

## Responses to the consultation authorities comments on the SEA Scoping Report (10 September 2010)

The Aberdeen City and Shire SDPA published an SEA Scoping Report for its Strategic Development Plan on 2 July 2010. This was sent to the consultation authorities (Scottish Natural Heritage, Scottish Environment Protection Agency and Historic Scotland) via the SEA Gateway and responses were received on 3 August 2010.

Under Section 15(3)(a) of the Environmental Assessment (Scotland) Act 2005, the responsible authority shall take account of the views expressed by the consultation authorities under subsection (2)(a). This has been set out in the table below.

Consultation Authority	Issue	Concern / Comments	Action proposed
Historic Scotland	General	The Scoping Report is clear and thorough.	Noted
Historic Scotland	Clarity and transparency	Assume that when you come to undertake the environmental assessment and use these generic SEA topics, it is the environmental assets identified in the baseline information that will be considered for each SEA topic? It will be helpful to demonstrate this clearly in the assessment, along with any other assumptions, to ensure that the assessment is transparent and clear to the reader.	Noted. The use of SEA topics will be measured against the environmental assets identified in the baseline information.
Historic Scotland	Baseline information	Content with the baseline information provided for the historic environment.	Noted
Historic Scotland	Assessment Framework	Where specific elements are identified within the plan (such as strategic infrastructure/growth areas) it may be possible to interrogate detailed baseline data. However, for other aspects of the plan you may wish to focus your assessment on more generic effects associated with development (using a narrative approach) and identify factors to be taken into account within lower level plans. Where this is the case it is important to identify these issues and to be clear how they should be taken into account and who will be responsible for following them through.	Noted. If lower level plans are to undertake further detailed assessment this will be made clear in the environmental report.
Historic Scotland	Consultation period	Content with the 12-week period proposed for consultation on the Environmental Report	Noted

Scottish Natural Heritage	General	We consider this to be a good quality SEA Scoping Report.	Noted
Scottish Natural Heritage	Relationship with other PPS - Table 4.1	It may be worth noting in the associated text that some International Level plans are translated into domestic legislation and policy. For example, as the Habitats Regulations translate the Habitats Directive into national law, we suggest that there may be no requirement for the SEA to address the Directive separately.	Noted. We have taken this approach and this was explained in Section 4.1.
Scottish Natural Heritage	Relationship with other PPS - Table 4.1	The bulleted list of key points following the table shows how many potentially conflicting aims the plan has to address and it may be appropriate to add a sentence recognising this as the main challenge for the plan.	We welcome the recognition that the nature of planning is challenging and addresses balancing conflicts.
Scottish Natural Heritage	Environmental problems & likely evolution of the env. without the SDP	While the thrust of this section is true, it doesn't acknowledge that some issues cannot be addressed through the Local Plan etc. because parameters have already been set in the Strategic Plan. For example, discussion on the Local Plan in relation to levels of housing provision is constrained by the fact that the Strategic Plan has already determined a level of provision. Consequently, this Strategic Plan may have to have more regard for the potential constraint it imposes on "follow on" plans such as the Local Plan – this will be especially important when it addresses matters involving sustainability.	Noted.
Scottish Natural Heritage	Relevant aspects of the current state of the environment	<p><b><u>Biodiversity</u></b> - The biodiversity topic lists issues where there is a direct loss from development, but it does not identify that the contribution to biodiversity within developments, i.e. greenspace, is often of a very poor quality/standard and often links very poorly with existing greenspace beyond the area of any given development. In the longer term, this progressive deterioration of the overall resource is both a greater threat and something which would be easier to resolve through the SDP by requiring better standards and better practice.</p> <p>The ongoing review of local nature conservations designations across the City and Shire (and the outcome of that review) is something which should be considered and hopefully strongly endorsed by the SDP. The role that green networks can play in</p>	Accepted. Insert bullet point to Table 4.2 in the final column. <i>"The SDP can contribute to biodiversity within development e.g. through greenspace provision."</i>

		supporting biodiversity as well as providing functioning (e.g. recreation and access routes) greenspace is another vital part of this approach improving quality.	
Scottish Natural Heritage	Relevant aspects of the current state of the environment	<b>Landscape</b> - The cumulative impact of windfarms in rural Aberdeenshire is already a significant issue and one which will continue to be important over a wider area. The SDP will need to address this and identify how the rapidly growing number of these developments can be reconciled with landscape impacts, <u>at a strategic level</u> .	Accepted. Insert bullet points to Table 4.2 in the first and third column respectively. <i>“Potential of large scale windfarms to adversely impact on landscape.”</i>  <i>“The SDP will consider how it could address the issue of windfarms in conjunction with Local Development Plans.”</i>
Scottish Natural Heritage	Relevant aspects of the current state of the environment	<b>Water</b> – This links closely with Climate Change and the SDP should be looking at projections for future water demand and any changes in availability to determine whether levels of growth it advocates are possible and sustainable. The apparent convention of determining a desired rate of growth in Structure Plans without any apparent assessment as to whether that level of growth is sustainable is an issue that should be explicitly addressed.	Noted. This issue is acknowledged in Table 4.2. Work is ongoing with Scottish Water, Scottish Environment Protection Agency and Scottish Natural Heritage over these issues.
Scottish Natural Heritage	Relevant aspects of the current state of the environment	<b>Soil</b> – Peat has the capacity to act as a major store for carbon. There are still significant areas of peat in Aberdeenshire, some of which have been worked in the past. Given its importance as a carbon sink, as well as its biodiversity value, we would urge you to consider a strong strategic approach to protect this asset and which recognises these wider values as well as its short term economic value as a fuel.	Noted. We will look at the information available from the Macaulay Land Use Research Institute and take action as appropriate.
Scottish Natural Heritage	Framework for assessing environmental effects	The objectives identified in the SDP, i.e. a level of economic growth, housing expansion etc., sometimes seem to have been selected without much consideration of how sustainable they are. The Environmental Report should demonstrate, in a clear and robust way, that the SDP’s objectives are sustainable and how their sustainability has been measured.	Noted. This is a fundamental objective of Strategic Environmental Assessment.
Scottish Natural Heritage	Habitats Regulations	It is good to see this stated explicitly.	We welcome the recognition for mentioning the Habitats Regulations

	Assessment		Assessment explicitly.
Scottish Natural Heritage	Proposed Mitigation Measures	It is important that the SDP starts with objectives that are really sustainable and that it does not attempt to mitigate elements of the strategy that are not in themselves sustainable.	Noted.
Scottish Natural Heritage	Monitoring	It would be desirable to include the results of monitoring previous plans. How do previous plans stand up when they have been monitored for their environmental impacts? How have/will the lessons from those earlier monitoring exercises been utilised to improve the new plan?	A Baseline Monitoring Report for the Aberdeen City and Shire Structure Plan was published in March 2010 and is the first of several to inform the SDP. Monitoring will also be undertaken through Local Development Plans. A Monitoring Statement will be published alongside the Main Issues Report to further update monitoring undertaken.
Scottish Natural Heritage	Anticipated Milestones	These appear appropriate to us.	Noted
Scottish Natural Heritage	Links to other PPS & Environmental Protection Objectives – Appendix 7	In the column in the table headed <b><i>Relationship with PPS</i></b> , the SDP should be more positive and proactive. Rather than saying things like - <b><i>The Strategic Development Plan should avoid disturbance to wildlife and the countryside through the implementation of the plan</i></b> – the SDP should be more positive. It should proactively ensure that much more development is truly sustainable, that levels of economic growth are sustainable, that levels of economic development set in the plan can be sustained by the water resources available, that development does deliver functional greenspace and green networks, that the sustainable management of soils does require the majority of our remaining peatlands are retained as carbon sinks, that the housing requirement it sets is genuinely sustainable and so on.	Noted.
Scottish Natural Heritage	SEA Topic: Air & Climatic Factors - Appendix 7.2.1	<u>Carbon dioxide (CO2) emissions</u> – the statement - <i>new development should consider energy efficiency and conservation as an issue as development will increase the area’s carbon footprint</i> . Given the stated need to reduce carbon footprint, this needs to be much stronger and say “must” rather than “should”. Otherwise its difficult to see how much progress will be made.	Noted.

		<u>Properties at risk within inland and coastal areas</u> – hopefully the SDP will look at options for other than conventional engineered solutions, in particular by ensuring the retention and protection of natural defences such as river floodplains and dynamic coastal habitats.	
Scottish Natural Heritage	SEA Topic: Water - Appendix 7.2.2	<u>Quality of water bodies</u> – The statement - <i>It is important that development does not prevent water bodies in the SDP area achieving at least ‘good’ ecological status in order for the area to reach the targets</i> – is not assertive enough, is it not reasonable to expect that development (or at least some types of development) make a positive contribution to improving water quality?	Noted.
Scottish Natural Heritage	SEA Topic: Soil - Appendix 7.2.3	<u>Land contamination</u> – it <u>may</u> be that <u>some</u> contaminated land could fulfil a role as greenspace and could mitigate some of the loss of greenfield sites.  <u>Soil Erosion</u> – see comment on <i>Properties at risk within inland and coastal areas</i> above.	Noted.
Scottish Natural Heritage	SEA Topic: Biodiversity (natural heritage designations) - Appendix 7.2.4	International, national and local natural heritage designations – it would be worth making clear that all these designations are not additional i.e. one piece of land may be covered by several designations. It would also be worth noting in the environmental report that, in terms of area, Aberdeenshire has just under half the national average of land designated as Sites of Special Scientific Interest and arguably therefore even more in need of protection and especially policies which ensure that Council plans and policies relating to securing future development and investment are fully aware of that.	Noted.
Scottish Natural Heritage	Human Health - Appendix 7.2.5	As a general point, the SDP should be proactive in securing good quality and fully functioning green space from all development and that all greenspace needs to be “connected”. Greenspace has to be seen as a fundamental part of infrastructure and not an add-on when everything else has been dealt with. Properly functioning green networks deliver multiple benefits for human health and wellbeing, biodiversity, reduction of carbon footprint and so on.	Noted. We acknowledge your suggestions and will take it into consideration during preparation of the SDP.
Scottish Natural	SEA Topic	See comment above on Table 4.2 Landscape.	Noted.

Heritage	Landscape - Appendix 7.2.8		
Scottish Natural Heritage	Appendix 7.3 Maps	Detailed information on SSSI, SAC, SPA, RAMSAR and NNRs are on the SNH website.	Noted.
Scottish Environment Protection Agency (SEPA)	General	The scoping report provides clear and detailed information on the proposed scope and level of detail of the assessment and covers most of the aspects that we would wish to see addressed at this stage.	Noted.
SEPA	Relationship with other Plans, Policies and Strategies (PPS)	We consider that the PPS listed in Table 4.1 and in more detail in Appendix 7.1 provides a good start at providing a background framework to the development of the Plan. We suggest you check and ensure that everything is up to date before including in your ER; for example, The North East Area Management Plan has now been finalised.	Noted. The PPS will be checked to ensure it is up to date for the environmental report.
SEPA	Relationship with other Plans, Policies and Strategies (PPS)	Local PPS include the Air Quality Action Plan that has been put in place to tackle air quality problems in Aberdeen City and the emerging Aberdeen City Waste Strategy.	Noted. As stated in section 4.1 a proportionate approach was taken to select only PPS which were thought to have an influence on, or be influenced by the SDP were identified.
SEPA	Relationship with other Plans, Policies and Strategies (PPS)	<p>We bring the following PPS relating to climate change, human health and material assets to your attention for consideration.</p> <ul style="list-style-type: none"> <li>• UN Framework Convention on Climate Change</li> <li>• Changing Our Ways – Scotland’s Climate Change Programme (2006)</li> <li>• The Second European Climate Change Programme (currently in preparation)</li> <li>• Tomorrow’s Climate, Today’s Challenge: UK Climate Change Programme (2006)</li> <li>• Taking Sustainable Use of Resources Forward: A Thematic Strategy on the prevention and recycling of waste (EU, 2005)</li> <li>• Building a Better Scotland Infrastructure Investment Plan: Investing in the Future of Scotland, (2005)</li> <li>• The councils own Waste Strategy</li> </ul>	<p>As stated in section 4.1 the decision was taken to select only the latest and/or most comprehensive PPS so as to avoid duplication of effort.</p> <p>Agree to include <i>Building a Better Scotland Infrastructure Investment Plan: Investing in the Future of Scotland, (2005)</i> in Table 4.1 and Appendix 7.1.</p>

		<ul style="list-style-type: none"> <li>• SEPA Guidelines for Thermal Treatment of Municipal Waste</li> <li>• Assessment of Environmental Legislative and Associated Guidance Requirements for Protection of Human Health (2007)</li> <li>• Incineration of Waste and Reported Human Health Effects</li> <li>• The Impact on Health of Emissions to Air from Municipal Waste Incinerators</li> </ul>	
SEPA	Baseline information	As with the list of PPS you should ensure that all baseline data is relevant and up to date.	Agree. The baseline data will be updated for the environmental report.
SEPA	Baseline information	<p><b>Air and Climatic Factors</b></p> <p>We are pleased to note that Appendix 7.1 recognises the links between air quality and climate change. The baseline data on air quality refers to Air Quality Management Areas (AQMAs) although it only seems to make reference to one in the Plan area, whereas there are now three. We are pleased to note you have included information on areas where an AQMA has not been designated, but the levels of pollutants are close to exceeding the health based objectives. These areas should be considered to ensure that the air quality objectives are not exceeded in the future. It is also important to consider in your assessment the cumulative effects of development and resulting steady increase in traffic along key commuter routes that could lead to congestion and increased levels of pollution.</p> <p>Flooding is an existing issue - in this section we suggest you specifically consider the impact sea level rise and other climatic changes will have on this problem.</p>	<p>Agree. The baseline data will be updated for the environmental report.</p> <p>The issue of flooding is covered in Table 4.2 under climatic factors.</p>
SEPA	Baseline information	<p><b>Soils</b></p> <p>We recommend that the soils section specifically includes information on peatland.</p> <p>Also in relation to the information provided on waste</p>	Noted. We will look at the information available from the Macaulay Land Use Research Institute and take action as appropriate.

		management in the soils section you may also wish to refer to the SEPA waste site capacity and infrastructure reports available.	This is already covered in baseline information contained in Appendix 7.2.3.
SEPA	Baseline information	<p><b>Water</b></p> <p>Need to recognise in the baseline and throughout the assessment that flood risk is an existing problem (not just an issue in relation to climate change). We recommend that the plan preparation process is informed and supported by a strategic overview of flood risk management issues (covering flooding from all sources), usually in the form of a Strategic Flood Risk Assessment (SFRA).</p> <p>This section should also useful consider the River Basin Management Planning process.</p> <p>We presume that you have taken the data quoted from the RMBP interactive map; if so reference to it should be made. The figures quoted should also include highly modified water bodies, which are categorised slightly differently.</p>	<p>A Strategic Flood Risk Assessment (SFRA) will be done as part of SDP preparation process as part of SEA.</p> <p>We will consider the condition of river basins as part of the environmental report. The reference will be changed to reflect the source of the data.</p> <p>We will seek the information on highly modified water bodies from SEPA.</p>
SEPA	Baseline information	<p><b>Population and Human Health</b></p> <p>This section does not acknowledge that the high levels of atmospheric pollution can have a detrimental impact on human health. The concentrations of nitrogen dioxide and particulate matter are already exceeding air quality objectives that were introduced to protect the most sensitive members of society from the harmful effects of atmospheric pollution.</p>	<p>This issue is already covered in Table 4.2 under the Air Quality topic.</p> <p>However, reference will be added under Human Health to reflect the link between atmospheric pollution and human health. <i>“Elevated levels of NO2 and PM10 have a negative impact on human health, particularly among vulnerable groups”.</i></p>
SEPA	Baseline information	<p><b>Material Assets</b></p> <p>Note that the Indicative River and Coastal Flood Map was updated in 2009 and an updated biennial flooding report should have been completed in 2009 for both Aberdeenshire and</p>	<p>Noted – contact will be made with The North East Scotland Flood Liaison and Advice Group (NESFLAG) to discuss progress with the biennial flooding report.</p>

		<p>Aberdeen City (although this may not yet be complete). Aberdeen City submitted a basic Strategic Flood Risk Assessment as part of their Main Issues Report for their Local Development Plan which may also contain some useful information for this study.</p> <p>Where information on a Plan level is not available our State of the Environment Report for Scotland could provide national information.</p> <p>Please remember that a summary of the likely changes to the environment if the Plan is not implemented should be provided in the ER.</p>	<p>The Strategic Flood Risk Assessment undertaken by Aberdeen City as part of their Main Issues Report will be reviewed.</p> <p>Noted.</p> <p>The likely evolution of the environment without the SDP was provided in Table 4.2.</p>
SEPA	Environmental problems	As required by the Water Framework Directive and River Basin Management Plan objectives there is a general need to protect biodiversity, flora and fauna outwith sensitive and designated areas.	Noted
SEPA	Environmental problems	We suggest that reference to loss of peatland be included in the "Soils" section; peat is especially important as a carbon sink.	Noted. We will look at the information available from the Macaulay Land Use Research Institute and take action as appropriate.
SEPA	Environmental problems	As the Scottish Government is stressing the need to move to consideration of resources rather than just waste we suggest that the material assets section is expanded to consider more than just landfill.	Noted. This issue is covered within Table 4.2 under Material Assets and also in Appendix 7.1.
SEPA	Environmental problems	We suggest that the issues and trends column of the "water" section identifies that alterations to beds, banks and shores of rivers, lochs and coastal waters (such as straightening, culverting and modifying riparian habitats) is a problem. We suggest the description of the Plans role is much greater than currently stated; it can not only minimise water pollution and avoid disturbance to qualifying features of the River Dee, but also reduce abstraction and mitigate alterations to beds, banks and shores. In general it should prevent deterioration of water bodies, and improve water bodies to good ecological status as identified in the River Basin Management Plan for the Scotland	<p>We recognise the potential problem and agree to expand the environmental problems table.</p> <p><i>"There is some alteration to beds, banks and shores of rivers, lochs and coastal waters (such as straightening, culverting and modifying riparian habitats"</i>.</p> <p>Table 4.2 and Appendix 7.1 address the issue of ensuring the sustainable</p>

		river basin district. As a minor issue in this section we suggest that agriculture, forestry and sewage disposal can <i>increase</i> levels of nutrients in the water environment.	use of water.  Improving water bodies to good ecological status is covered in Table 4.2.  Agree to modify the 2 <sup>nd</sup> bullet point in the first column of Table 4.2 under water to read “ <i>Agriculture, forestry and sewage disposal can increase levels of nutrients in the water environment</i> ”.
SEPA	Alternatives	We note that alternatives are still being considered. Any reasonable alternatives identified during the preparation of the Plan, including spatial alternatives, should be assessed as part of the SEA process and the findings of the assessment should inform the choice of the preferred option. This should be documented in the ER.	Noted. This is a fundamental objective of Strategic Environmental Assessment.
SEPA	Scoping in/out of SEA Objectives	We agree that in this instance all environmental receptors should be scoped into the assessment.	Noted
SEPA	Framework for assessing environmental effects	We understand that the strategic, policy and possible site specific options will be assessed. Please note that we would expect all aspects of the Plan, including any vision and spatial element, which could have significant effects to be assessed.	Noted. This has been set out in the framework for assessing environmental effects.
SEPA	Framework for assessing environmental effects	It is not clear whether the assessment will be carried out directly against the SEA environmental receptors or against SEA objectives. Based on section 5.3 we understand that the assessment is to be carried out against the SEA environmental receptors but if this is not the case we would welcome consultation on draft SEA objectives.	Noted. Section 5.3 states the assessment will be carried out against the SEA environmental topics.
SEPA	Framework for assessing environmental effects	We suggest you consider producing and including in the ER a set of the questions you have considered when determining the possible effect on each of the SEA topics. This will ensure all aspects of the topic are considered in a consistent and transparent manner. For example, in relation to the water receptor it is necessary to consider, amongst other issues, whether the proposal will increase flood risk, impact upon surface	We will not be developing questions due to the assessment being carried out against the SEA environmental topics and not objectives.

		(including marine) groundwater quality or quantity, result in inappropriate watercourse engineering works and support the river basin management plan. Similarly when considering the soils topic it will be necessary to consider all aspects of sustainable waste management. We would welcome the opportunity to provide further comment on your approach once it has developed further.	
SEPA	Framework for assessing environmental effects	The Plan is likely to set clear parameters for subsequent Local Development Plans and inform decisions about strategic infrastructure investment. The strategic infrastructure is likely to include water supply and waste water treatment infrastructure. The provision of adequate drainage infrastructure to support new development will be a key consideration for the assessment of potential adverse effects of specific developments or general spatial strategies on the water environment. It would therefore be relevant to include in the ER information on the availability of drainage infrastructure and identify any limitations. For your information we would consider any allocations or elements of the spatial strategy which do not connect to the public sewage system as having a significant negative effect against the water environmental receptor.	Noted. Provision of infrastructure is covered in Table 4.2 under material assets.
SEPA	Framework for assessing environmental effects	We would also consider that any allocations or spatial elements which, following the strategic flood risk assessment, have been determined to be potentially at risk of flooding to have a significant negative effect against the water environmental receptor. Any mitigation would have to be clearly in line with the requirements of Scottish Planning Policy and the principles of sustainable flood management.	Noted.
SEPA	Framework for assessing environmental effects	When assessing air quality effects then it is important to note that buses and HGVs emit a disproportionately high amount of pollution in the urban centres and this can contribution should not be overlooked.	Noted.
SEPA	Framework for assessing environmental effects	When it comes to providing the assessment of effects please provide enough information to clearly justify the reasons for each of the assessments presented. It would also be helpful to set out assumptions that are made during the assessment and	Noted. A comment box has already been provided in the tables which will be used to assess the effects.

		difficulties and limitations encountered. The tables you have provided as examples in the scoping report will provide good summary information but in some instances it may be necessary to include more detailed tables as appendices. For example, Table 5.4 only gives a single line for each preferred policy with a single column to provide comment on all policies. This may make it difficult to understand why an environmental receptor for a specific policy has been scored a specific way.	
SEPA	Framework for assessing environmental effects	We would encourage you to use the assessment as a way to improve the environmental performance of individual aspects of the final option. Proposals for enhancement would also be supported.	Noted.
SEPA	Framework for assessing environmental effects	The Plan presents the opportunity to identify sites for regionally important developments and strategic infrastructure, such as large scale waste management sites. If the Plan will include such allocations then we would expect these to be rigorous assessed and request that we be informally consulted on the proposed methodology before it is put into practice.	Noted. The proposed methodology already includes Table 5.5 which will be used to assess the effects of any potential regional sites identified in the plan.
SEPA	Mitigation	One of the most important ways to mitigate significant environmental effects identified through the assessment is to make changes to the Plan itself so that significant effects are avoided. The ER should therefore identify any changes made to the Plan as a result of the environmental assessment.	Noted. This is a fundamental objective of SEA and will be carried out.
SEPA	Mitigation	Where the mitigation proposed does not relate to modifications to the Plan itself then Table 5.7 looks like a good way to record other mitigation measures. These should follow the mitigation hierarchy (avoid, reduce, remedy or compensate).	Noted. We welcome your positive comment.
SEPA	Monitoring	We welcome the framework proposed for monitoring. We presume the proposals will be based on the monitoring carried out for the existing Structure Plan. If this is the case we suggest you examine the information collected to date and ensure that any monitoring that is brought forward delivers the requirements of the Act.	Noted.
SEPA	Consultation period	We are satisfied with the proposal for a 12 week consultation period for the ER.	Noted