from all substantive components of the document. The SEA Framework comprises a series of sustainability objectives and guide questions regarding identified socio-economic and environmental issues of relevance to the North Ayrshire Area and surrounding environment.
LDP2 Interim Environmental Report (January 2017)	This report provided initial SEA findings on the emerging LDP2. The IER appraised the first consultation document for the LDP2, the Main Issues Report, for potentially significant environment impacts arising from the identified main policy issues. The IER consulted on in tandem with the LDP2 Main Issues Report (MIR).
SEA Environmental Report for the North Ayrshire LDP2 Proposed Plan (April 2018)	The North Ayrshire Council LDP2 Proposed Plan Environmental Report was published in April 2018 in tandem with and to formally report the findings of the SEA undertaken in respect of the LDP2 Proposed Plan. The assessment phase of the SEA involved systematically assessing all substantive components of the Proposed LDP2 to identify and assess their likely significant effects on the environment. The preparation of the Environmental Report included the identification of a suite of SEA mitigation and enhancement recommendations to ensure the avoidance of likely significant adverse effects and to improve clarity. All SEA recommendations (detailed in Appendix B) were subsequently incorporated into the LDP2 Proposed Plan prior to its publication and the Environmental Report was updated for consistency
SEA Post Consultation Factual Update to LDP2 Proposed Plan Environmental Report	This note was produced in September 2018 to address matters raised in representations from the SEA Consultation Authorities and to consider minor changes proposed by NAC prior to the LDP2 Proposed Plan being submitted to the Scottish Ministers to undergo a formal Examination. The note confirmed that the matters raised by the SEA Consultation Authorities

² SEA Consultation Authorities Scottish Natural Heritage, Scottish Environmental Protection Agency & Historic Environment Scotland.

	and the minor changes proposed by NAC would not result in any new or different likely significant effects and thus would not affect the continued validity of the LDP2 Environmental Report.
Post Examination SEA Update Note - August 2019	<p>This SEA Update Note built upon previous reporting to provide a proportionate SEA Screening of the suite of modifications recommended to the LDP2 Proposed Plan, as detailed within the Examination Report. In doing so, the note sought to confirm the environmental acceptability and any likely significant environmental effects of incorporating the modifications recommended by Examination Reporters into the LDP2 Proposed Plan, prior to these modifications being made by NAC.</p> <p>The purpose of the note was therefore to assess whether the modifications would result in any new or different likely significant effects on the environment from those already reported within the LDP2 Proposed Plan Environmental Report. Whilst the Screening exercise undertaken of the suite of recommended substantive modifications to the LDP2 Proposed Plan found some new or different environmental effects, it found that none would be considered significant in the context of the Environmental Assessment (Scotland) Act 2005 Act.</p>
Post Adoption Statement- January 2019	The Post Adoption Statement explains how the SEA process and wider environmental considerations have informed the development of the LDP2, which was formally adopted on 28 th November 2019.

3.3 SEA Assessment Matrices and Scoring

- 3.3.1 At each stage of the SEA process, all substantive components of the LDP2 were assessed in detail using a matrix-based approach to identify their likely environmental implications and any significant effects on the SEA objectives. This approach allowed for systematic recording of potential effects and their significance together with any assumptions, uncertainties and suggested mitigation or enhancement measures (e.g. changes to policy wording). Supporting text within the LDP2 Proposed Plan was not specifically assessed, as providing this text was consistent with relevant policies and substantive proposals within the plan it could not itself result in any likely significant effects. Inconsistencies between supporting text and some policies were however identified and rectified through the SEA process, thereby enhancing the effectiveness of the LDP2 overall.

SEA of Policy Components

- 3.3.2 Owing to the high-level nature of strategic components within the LDP2 (e.g. vision, spatial strategy and main policy issues at MIR stage) it was not possible to identify individual likely significant effects from these components with any certainty. In contrast, the greater detail of individual site allocations and the precise wording of specific policies allowed for the clear identification of likely significant effects from these components of the LDP2 Proposed Plan.
- 3.3.3 In response to this, a compatibility matrix (**Table 3.2**) and scoring system was therefore developed to test the alignment of the LDP2 vision and spatial strategy with the SEA Framework, whilst a detailed assessment matrix (**Table 3.2**) and associated scoring system was developed to identify likely significant effects from all other LDP policies.

Table 3.2: SEA Compatibility Assessment Scoring

Compatibility Description	Symbol
The assessed plan component is compatible with this SEA Objective	+
The assessed plan component would have a neutral effect on this SEA Objective	0
The assessed plan component would have an uncertain effect on this SEA Objective	?
The assessed plan component is incompatible with this SEA Objective and mitigation is therefore required to ensure the avoidance of likely significant adverse effects	-
There is no clear relationship between the assessed plan component and this SEA Objective.	~

Table 3.3: SEA Scoring System to Establish Likely Significant Effects

Score	Description	Symbol
Significant (Major) Positive Effect	The proposed policy contributes significantly to the achievement of the SEA objective.	++
Minor Positive Effect	The proposed policy contributes to the achievement of the SEA objective but not significantly.	+
Neutral Effect	The proposed policy is related to but does not have any effect on the achievement of the SEA objective	0
Minor Negative Effect	The proposed option detracts from the achievement of the SEA objective but not significantly.	-
Significant (Major) Negative Effect	The proposed policy detracts significantly from the achievement of the objective. Significant Adverse effect predicted; mitigation therefore required in accordance with the 2005 Act.	--
Uncertain Effect	The proposed policy has an uncertain relationship to the SEA objective or the relationship is dependent on the way in which the aspect is managed. In addition, insufficient information may be available to enable an assessment to be made.	?
No Clear Relationship	There is no clear relationship between the proposed policy and the achievement of the SEA objective or the relationship is negligible.	~

SEA of Candidate Site Allocations

3.3.4 Likely significant effects from proposed site allocations and reasonable alternatives were assessed through:

- Completion of individual site assessment proformas for all new candidate housing sites promoted through the LDP2 preparation process – by NAC officers in consultees with the Scottish Government’s Key Agencies. The proforma assessments used a ‘traffic light’ system and criteria aligned directly with the SEA Framework to categorise sites as preferred allocations, reasonable alternatives or rejected sites. These proformas were

provided in Appendix F of the LDP2 Environmental Report and demonstrate that an integrated site assessment and selection approach was adopted by NAC;

- Gap analysis of the criteria used within the above site assessment proformas (for new candidate sites) and used previously in the SEA of the North Ayrshire LDP1 (in relation to potential LDP1 rollover sites) to ensure full coverage of the SEA Framework within the integrated site selection and assessment process;
- Production of constraints mapping, with all potential sites (all LDP1 rollover sites and all new candidate sites) overlaid against constraint layers relevant to the 11 SEA Objectives and taking account of gap analysis findings. This provided a 'base level' SEA of all candidate sites (including LDP1 rollover sites) and reasonable alternatives; and,
- Based on the constraints mapping, qualitative cumulative site assessments for each of the six localities defined within the LDP2 Proposed Plan were prepared. Cumulative effects from site allocations were then assessed using the scoring system detailed in **Table 3.3** below.

Table 3.3 Cumulative Site Assessment Scoring

SEA Score	Description	Symbol
Significant (Major) Positive Effect	Cumulatively, the allocation of these sites would contribute directly and therefore significantly to the achievement of the SEA objective.	++
Minor Positive Effect	Cumulatively, the allocation of these sites would contribute indirectly to the achievement of the SEA objective but not significantly.	+
Neutral Effect	Cumulatively, the allocation of these sites would be related to but not have a clear effect on the achievement of the SEA objective	0
Minor Negative Effect	Cumulatively, the allocation of these sites would detract from the achievement of the SEA objective but not significantly	-
Significant (Major) Negative Effect	Cumulatively, the allocation of these sites would detract significantly from the achievement of the objective. Mitigation is therefore required.	--
Uncertain Effect	Cumulatively, the allocation of these sites would have an uncertain relationship with the SEA objective or the relationship is dependent on the way in which the aspect is managed. In addition, insufficient information may be available to enable an assessment to be made.	?
No Clear Relationship	Cumulatively, there is no clear relationship between the allocation of these sites and the achievement of the SEA objective or the relationship is negligible.	~

SEA Screening of Post Examination Modifications

- 3.3.5 Following the publication of the North Ayrshire LDP2 Examination Report (DPEA, July 2019) PBA undertook a proportionate SEA screening of the suite of recommended modifications to the LDP2 Proposed Plan. This exercise was undertaken to:
- Determine whether each proposed modification would result in any new or different likely significant environmental effects from those previously assessed within the LDP2 Proposed Plan Environmental Report; and,
 - Confirm the environmental acceptability of incorporating the modifications recommended by Examination Reporters into the LDP2 Proposed Plan, prior to these modifications being made by NAC.
- 3.3.6 A proportionate approach was adopted to SEA screening, focusing only on proposed substantive modifications to the LDP2 Proposed Plan. The SEA screening was reported in an SEA Update Note (September 2019) which set out:
- A description of each substantive modifications;
 - Summary of previous Environmental Report conclusions relating to the affected LDP2 Proposed Plan policy or site allocation;
 - Identification of likely environmental effects from the incorporation of the modification into the LDP2 Proposed Plan (i.e. not assessing the modification on a standalone basis, as it would intrinsically change an existing substantive component of the LDP2 Proposed Plan); and,
 - A separate column then confirmed whether any identified environmental effects as a result of the modifications constituted new or different likely significant effects from those previously reported in the Environmental Report.

3.4 SEA Mitigation and Enhancement Recommendations

- 3.4.1 The identification of any assumptions and uncertainties is an important element of SEA, as all LDP2 Proposed Plan components need to be unambiguous to ensure they can be implemented as intended. In addition, Schedule 3 of the 2005 Act requires consideration to be given in this ER to *“the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme”*. A key role of SEA is therefore to devise appropriate mitigation and enhancement recommendations to address identified uncertainties, resolve deficiencies and strengthen the environmental performance of the plan or programme being assessed.
- 3.4.2 There are several general methods which can be used to mitigate potential adverse impacts and more widely enhance the contribution of specific policies to delivering the proposed LDP2 Vision and achieving sustainable development:
- Implementing additional planning policies to address environmental issues not fully addressed within the draft policies or to mitigate specific predicted impacts;
 - Adjusting or expanding policy wording to ensure that policies can be implemented successfully in pursuit of sustainable development. This could include, clarifying or making wording less ambiguous or more positive for some policies to help deliver the desired policy output; or,
 - Setting requirements for developers to show how they have addressed environmental concerns through their development, whether through specific policies or site-specific allocations.

- 3.4.3 The assessment of each LDP2 Proposed Plan component was initially undertaken on a pre-mitigation basis, which allowed any ambiguities and other weaknesses to be identified and appropriate mitigation or enhancement recommendations to be devised by the SEA project team. A draft Environmental Report containing a schedule of proposed mitigation and enhancement recommendations was issued by PBA to NAC in early February 2018, following which PBA held a series of meetings with NAC officers to explain the recommendations and agree how each could be implemented. Details of all policy level SEA mitigation and enhancement recommendations incorporated into the LDP2 Proposed Plan at this point, together with a summary of how each recommendation was addressed by NAC, is provided in **Appendix B**.

Mitigation Requirements for Proposed Site Allocations

- 3.4.4 With respect to proposed site allocations, as part of the SEA process constraints mapping was produced for each of the six localities defined within the LDP2 Proposed Plan. Where this mapping indicated that a proposed site allocation or reasonable alternative overlaps with an identified constraint, this highlights the potential for a likely significant adverse effect which may require mitigation.
- 3.4.5 On this basis, policy level mitigation requirements (e.g. requirements for applicants to submit certain technical assessments in support of development proposals) for each proposed site allocation were identified in the LDP2 Proposed Plan Environmental Report and incorporated into the LDP2 Proposed Plan itself in order to avoid any significant adverse effects on the environment.

Summary

- 3.4.6 In summary, the iterative nature of the SEA process, the independence of the SEA project team and the advice provided throughout by the SEA Consultation Authorities has allowed the SEA to identify and address uncertainties and concerns, as well as to maximise opportunities for environmental enhancement, within the LDP2 as it evolved. The final adopted LDP2 directly responds to all relevant issues raised and reported through the SEA process.

4 How the opinions raised during consultation have been taken into account

4.1 Consultation Opportunities

- 4.1.1 Three formal consultation exercises were carried out as part of the SEA process for the LDP2:
- Consultation on the LDP2 SEA Scoping Report with the SEA Consultation Authorities for a 35-day period, beginning April 2016;
 - The LDP2 MIR and accompanying Interim Environmental Report (IER) were subject to a six-week consultation period, ending 10th March 2017; and,
 - The LDP2 Proposed Plan and accompanying Environmental Report were provided to the SEA Consultation Authorities and subject to public consultation from 30th April - 29th June 2018.

4.2 Consideration of SEA Related LDP2 Consultation Responses

SEA Scoping Report

- 4.2.1 The proposed approach to and level of detail to be considered within the SEA, as well as the emerging content of the LDP2 itself, was initially set out in an SEA Scoping Report issued to the SEA Consultation Authorities via the Scottish Government's SEA Gateway in April 2016. Comments from the SEA Consultation Authorities focused on the adequacy of the environmental baseline and policy review provided in the Scoping Report and the coverage of key environmental issues within the proposed SEA Framework. In response, the SEA Framework was refined by NAC prior to commencing the 'assessment phase' of the SEA in respect of the LDP2 MIR.

LDP2 Main Issues Report Interim Environmental Report

- 4.2.2 The LDP2 MIR was accompanied by an IER prepared by NAC officers. Reflecting the content of the MIR, the IER focused on identifying likely significant effects from broad policy options and reasonable alternatives, rather than providing a detailed assessment of full draft LDP policies. The IER also reported on the site assessment process undertaken by NAC up to that point. Consultation responses from the SEA Consultation Authorities at this stage again focused on the adequacy of the environmental baseline and policy review information provided in the IER. No further changes were considered necessary to the SEA Framework, but the comments from the SEA Consultation Authorities informed the content of the LDP2 Proposed Plan and the associated Environmental Report.

Environmental Report & SEA Factual Update Note

- 4.2.3 The LDP2 Proposed Plan was accompanied by a full Environmental Report prepared by PBA³, with both documents subject to consultation from 30th April to 29th June 2018. Following this, the responses received from the SEA Consultation Authorities were reviewed in detail and a SEA Factual Update Note was produced to address issues raised. This note concluded that the matters raised by the SEA Consultation Authorities and proposed non-notifiable modifications to the LDP2 Proposed Plan would not materially alter either the findings of the SEA carried out in respect of the LDP2 Proposed Plan or continued validity of the LDP2 Proposed Plan Environmental Report.

³ NAC officers in collaboration with the Scottish Government Key Agencies undertook the assessment of individual candidate sites and therefore also contributed to the Environmental Report.

5 Reasons for choosing the LDP2 as adopted, in light of other alternatives dealt with

5.1 Overview

5.1.1 In accordance with the 2005 Act, the SEA undertaken in respect of the LDP2 considered the likely effects from both the preferred approach and all reasonable alternatives which could be identified at each stage of the LDP2's development. This section provides an overview of the preferred approach, the reasonable alternatives that were considered and the reason for choosing to adopt the final LDP2.

5.2 Identification of Reasonable Alternatives

5.2.1 The 2005 Act requires the likely significant effects of implementing both a plan or programme and reasonable alternatives to be examined, as well as the rationale for identifying reasonable alternatives to be described. The 2005 Act further states that to be considered as reasonable alternatives, options (e.g. alternative policy criteria or site allocations) must relate to the plan or programmes' objectives and geographical scope. Reasonable alternatives must therefore be:

- Realistic, in that they are plausible alternatives which could be implemented and are consistent with relevant national and other policy frameworks;
- Related to the objectives of the plan or programme under consideration; and,
- Within the geographical scope of the plan or programme as they relate to the distribution of development specific to the NAC area.

5.2.2 Following the approach outlined in the ER, reasonable alternatives were identified where possible and subject to SEA in the same way as proposed plan components:

- Alternative policy criteria/tests were considered by NAC officers during the preparation of the LDP2 Proposed Plan (e.g. consideration of affordable housing requirements within Policy 5: New Homes). Where it was possible to identify reasonable alternatives to proposed policies, this was noted within relevant SEA matrices provided throughout Appendix G of the ER; and,
- Alternative housing sites – all housing sites considered for potential allocation in the LDP2, including both the existing housing allocations from the North Ayrshire LDP1 which were proposed to be rolled-over into the LDP2 and all new sites put forward by landowners or site promoters as new candidate housing allocations, were subject to a base level of SEA. This provided a common method of identifying likely significant effects from the allocation of any site and therefore a common set of mitigation requirements which would be required as a minimum if the site was to be allocated and subsequently brought forward for development. In addition, NAC undertook a detailed site assessment process in consultation with Key Agencies to identify a smaller a set of preferred site allocations and reasonable alternatives, which were subject to more detailed analysis using criteria aligned with the SEA Framework.

5.2.3 Given that reasonable alternatives must relate to the objectives of the emerging LDP2, no reasonable alternatives to the vision or spatial strategy within the LDP2 Proposed Plan could be identified, as any alternatives would have fundamentally changed the strategic direction of the emerging LDP2.

5.3 Reasons for LDP2 Adoption

- 5.3.1 The first North Ayrshire LDP was adopted by NAC in 2014 in accordance with the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006. To ensure compliance with statutory requirements and the Scottish Planning Policy (2014), the second LDP ('the LDP2') has now been prepared and adopted by NAC.
- 5.3.2 All substantive policies and proposals (e.g. site allocations) within the final adopted LDP2 relate to and derive their soundness from:
- Relevant statutory requirements and national planning policy, as set out in the Scottish Planning Policy (2014), the National Planning Framework 3 (2014) and associated Scottish Government Planning Circulars and Advice Notes;
 - Identified key environmental issues (**Table 2.1**); and,
 - The LDP2 vision and spatial strategy.
- 5.3.3 The SEA process has demonstrated that the final adopted LDP2 is likely to result in likely significant beneficial effects on the environment, with no likely significant adverse effects predicted. Each substantive component of the final adopted LDP2 has been subject to a proportionate level of SEA (including assessing identified reasonable alternatives with less desirable outcomes) and is intended to fulfil a specific role in terms of guiding development within North Ayrshire over the plan period. This provides a clear rationale for the decision of NAC to adopt the final LDP2.

6 Monitoring the North Ayrshire Council LDP2

6.1 Statutory Requirements

- 6.1.1 Section 19 of the 2005 Act requires arrangements to be in place to monitor the likely significant effects of the implementation all plans and programmes which are subject to SEA. The 2005 Act further requires these arrangements to be described within this SEA Post Adoption Statement.
- 6.1.2 Monitoring is also needed to verify that the approach set out in the LDP2 continues to be appropriate and effective and to assist in determining when the LDP2 should be reviewed. Under Section 21(2) of the Town and Country Planning (Scotland) Act 1997, the LDP2 is required to be accompanied by an Action Programme setting out how NAC proposes to implement the plan. Section 16(1)(b) of the same Act requires NAC to keep the adopted LDP2 under review and section 15(5) requires this monitoring to consider “*the principal physical, economic, social and environmental characteristics*” of the plan area.

6.2 Development Plan Monitoring in North Ayrshire

- 6.2.1 NAC has a strong track record of undertaking plan monitoring and, since the adoption of their first LDP2, has published regular LDP monitoring reports alongside a suite of annual land audits (in addition to the LDP Monitoring Statement required to inform the LDP2 MIR). It is envisaged that monitoring will continue in order to ensure the LDP2 remains effective and to:
- Consider whether any amendments are required to the LDP2 within the statutory 10-year period of the plan⁴; and,
 - Inform the preparation of the next LDP for North Ayrshire, as a ‘new style’ LDP⁵.
- 6.2.2 Whilst the LDP2 is not accompanied by a standalone monitoring framework, the LDP2 Action Programme (consulted on in draft with the LDP2 Proposed Plan and expected to be finalised imminently) sets out NAC’s proposed approach to monitoring the implementation of the LDP2. This will involve continuing to apply the LDP2 SEA Framework (i.e. 11 thematic SEA Objectives and associated guide questions) as set out in **Appendix A** to identify both the likely environmental effects of and effectiveness of the LDP2 (as a whole and in relation to individual components). The Action Programme also includes a commitment from NAC to liaise with stakeholders on a regular basis to review the delivery and phasing of development, provision of infrastructure and the application of policies.
- 6.2.3 Given that the SEA Framework has already been established as providing a sound basis to identify the likely significant environmental effects of the LDP2 during its development, it is also considered appropriate for use as an on-going framework to monitor the likely significant effects of implementing the plan in accordance with the 2005 Act.

⁴ Section 20AA of the Planning (Scotland) Act 2019 (presently still to be commenced) refers.

⁵ Section 16(1) of the Town and Country Planning (Scotland) Act 1997 refers.

7 Conclusion

- 7.1.1 This Post Adoption Statement has been prepared to explain how the SEA process and wider environmental considerations have informed the development of the LDP2, which was formally adopted by NAC on 28th November 2019.
- 7.1.2 **Section 1** of this report has provided an overview of the preparation of the LDP2 and the undertaking of an associated SEA. In accordance with the 2005 Act, **Sections 2 – 6** of this SEA Post Adoption Statement have reported:
- How environmental considerations have been integrated into the plan or programme;
 - How the Environmental Report has been taken into account;
 - How opinions expressed by the SEA Consultation Authorities on the emerging plan or programme and the accompanying Environmental Report have been taken into account;
 - The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and,
 - The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.
- 7.1.3 **Sections 3, 4 and 5** demonstrate that the LDP2 preparation process has been closely informed by the SEA process and that all environmental issues identified through the SEA have now been addressed.

Appendix A North Ayrshire LDP2 SEA Framework

A.1.1 The final SEA Framework used in the assessment of the North Ayrshire LDP2 MIR and Proposed Plan is provided in **Table A.1** below. This SEA Framework is also included within the LDP2 Action Programme as a monitoring tool.

Table A.1 LDP2 SEA Framework

SEA Objective	Guide Questions
1. Protect and improve soil and land resources	(i) Will the proposal reduce vacant and derelict land? (ii) Will the proposal impact on valuable soils e.g. prime quality agricultural and/or carbon rich soils?
2. Manage and reduce flood risk	(i) Will the proposal affect the risk of flooding?
3. Protect and enhance the water environment	(i) Will the proposal affect the quality of waterways and groundwater? (ii) Will the proposal affect an adequate supply of water to homes and businesses?
4. Protect local air quality	(i) Will the proposal affect an existing air quality action area?
5. Provide support for achievement of a more balanced population structure.	(i) Will the proposal support development in locations that are accessible to employment, education, public services and/or recreation opportunities? (ii) Will the proposal contribute toward a mix of housing types and tenures, including homes for families and older people, to meet future housing needs?
6. Promote improved health of the human population	(i) Will the proposal protect and enhance public accessibility to open space? (ii) Will the proposal protect and enhance green networks? (iii) Will the proposal link with the walking and cycling network?
7. Protect, and, where appropriate, enhance the historic environment	(i) Will the proposal affect places, landscapes and structures of historic, cultural and/or archaeological value and their settings?
8. Manage, maintain and promote efficient use of material assets	(i) Will the proposal promote sustainable use and development of land as a material asset?
9. Reduce greenhouse gas emissions and contributes to improving North Ayrshire's resilience to climate change impacts.	(i) Will the proposal affect carbon emissions? (ii) Will the proposal contribute to the mitigation of and adaptation to climate change?
10. Protect, enhance and, where appropriate, restore the quality and distinctiveness of North Ayrshire's landscape.	(i) Will the proposal affect protected landscape features and protected areas of open space?

SEA Objective	Guide Questions
	(ii) Will the proposal protect and enhance the landscape character of the area (iii) Will the proposal have a significant effect on areas of wild land or other landscape protected areas
11. Conserve, or, where appropriate, enhance local biodiversity, including statutory and non-statutory designations and protected species.	(i) Will the proposal have a likely significant effect on a Natura 2000 site? (ii) Will the proposal have a likely significant effect on protected sites and protected species? (iii) Will the proposal enhance local biodiversity?

Appendix B Schedule of SEA Mitigation and Enhancement Recommendations

B.1 Policy Recommendations

LDP2 Proposed Policy (January 2018) ⁶	SEA Recommendations	NAC Response
General	<ul style="list-style-type: none"> Supporting/explanatory text could be (re)-inserted either before each policy or at the start of the chapter to explain the rationale for the stated policies. This should link with the LDP2 Vision and Spatial Strategy as well as national planning policy requirements. Inserting this text would enhance the soundness of the LDP2 and strengthen the contribution of all policies with relevant SEA objectives; and, A clear policy should be provided to protect locally important agricultural land, in accordance with the SPP (2014). 	<ul style="list-style-type: none"> Explanatory text has been added to each chapter and to key policies; and Provisions to safeguard agricultural land have been inserted into Policy 1: Spatial Strategy.
Policy 1: Spatial Strategy	<ul style="list-style-type: none"> This policy should be expanded to include a requirement for development to safeguard and where possible enhance environmental quality; and, This policy should be expanded to include consideration of flood risks under the 'Towns and Villages' and 'Countryside' headings as well as in relation to infrastructure provision. 	<ul style="list-style-type: none"> Policy 2: Placemaking has instead been amended to implement these recommendations.
Policy 5: New Homes	<ul style="list-style-type: none"> This policy should be expanded to consider impacts on the environment (as well as amenity and placemaking) from all residential development proposals; The policy should be expanded to set out a schedule, linked to the LDP2 Proposals Map, detailing the characteristics (number, capacity, distribution, etc.) of all proposed housing allocations. This schedule should clearly demonstrate that sufficient effective housing land is proposed for allocation within the LDP2 Proposed Plan to meet both private and affordable housing 	<ul style="list-style-type: none"> The inclusion of a requirement within Policy 2: Placemaking to avoid unacceptable adverse effects on the environment means it is no longer necessary to insert the same requirement into individual subject policies, as the LDP2 Proposed Plan should be read as a whole. <p>In all other respects the recommendations have largely been implemented, in particular:</p>

⁶ This refers to the policy number and title in the version of the emerging LDP2 Proposed Plan at the time of undertaking the pre-mitigation assessment (January 2018). Policy numbering and titles have since been amended within the final version of the LDP2.

LDP2 Proposed Policy (January 2018) ⁶	SEA Recommendations	NAC Response
	<p>requirements up to 10 years from the expected date of adoption of the LDP2. The schedule must also indicate whether any physical mitigation measures or technical assessments are needed for planning applications on allocated sites to be supported. These mitigation measures should be derived from the detailed site assessments undertaken by NAC in the preparation of the LDP2 (as appended to this ER – see Appendix F) and the cumulative site assessments also presented in this ER (Appendix F);</p> <ul style="list-style-type: none"> • The policy should be expanded to confirm that in assessing housing proposals, the need for a five-year effective housing land shortfall to be maintained at all times will be a consideration alongside relevant criteria within LDP Policy Spatial Strategy, relevant subject specific policies (i.e. to assess environmental impacts) and the SPP’s presumption in favour of development that contributes to sustainable development; • The policy needs corrected to confirm (as intended) that whilst an established land supply is allocated for potential residential use, local community, employment and leisure uses would also be supported in principle, providing that the delivery of the effective housing land supply is not undermined; • This policy should be expanded to include a safeguarding mechanism ensuring the delivery of sufficient affordable housing even in the event of funding or implementation problems. This could be in the form of including a detailed trigger mechanism in the LDP2 through which affordable housing provision may be required on private sector sites on a case by case basis, subject to evidence to demonstrate both a shortfall in affordable housing provision and that such provision within a private sector housing development would be viable; • To enable the LDP2 to respond to changes in the delivery of the current effective housing land supply over the LDP2 Plan Period, Policy 5: New Homes should be expanded to confirm that in assessing residential development proposals on unallocated sites, the need for a five-year effective housing land shortfall to be maintained at all times will be a relevant consideration; and, 	<ul style="list-style-type: none"> • A schedule will all the required information, including required mitigation measures for each site allocation, is now included within the LDP2 Proposed Plan; • Reference to the need to maintain an ongoing 5-year effective land supply has been added to this policy; • The section of the policy regarding affordable housing has been recast for clarity; • The provisions within this policy regarding proposals for community and leisure uses have been; • The community and leisure provisions within this policy have been updated and clarified; • Policy updated re community and leisure; and, • The criterion cross-referencing Policy 2: Placemaking has been removed and clearer policy tests are now included within Policy 2 itself.

LDP2 Proposed Policy (January 2018) ⁶	SEA Recommendations	NAC Response
	<ul style="list-style-type: none"> The criterion which states that proposed housing developments will be assessed against their impact on matters including “the placemaking policy” could be replaced with a substantive policy requirement for proposals to contribute to high quality urban design and local distinctiveness. Providing that the chosen policy test is consistent with Policy X: Placemaking, this would enhance the consideration of design issues in residential development proposals. 	
Policy 7: Regeneration Opportunities	<ul style="list-style-type: none"> This policy should confirm the type(s) of land allocations within appendices 4e and 4f; and, The criteria beginning “Note that significant footfall...” should be recast to read “Proposals being considered against this policy should accord with the Town Centre First Principle (which for emphases could also be referenced in Policy 1: Spatial Strategy) and must not undermine the vitality or viability of town centres or the delivery of the effective housing and industrial land supplies”. 	<ul style="list-style-type: none"> Recommendations agreed and implemented.
Policy 8: Network of Centres	<ul style="list-style-type: none"> To ensure that Policy 8: Network of Centres does not unnecessarily restrict development within the Network of Centres the policy should be amended to require proposals to contribute to addressing “identified opportunities” only where appropriate. The requirement for proposals to be “of a scale appropriate” to the Centre should also be clarified; The policy’s third bullet point should be reworded for clarity (unless more substantive changes are made – see below); and Consideration should be given to re-organising policies 8: Network of Centres and 9: Managing the Town Centre Network such that one becomes dedicated to spatial/strategic issues including the implementation of the Town Centre First Principle, leaving the other to set out impact related tests for proposals within the Network of Centres. This could also help to address identified uncertainties within the third bullet point of Policy 8: Network of Centres. Refer to Appendix G.3 for the suggested distribution of these policy criteria. 	<ul style="list-style-type: none"> The Town Centre policies have been amalgamated to avoid confusion. Strategic principles and matters of detail are now more clearly articulated within this single policy.

LDP2 Proposed Policy (January 2018) ⁶	SEA Recommendations	NAC Response
Policy 9: Managing the Town Centre Network	<ul style="list-style-type: none"> Consideration should be given to re-organising policies 8: Network of Centres and 9: Managing the Town Centre Network such that one becomes dedicated to spatial/strategic issues including the implementation of the Town Centre First Principle, leaving the other to set out impact related tests for proposals within the Network of Centres. This could also help to address identified uncertainties within the third bullet point of Policy 8: Network of Centres. Refer to Appendix G.3 for the suggested distribution of these policy criteria. 	
Policy 10: Leisure, Retail and other Tourism-Related Development On Arran	No mitigation or enhancement recommendations.	N/A
Policy 11: Shopfronts, Signs and Advertisements	<ul style="list-style-type: none"> To enhance the brevity, clarity and objectivity of 11: Shopfronts, Signs and Advertisements, the first policy test should be amended to include clearer and stronger wording. For example, the policy could instead require advertisements to in keeping with or contribute positively to the visual appearance of their surroundings. 	<ul style="list-style-type: none"> Recommendations agreed and implemented.
Policy 15: Supporting Sustainable Tourism	<ul style="list-style-type: none"> This policy should more clearly indicate that the types of tourism development proposals classified by SEPA as most vulnerable development should be located outwith Medium and High risk flood areas, as set out in by Policy 32: Flood Risk Management and the Flood Risk Management Framework within the SPP (2014). 	<ul style="list-style-type: none"> This policy has been amended to include reference to SEPA development categories and cross reference the flood risk management policy, to avoid double-testing proposals.
Policy 12: Employment Locations (Outwith Centre Network)	<ul style="list-style-type: none"> This policy should be amended to confirm its scope, including whether it provides criteria to assess all business, industrial and employment development proposals or only those within sites allocated for this purpose. Related to this it is recommended that the policy should be amended to require all development proposals on business and industrial sites to avoid unacceptable adverse environmental and amenity impacts. This general criterion would sit above environmental and amenity subject policies where specific environmental impacts would be assessed in detail. Business and 	<ul style="list-style-type: none"> Recommendations agreed and implemented, in particular this policy now more concisely sets out its scope.

LDP2 Proposed Policy (January 2018) ⁶	SEA Recommendations	NAC Response
	<p>industrial proposals on unallocated sites would be assessed against the same subject specific policies;</p> <ul style="list-style-type: none"> • Consideration should be given to including criteria to safeguard the marketable employment land supply and requiring development proposals for significant footfall generating uses to comply with the Town Centre First Principle as per Policy 8: Network of Centres (see separate recommendation above); • The policy's scope should be clarified and consistent terminology to define business, industry and employment uses should be used throughout; • The policy should be expanded to confirm that development proposals including any associated infrastructure must not result in unacceptable adverse impacts; and, 	
Policy 14: Business Development On Arran and Cumbrae	<ul style="list-style-type: none"> • The requirement for business development proposals on these islands to either align with the relevant Arran Economic Strategy or demonstrate a sequential approach to site selection should be clarified. In particular, the policy should more clearly explain the link between these two policy requirements. 	<ul style="list-style-type: none"> • Recommendation agreed and implemented.
Policy 26a: Conservation Areas Policy 26b: Listed Buildings	<ul style="list-style-type: none"> • Policies 26a and 26b should be amended to include a criterion regarding enabling development and to clarify how the viability of re-use will be assessed. One option would be for the policies to require an applicant seeking to demolish a listed building to demonstrate that it is not viably to repair or re-use the building for any appropriate use (rather than only in respect of the applicant's proposed end use) and that any adverse effects from the demolition of the building are outweighed by beneficial effects (social, environmental or economic) from the proposed end use. 	<ul style="list-style-type: none"> • These policies have been more clearly separated. Policy 14: Listed Buildings now includes enabling development criteria.
Policy 27: Historic Gardens and Designed Landscapes	No mitigation or enhancement recommendations.	N/A

LDP2 Proposed Policy (January 2018) ⁶	SEA Recommendations	NAC Response
Policy 28a: Scheduled Monuments	No mitigation or enhancement recommendations.	N/A
Policy 28b: Non-designated archaeological sites and monuments	No mitigation or enhancement recommendations.	N/A
Policy 19: Landscape and Seascape	<ul style="list-style-type: none"> The section regarding the North Central Arran National Scenic Area should be restructured to emphasise the importance of development proposals satisfying the assessment criteria listed within the stated bullet points. The policy section could then, if desired, still include an additional, 'secondary', assessment criteria requiring proposals within the NSA to avoid unacceptable adverse environmental and recreational impacts, including through the use mitigation measures where appropriate; and, The section regarding local landscape character should be amended to set out stronger criteria to assess landscape impacts from all development proposals. This could include requirements for proposals to avoid unacceptable significant adverse impacts on both landscape character, important landscape features and their setting. The policy should also include a full reference for the Ayrshire Landscape Character Assessment and provide a mechanism to enable any new or updated landscape character or capacity studies covering North Ayrshire produced during the LDP2 Plan Period to become material considerations in the context of this policy. 	<ul style="list-style-type: none"> This policy has been restructured and amended to set out clearer and stronger policy tests to assess impacts on landscape and seascape. Policy 18: Blue and Green Infrastructure now includes clearer criteria to assess impacts on all natural features; and, The reference to the Landscape capacity study to "current" to allow for updated versions of the study to become a consideration during the LDP2 plan period.
Policy 29: Protection of the Natural Environment	<ul style="list-style-type: none"> This policy should be recast to set out clearer criteria to assess proposals affecting designated sites and protected species. If the existing structure of the policy is retained, the overarching criteria before those relating to individual designations should require the avoidance of unacceptable adverse impacts. All of the criteria to assess proposals affecting individual categories of designations would then align with this, whilst reflecting specific statutory requirements; 	<ul style="list-style-type: none"> This policy's title has been amended to clarify the policy's scope; and, The overarching part of the policy has been amended to reference resistance against unacceptable adverse impacts.

LDP2 Proposed Policy (January 2018) ⁶	SEA Recommendations	NAC Response
	<ul style="list-style-type: none"> One consequence of more clearly focusing this policy on designated sites and protected species is that Policy 23: Forestry, Woodland, Trees & Hedgerows should be amended to set out clearer assessment criteria to protect and enhance all important natural features, i.e. including non-designated sites and a wide range of possible ecological interests. Policies 23: Forestry, Woodland, Trees & Hedgerows and Policy 29: Protection of the Natural Environment must also align with Policy 21: Green and Blue Infrastructure, where a similar deficiency regarding the protection afforded to existing green and blue infrastructure has been identified earlier in this assessment and should be addressed. Read together, these three policies should provide clear protection against unacceptable adverse impacts whilst supporting the enhancement of all ecological interests and improving access to nature; 	
Policy 21: Green and Blue Infrastructure	<ul style="list-style-type: none"> The word “protect” should be added before “create” in the first sentence of this policy; and, The policy could be strengthened by setting out clearer requirements for development proposals in relation to the protection and enhancement of natural heritage, rather than only setting out where development would be supported. 	<ul style="list-style-type: none"> Recommendations agreed and implemented.
Policy 20: Clyde Muirshiel Regional Park	<ul style="list-style-type: none"> The status of the bullet points listed within this policy should be clarified. 	<ul style="list-style-type: none"> Recommendation agreed and implemented.
Policy 23: Forestry, Woodland, Trees & Hedgerows	<ul style="list-style-type: none"> This policy should be recast to become more concise, with clearer wording provided in assessment criteria. The amended policy should provide a clear framework for planning and assessing development proposals affecting ancient semi-natural woodland, woodlands of high nature conservation value and other important natural features. This could include requirements to protect important natural features from unacceptable adverse impacts and to enhance them where possible. A definition of important natural features should also be included within the policy to confirm the circumstances in which criteria to protect against the actual loss of such features (rather than only adverse effects on them - see above) would be 	<ul style="list-style-type: none"> Recommendations agreed and implemented. In particular, this policy has been expanded to include criteria to assess proposals affecting ancient semi-natural woodland or woodlands of high nature conservation value, as per the SPP (2014) at paragraphs 197 and 201.

LDP2 Proposed Policy (January 2018) ⁶	SEA Recommendations	NAC Response
	<p>engaged. The clarity and effectiveness of the policy would also benefit from more upfront and detailed reference to the Scottish Government's Control of Woodland Removal Policy, particularly in relation to compensatory planting requirements;</p> <ul style="list-style-type: none"> The policy should be amended policy to provide a clearer framework for assessing development proposals affecting ancient semi-natural woodland, woodlands of high nature conservation value and other important natural features; and, The policy should be amended policy to provide a clearer framework for assessing development proposals affecting ancient semi-natural woodland, woodlands of high nature conservation value and other important natural features. 	
Policy 18: Cemetery Sites	<ul style="list-style-type: none"> The policy should be expanded to require cemetery proposals to avoid unacceptable adverse environmental and amenity impacts; and, The policy should be amended to confirm the level of detail required within groundwater assessments to support relevant planning applications. This should include specifying whether mitigation measures will be required to avoid any likely adverse effects on groundwater quantity or quality. 	<ul style="list-style-type: none"> This policy has been expanded to refer to SEPA guidance on groundwater impacts.
Policy 23: Development involving Open Space	<ul style="list-style-type: none"> Criterion (i) should be expanded to provide a clearer policy test instead of deferring to "an approved open space strategy...". 	<ul style="list-style-type: none"> Recommendation agreed and implemented. The policy now requires development on open space not to have a detrimental impact on the overall quality of provision as informed within NAC's current open space strategy.
Policy 24: Outdoor Sports Facilities	No mitigation or enhancement recommendations.	N/A
Policy 31: Water Environment Quality	No mitigation or enhancement recommendations.	N/A
Policy 32: Flood Risk Management	<ul style="list-style-type: none"> The policy should be amended to clearly require development proposals to include appropriate sustainable urban drainage systems where surface 	<ul style="list-style-type: none"> Recommendations agreed and implemented.

LDP2 Proposed Policy (January 2018) ⁶	SEA Recommendations	NAC Response
	<p>water is proposed to be discharged to the water environment, in accordance with the Water Environment (Controlled Activities) (Scotland) Regulations 2011 as amended; and,</p> <ul style="list-style-type: none"> The wording of the policy test which seeks to prevent a significant increase in flood risk elsewhere (outwith a development site) should be corrected. 	
Policy 28: Alignment with Marine Planning	<ul style="list-style-type: none"> This policy should be expanded to require all marine related development proposals not to result in unacceptable adverse environmental or amenity impacts. 	<ul style="list-style-type: none"> Recommendation agreed and implemented.
Policy 52: Supporting Aquaculture	<ul style="list-style-type: none"> This policy should be strengthened (e.g. new policy wording requiring the protection and enhancement of the physical environment and amenity, the avoidance of unacceptable adverse effects and consideration of net economic benefits). In doing so, the intended approach to assessing cumulative impacts should be clarified. 	<ul style="list-style-type: none"> Recommendation agreed and implemented.
Policy 36: New Communications Equipment	<ul style="list-style-type: none"> Key terms should be defined clearly consistently throughout this policy and supporting text; This policy should be recast to set out clearer, substantive assessment criteria rather than only seeking the provision of information; 	<ul style="list-style-type: none"> Recommendation agreed and implemented.
Policy 38: Sustainable Transport and Active Travel	<ul style="list-style-type: none"> Key terms should be defined clearly consistently throughout this policy and supporting text; The references to the Scottish Government's 'Designing Streets' planning policy, Scottish Planning Policy - Annex B - Parking Policies and Standards, and the Council's adopted parking standards and strategy should all be moved to explanatory text outwith the policy text; The wording of the criterion regarding the consideration of air quality impacts should be clarified; The criterion relating to "innovative solutions" to rural transport issues should be recast to clarify its aim, scope and substantive requirements; and, This policy could be expanded to refer to NAC's public body duties under section 44 of the Climate Change (Scotland) Act 2009. 	<ul style="list-style-type: none"> Recommendations agreed and implemented.

LDP2 Proposed Policy (January 2018) ⁶	SEA Recommendations	NAC Response
Policy 38: Transport as an Economic Driver	<ul style="list-style-type: none"> Key terms should be defined clearly consistently throughout this policy and supporting text; This policy should be amended to provide support in general terms for new or upgraded transport infrastructure to meet an identified need, without specifying individual projects in the policy; and, This policy could be expanded to refer to NAC's public body duties under section 44 of the Climate Change (Scotland) Act 2009. 	<ul style="list-style-type: none"> Recommendations agreed and implemented.
Policy 43: Energy Infrastructure Development	<ul style="list-style-type: none"> This policy should be recast to set out two clear criteria: a) demonstration of positive contribution to low carbon economy, and b) no unacceptable adverse impacts, taking account of the circumstances of predicted impacts and their significance (where a formal EIA has been carried out); The policy should be amended to clarify the role of the spatial framework in determining wind energy applications. In doing so, the framework should include all 3 groupings and provide a clear policy test (as per the SPP - Table 1, 2014) for proposals to be assessed against to establish the principle of development. Detailed consideration of acceptability would then take place using the impact assessment criteria currently in the first part of the policy. To enhance the policy's implementation, the spatial framework section should therefore be moved to come first, before detailed impact assessment criteria are set out; Any required specific policy test regarding landscape impacts should be moved to Policy 19: Landscape and Seascape; and, For clarity it is recommended that the wording "<i>using the carbon calculator</i>" should be deleted from this policy. This would not preclude use of the carbon calculator, but other assessment information may also be needed or more appropriate to determine impacts on carbon rich soils and peat. 	<ul style="list-style-type: none"> Recommendation agreed and implemented.
Policy 47: Waste Management Facilities	No mitigation or enhancement recommendations.	N/A
Policy 46: Future Proofing for Heat Networks	<ul style="list-style-type: none"> This policy should be amended to clarify how the commitment to identify and safeguard existing and future heat network generation and distribution infrastructure within, and to the curtilage of, new developments would operate. 	<ul style="list-style-type: none"> Recommendation agreed and implemented.

LDP2 Proposed Policy (January 2018) ⁶	SEA Recommendations	NAC Response
Policy 53: Safeguarding of Workable Mineral Resources	No mitigation or enhancement recommendations.	N/A
Policy 54: Responsible Extraction of Mineral Resources	<ul style="list-style-type: none"> This policy should be expanded to define the “west of Scotland” region in relation to assessing the need for new mineral workings. 	<ul style="list-style-type: none"> The reference to the west of Scotland region has been removed from this policy; and, This policy has been reworded to align with the SPP (2014).
Policy 55: Protecting Peatland and Carbon Rich Soils	<ul style="list-style-type: none"> This policy could be amended to set out a clear criterion resisting development affecting peat or carbon-rich soils except where the economic and social benefits of the development outweigh the potential, detrimental effect on the environment; and it has been demonstrated that there is no viable alternative. Reference could also be made to the SNH Carbon Rich Soils & Peat Map alongside existing policy requirements in support of the information requirement to provide a peat survey and management plan. 	<ul style="list-style-type: none"> This policy has been amended to set out clearer and stronger criteria to protect peatland and carbon rich soils from disturbance or other adverse impacts.
Policy 56: Hazardous Installations and Substances	No mitigation or enhancement recommendations	N/A
Policy 57: Contaminated Land	<ul style="list-style-type: none"> The word “reclamation” in the first sentence of Policy 57: Contaminated Land should be amended to “remediation and redevelopment”; and, To enhance the effectiveness of the policy in remediating contamination, rather than deferring to PAN33 and referring to risks being taken into account and mitigation being adequate, criterion (i) could be amended to instead require remediation to address known contamination to reduce environmental harm and make a development site suitable for future intended use. The use of an objective policy test would significantly strengthen the effectiveness of this policy in relation to relevant SEA objectives. 	<ul style="list-style-type: none"> Policy now deleted.

B.2 Site Recommendations (for all assessed sites)

LDP2 SEA Objectives	Sites with Direct Relationship to Identified Environmental Constraint	Potential Mitigation Requirements
<p>1. Soil and Land Use</p>	<p>Garnock Valley:</p> <ul style="list-style-type: none"> • 61 • RES2(20) <p>Irvine:</p> <ul style="list-style-type: none"> • IND5/RES2(1) • IND5/RES2(2) • RES2(6) • RES2(8) • RES4(3) • RES2(10) • RES2(11) <p>Kilwinning:</p> <ul style="list-style-type: none"> • RES4(1) • RES4(5) • RES2(12) <p>North Coast and Cumraes:</p> <ul style="list-style-type: none"> • 48 • 58 • RES4(7) • RES2(29) • RES2(28) • RES2(31) • RES2(32) • RES2(34) • RES2(33) <p>Three Towns:</p> <ul style="list-style-type: none"> • RES2(17) • IND5 /RES2 (16) • RES2(14) 	<p>Contaminated Land or Agricultural Assessment, depending on individual site constraints.</p>
<p>2. Flood Risk</p>	<p>Arran:</p> <ul style="list-style-type: none"> • RES4(11) <p>Garnock Valley:</p>	<p>Flood risk assessment, depending on individual site constraints</p>

LDP2 SEA Objectives	Sites with Direct Relationship to Identified Environmental Constraint	Potential Mitigation Requirements
	<ul style="list-style-type: none"> • 72 • RES2(21) • RES2(23) • RES2(24) <p>Irvine:</p> <ul style="list-style-type: none"> • 88 • IND5/RES 2(7) • RES2(10) • RES2(8) • RES2(6) <p>Kilwinning:</p> <ul style="list-style-type: none"> • 21 <p>North Coast and Cumraes:</p> <ul style="list-style-type: none"> • 58 • RES2(34) <p>Three Towns:</p> <ul style="list-style-type: none"> • RES2(13)/ RES9/TOU 3(b, RES2(15) RES2(14) 	
3. Water Environment	N/A	N/A
4. Air Quality	<p>Garnock Valley:</p> <ul style="list-style-type: none"> • RES2(21) • RES2(20) • RES2(23) • RES2(22) • RES2(25) • RES2(24) • RES2(27)/ RES9 • 72 <p>Irvine:</p> <ul style="list-style-type: none"> • RES2(10) • RES2(11) <p>Kilwinning:</p>	Air quality assessment, depending on individual site constraints.

LDP2 SEA Objectives	Sites with Direct Relationship to Identified Environmental Constraint	Potential Mitigation Requirements
	<ul style="list-style-type: none"> • RES4(5) • RES2(12) • RES4(1) <p>North Coast and Cumraes:</p> <ul style="list-style-type: none"> • 58 • 69 <p>Three Towns:</p> <ul style="list-style-type: none"> • IND5/RES 2(9) • RES2(13)/ RES9/TOU 3(b) • IND5/RES 2(19) • RES2(18)/ RES9 • RES2(17) • IND5/RES 2(16) • RES2(15) <p>RES2(14)</p>	
5. Accessibility	N/A	N/A
6. Human Health	<p>Arran:</p> <ul style="list-style-type: none"> • RES4(14) <p>Garnock Valley:</p> <ul style="list-style-type: none"> • RES2(21) • RES2(20) • RES2(22) • RES2(23) • RES2(24) • RES2(27)/ RES9 <p>Irvine:</p> <ul style="list-style-type: none"> • RES2(10) • IND5/RES2(1) • RES2(4) • RES2(5) • RES2(6) • IND5/RES2(2) <p>Kilwinning:</p>	Health Impact Assessment, depending on individual site constraints

LDP2 SEA Objectives	Sites with Direct Relationship to Identified Environmental Constraint	Potential Mitigation Requirements
	<ul style="list-style-type: none"> • 21 North Coast and Cumraes: <ul style="list-style-type: none"> • 58 • 69 • 97 • RES4(6) • RES2(31) • RES2(32) • RES2(34) Three Towns: <ul style="list-style-type: none"> • 70 • RES2(13)/ RES9/TOU 3(b) • RES2(14) • IND5/RES2(9) RES2(15)	
7. Historic Environment	Irvine: <ul style="list-style-type: none"> • RES2(3) • RES2(4) • RES2(6) • RES2(8) Three Towns: RES2(13)/ RES9/TOU 3(b)	Heritage Assessment, depending on individual site constraints
8. Material Assets	N/A	N/A
9. Climate Change	N/A	N/A
10. Landscape	Garnock Valley: <ul style="list-style-type: none"> • RES2 (23) • RES2 (22) • RES2 (26) Irvine: <ul style="list-style-type: none"> • RES2(4) • RES2(3) 	Landscape and Visual Impact Assessment, depending on individual site constraints

LDP2 SEA Objectives	Sites with Direct Relationship to Identified Environmental Constraint	Potential Mitigation Requirements
	<p>Three Towns: RES 2(14)</p>	
<p>11. Biodiversity</p>	<p>Garnock Valley:</p> <ul style="list-style-type: none"> • RES2(27)/ RES9 <p>Irvine:</p> <ul style="list-style-type: none"> • 88 • IND5/RES2(1) • RES2(4) • RES2(3), <p>Kilwinning:</p> <ul style="list-style-type: none"> • RES4(1) <p>North Coast and Cumraes:</p> <ul style="list-style-type: none"> • 48 • 58 • RES2(30) • RES2(31) <p>Three Towns:</p> <ul style="list-style-type: none"> • RES2(13)/ RES9/TOU 3(b) • RES2(15) • RES2(14) 	<p>Ecological Impact Assessment, depending on individual site constraints</p>

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