

**SESplan – The Strategic Development Plan for Edinburgh and South East
Scotland - Modifications**

**Habitats Regulation Assessment
Screening Report**

The Scottish Government

June 2013

Preamble

1. This screening report considers the modifications recommended to the Proposed SESplan Strategic Development Plan in the report of the examination into that plan.
2. The Strategic Development Planning Authority prepared a [Habitats Regulations Appraisal Record for the Proposed Plan](#)¹ in March 2012. This screening report does not revisit the consideration of Habitats Regulations issues contained in that Record, where these are connected with parts of the plan unaffected by the modifications. However it has been prepared in the light of the information on sites and effects contained in the earlier work. This report is intended to form an annex to the earlier HRA record.
3. This report is informed by Version 2.0 of the Scottish Natural Heritage Guidance for Plan-Making Bodies in Scotland on Habitats Regulations Appraisal of Plans of August 2012 ('the [SNH Guidance](#)'²). Where modifications are screened out for the purposes of HRA, the table below refers to the relevant screening step described in the SNH Guidance.
4. This screening report is based upon the modifications proposed in the report of the examination into issues raised in representations on the Proposed SESplan. It is possible that, in approving the plan, the Scottish Ministers may make some further changes. If further changes are made, and these go beyond minor matters, then the Scottish Government will revisit this screening report.

¹ www.eastlothian.gov.uk/download/.../08b_habitats_regulations_appraisal

² <http://www.snh.gov.uk/docs/B1116296.pdf>

Summary of the modification	Screening	Relevant step of SNH Guidance
	energy development across the regional core because the policy is too general. No specific location for development or detail on what the development might be is mentioned in the plan and therefore it is possible to conclude no likely significant effect on a European Site. Screened out.	3e
<p>Issue 5. East Coast Clarification that it is <i>passenger</i> capacity that is lacking on the East Coast Main Line, and that not all of the area suffers from poor accessibility.</p>	<p>These changes are intended to more accurately describe the current situation. They are not policy statements, and may be screened out because they will not themselves lead to development or other change.</p>	3b
<p>Issue 9. Strategic Employment Sites (Figure 8) Show the symbol for the international container terminal at Rosyth, not in West Lothian..</p>	<p>This change corrects a factual error. It will not in itself lead to development or other change.</p> <p>The International Container Terminal at Rosyth has in any event already been established in the HRA for the Proposed Plan as being a project referred to in, but not proposed by, the plan. Screened out.</p>	3b and 2
<p>Issue 10. Employment Land Supply Setting out of the employment land supply by local authority as well as by 'sub-region'.</p>	<p>This change is to improve the clarity of the plan, and shows existing information in an additional way. There is no change made to the distribution of employment land.</p> <p>The HRA for the Proposed Plan has already established that Policy 2 is a general policy statement, which can be screened out.</p>	1
<p>Issue 12. Employment Land: Mixed Use Development Changes to Policy 2 to focus it more on delivery, meet anticipated as well as existing requirements, and to allow for mixed use development on employment sites in some circumstances.</p>	<p>The rewording of the policy to focus on the <i>delivery</i> of the industrial land supply will have no significant effects as the delivery of identified land has already been assumed in earlier assessments.</p> <p>The reference to meeting anticipated requirements has not resulted in any change to the amount of business land LDPs are to retain. Individual mixed use developments on existing employment sites could have environmental effects, but these are unknowable at the SDP stage, and can be assessed at the LDP stage, where Policy 2 requires them to be justified.</p>	

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	The HRA for the Proposed Plan has already established that Policy 2 is a general policy statement, which can be screened out .	1
<p>Issue 13. Town Centres and Retailing Clarification that any out of centre locations must still be accessible by a range of transport modes, or capable of being made so.</p>	The HRA for the Proposed Plan has already established that Policy 3 is a general policy statement, which can be screened out. On the same basis this change, which is to the supporting text to that policy can be screened out as a general policy statement.	1
<p>Issue 14. Minerals A more logical ordering of the policy criteria, and clarification that LDPs <i>must</i> identify areas of search. Also a minor change is to repeat a reference to encouragement for the recycling of aggregates.</p>	The HRA for the Proposed Plan has already established that Policy 4 is a general policy statement, which can be screened out .	1
<p>Issue 15. Housing Land: Housing Land Requirement Modifications to reflect the requirement to maintain a five year effective housing land supply at all times.</p> <p>Including new Table 2 showing amended total housing figures for the periods to 2019, 2024 and 2032. Including a policy requirement for supplementary guidance to be prepared to identify how much land needs to be allocated in each LDP area to 2019 and 2024 sufficient to meet assessed housing needs and demands. Remove existing</p>	<p>This is an important and far-reaching recommendation, but one that will not in itself have likely significant effects on any European sites. The figures in Table 2 do not represent an increase in the total housing requirement to 2032, but do transfer a component of the requirement previously identified for post 2024 into the pre-2024 period. So while the timing of release in LDPs will be affected, the total amount of land released over the period to 2032 will not.</p> <p>Decisions about the distribution and exact amount of the additional housing land required to be released by 2024 may have significant effects, but these matters are to be identified through supplementary guidance. At this stage, effects on any particular European site cannot be identified because the policy is too general. This modification can therefore be screened out.</p> <p>The supplementary guidance will in due course be screened for HRA.</p>	3e

Summary of the modification	Screening	Relevant step of SNH Guidance
<p>references in the plan that quantify how many houses land is to be found for in each strategic development area.</p>		
<p>Issue 16. Housing Land: Components of the Housing Land Requirement Calculation As for Issue 15</p>	<p>As for Issue 15, effects on any particular European site cannot be identified because the policy is too general. This modification can therefore be screened out.</p>	<p>3e</p>
<p>Issue 17. Housing Land: Phasing and Distribution As for Issue 15</p>	<p>As for Issue 15, effects on any particular European site cannot be identified because the policy is too general. This modification can therefore be screened out.</p>	<p>3e</p>
<p>Issue 18. Housing Land: Providing Flexibility Change to Policy 7 that would allow the constituent authorities to allocate or consent any scale of housing site outwith the identified strategic development areas (SDAs) if this was necessary to maintain a 5-year effective supply.</p>	<p>Policy 7 should only come into play where a 5 year supply of effective land is not maintained within strategic development areas. These circumstances should not arise if LDPs are successful in identifying the effective sites that will be required of them by the forthcoming supplementary guidance. Should any further sites be required, the environmental effect is unknowable at this SDP stage as the scale and location of the sites is unknown. Any future allocations in LDPs will be assessed at that stage.</p> <p>The HRA for the Proposed Plan has already established that Policy 7 is too general for any effects on any European sites to be identified. No specific location for development or detail on what the development might be is given and therefore it is possible to conclude no likely significant effect on a European Site. Changes to this policy (which do not make it more specific) are therefore screened out.</p>	<p>3e</p>
<p>Issue 19. Housing Land: Miscellaneous No further modifications are proposed here beyond those identified under Issues 15 and 18.</p>	<p>As for Issue 15, effects on any particular European site cannot be identified because the policy is too general. This modification can therefore be screened out.</p>	<p>3e</p>
<p>Issue 21. Waste</p>	<p>The non-inclusion of the Oxwellmains facility on Figure 4 was a factual omission:</p>	

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<p>Inclusion of Oxwellmains waste treatment plant to figure 4 East Coast.</p> <p>Additional sentence to explain the types of waste facility that would be appropriate.</p> <p>Deletion of a sentence referring to supplementary guidance on waste.</p>	<p>the site is long established and is already listed in Policy 14 (Waste Management and Disposal). The HRA for the Proposed Plan has already established that Policy 14 refers to projects referred to in, but not proposed by, the plan. This change can therefore be screened out.</p> <p>The sentence describing types of waste facility serves to add clarity, and is lifted from the established list in Scottish Planning Policy. It is a general policy statement that can be screened out.</p> <p>The removed sentence on supplementary guidance was viewed by the reporter as repetition, and in any event did not commit the SDPA to any action. Its removal does not therefore affect the conclusions regarding HRA screening anywhere else in this report or that for the original Proposed Plan.</p>	<p>2</p> <p>1</p>
<p>22. Energy</p> <p>Update to text to reflect the revised targets in the Routemap for Renewable Energy, and include other other references to national policy and targets.</p> <p>Changes to Policy 10 to include references to the reuse of waste heat from power stations, and to state that the renewable energy framework should aim to contribute to national targets, facilitate decentralised energy generation and take account of the potential for heat networks.</p>	<p>The changed references to national targets are factual updates.</p> <p>The policy changes have been made to more closely reflect national policy. They only serve to reinforce that existing national approach. The detailed framework that will give effect to the aspirations in this policy can be assessed at LDP level.</p> <p>Policy 10 has already been screened out as containing projects referred to in, but not proposed by, the plan. Nothing in the modifications to the policy affect this judgement. Part (b) of the policy (as modified can also be screened out as being a general policy statement.</p>	<p>2</p> <p>1</p>
<p>23. Flooding</p> <p>Modification to Policy 15 to clarify</p>	<p>The inclusion of the reference to sustainable development is made to reflect the existing requirements of legislation (the Flood Risk Management (Scotland) Act</p>	

Summary of the modification	Screening	Relevant step of SNH Guidance
that flood schemes should accord with the principles of sustainable development, and that development schemes should promote water efficiency.	<p>2009). The reference to water efficiency should have a beneficial environmental effect.</p> <p>The HRA of the Proposed plan has already screened out Policy 15 on the basis that it is intended to protect the natural environment. The modifications serve only to enhance the protection offered by the policy, and so may equally be screened out on the same basis.</p>	3a
<p>24. Transport</p> <p>Various minor changes, including to:</p> <ul style="list-style-type: none"> - Identify longer term schemes as aspirational - Add references to 2 existing traffic management measures - require LDPs to take account of cross-boundary transport implications, and to support rail freight and expanded port capacity 	<p>The HRA of the Proposed Plan has already screened out Policy 8 (Transportation) on the basis that it is too general for any effects on particular European sites to be identified. The modifications to the policy are either equally general or (in the case of references to expanded port capacity in the Firth of Forth) refer to a project that is not proposed by the plan. The changes to Policy 8 are therefore screened out.</p> <p>The changed references to specific projects in Figure 2 of the plan and elsewhere in the plan are screened out because, while being referred to, these projects are not proposed by the plan.</p>	<p>3e and 2</p> <p>2</p>
<p>25. Infrastructure</p> <p>Minor changes are made to improve the clarity of this policy.</p>	<p>The HRA of the Proposed Plan has already screened out Policy 9 (Infrastructure) on the basis that effects on any particular European site cannot be identified because the policy is too general. The minor modifications proposed to the policy do not affect that judgement, and are therefore screened out.</p>	3e
<p>26. Green Network</p> <p>Inclusion of a list of green network principles in the policy.</p> <p>Changes to clarify the biodiversity benefits of green networks and that the green network diagram in the plan shows the existing network as well as opportunities.</p>	<p>The inclusion of green network principles provides useful clarity. The new reference to biodiversity again serves to aid clarity and understanding of the plan, but does not represent a policy shift. The change to the title of the green network diagram merely reflects the actual content of the diagram.</p> <p>The HRA of the Proposed Plan has already screened out Policy 11 (Delivering the Green Network) on the basis of being a project referred to in, but not proposed by, the plan. The changes to the policy and supporting text do not affect that judgement, and are also intended to protect the natural environment, so are screened out.</p>	2 and 3a

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<p>27. Green Belt: Review, Release and Boundaries Amendment of the green belt policy to include an additional purpose relating to the direction of planned growth and support of regeneration, and 2 other minor changes.</p>	<p>This change is made to bring the policy into line with Scottish Planning Policy. It makes no change in itself to the physical extent of the green belt or the planning policy that will apply within it. The shape of the Edinburgh and Dunfermline Green Belts are already well established.</p> <p>The HRA of the Proposed Plan has already screened out Policy 12 (Green Belts) on the basis of its being intended to protect the natural environment. The inclusion of the additional green belt purpose from SPP does not affect that judgement, and this change is therefore screened out.</p>	3a
<p>29. Miscellaneous Include reference to the Habitats Directive; alter glossary reference to 'small scale housing development'; and change reference to supplementary guidance.</p>	<p>The additional reference to the Directive is made for information; and the changes to the glossary and the reference to supplementary guidance are made to more closely reflect current Planning terminology and legislation. None of these changes could have a conceivable effect on a European site, and they are therefore screened out</p>	3c

The 'in-combination' test

No in-combination assessment is necessary for the modifications to SESplan because all the modifications will either have no effect at all on a European site, are general policy statements or are projects referred to in, but not proposed by, the plan. In these circumstances, paragraph 4.35 of the SNH Guidance confirms that no in-combination assessment is required.

Overall Conclusion

The overall conclusion is that the modifications to SESplan have no likely significant effect on the integrity of any European site.

The Scottish Government
19 June 2013