

Background Report- Habitat Regulations Appraisal and SEA

ELC 061a



1. Introduction

- 1.1. European Sites (formerly known as Natura 2000 sites) are a network of sites across Europe, and into Africa, as part of the Emerald Network. The sites were originally designated with the aim of preserving the continent's main habitats and species. The network comprises Special Protection Areas, which focus on birds, and Special Areas of Conservation, which focus on other species and habitat. These sites are therefore internationally important, as adverse impacts on any feature of any one of them could affect efforts to conserve Europe's biodiversity as a whole.
- 1.2. There are strict legislative provisions, given in the Conservation (Natural Habitats, &c.) Regulations 1994, to make sure plans and projects do not harm European sites, other than in exceptional cases where there is an overriding public interest in proceeding. These Regulations are commonly known as the 'Habitats Regulations', and the assessment carried out under them, as 'Habitat Regulation Appraisal' (HRA).

2. HABITAT REGULATION APPRAISAL PROCESS

- 2.1. HRA is an assessment mechanism which looks at the potential for plans and projects to harm international nature conservation objectives and the network of European Sites designated to support those objectives. HRA It is conducted by the competent authority, which in the case of LDP2, is East Lothian Council.
- 2.2. The term 'HRA' describes the whole process of considering whether a plan or project will give rise to likely significant effects (LSE) upon a European Site, deciding which European Sites should be considered (Stage 1, below), which aspects of a plan or proposal may give rise to LSE (Stage 2, below), and the subsequent Appropriate Assessment of the implications on these effects upon the integrity of European Sites. Essentially, through HRA, all the elements of a plan need to be considered in case they would give rise to LSE, either alone or in combination with other projects and plans.
- 2.3. Those elements of the plan that would generate LSE must be considered for their implications upon European Sites (either alone or in combination with other projects and plans) on that site's integrity. This is known as Appropriate Assessment. The key 'test' for the Appropriate Assessment is that permission for a plan or project should only be given where it has been determined that it will not have, either alone or in combination with other projects or plans, an adverse effect upon the integrity of the European Site. Before making any decision, the competent authority must consult with NatureScot. The HRA process can be an iterative one, with the plan or project being altered to include mitigation as it progresses. This is followed by implementation of mitigation and monitoring (Stage 4). There is no requirement for public consultation on the HRA, though it is considered good practice.

HRA Staged Approach

- **Stage 1: Screening** – Identification of relevant European sites.
- **Stage 2: Assessment of LSEs** – Evaluation of potential impacts from LDP2 policies and proposals.
- **Stage 3: Appropriate Assessment** – Detailed analysis where LSEs cannot be ruled out.
- **Stage 4: Mitigation and Monitoring** – Identification of measures to avoid or reduce impacts.

- 2.4. Where, despite mitigation, there is an adverse impact on the integrity of any European Site, the plan or project cannot normally proceed. The exception to this is where there is no alternative and there are imperative reasons of overriding public interest, and compensation for the damage done is in place. This is known as a 'derogation', and is unusual. This provision has not been used within East Lothian (other insofar as the grid connection for the Berwick Bank Offshore Windfarm, for which the offshore component was predicted to have such an effect, is located here).

3. BACKGROUND

- 3.1. Habitat Regulation Appraisal and Appropriate Assessment was carried out for LDP1 by Sue Bell, an ecological consultant. The Council also commissioned a bird survey from 3E Services Ltd of sites allocated in the LDP. This provided one winters worth of survey data over the winter of 2016/17 in relation to the larger sites proposed to be allocated in LDP1, looking at qualifying interests of the Firth of Forth Special Protection Area.
- 3.2. To meet the test of the Appropriate Assessment, mitigation was built into the local development plan to remove any uncertainty about the cumulative effects on one or more qualifying interests of the Firth of Forth SPA through loss supporting habitat inland habitat in the west of East Lothian. This comprised changes to the wording of some proposals of the LDP, and inclusion of an area where habitat would be managed for the benefit of qualifying interests of the Firth of Forth SPA, Proposal MH16. Inclusion of this mitigation allowed the HRA/Appropriate Assessment to find that the East Lothian Local Development Plan 2018 would either have no likely significant effects on European sites, or would not adversely affect the integrity of European sites, either alone or in combination with other plans or projects. Consequently, the plan could be adopted.

Changes to policy wording

Changes were made to the wording of proposals to include of need to conduct project-specific Habitats Regulation Appraisal of larger development proposals on sites potentially containing supporting habitat for qualifying interest of the Firth of Forth SPA. . This covered Proposals MH1: Land at Craighall, Musselburgh; MH9: Land at Wallyford and MH10: land at Dolphinstone, to provide certainty on the cumulative effects of loss of potentially supporting habitat for waders using inland habitat for roosting or foraging - curlew, oystercatcher, redshank, golden plover and lapwing). It also included changes to the wording of proposals for sites at Gullane namely NK7: Saltcoats; NK8: Fenton Gait East; and NK9: Fenton Gait South, to provide certainty regarding avoidance of cumulative effects of loss of potentially supporting habitat for mainly pink footed goose.

- 3.3. Proposal MH16 - Levenhall Links, Habitat Improvement. Inclusion of proposal MH16, which promotes habitat creation and enhancement measures for land to the east of Levenhall, was included as mitigation within the HRA of the LDP. This area is outwith

the SPA boundary but under the control of the council, and management measures there were intended to act to offset any loss of wader habitat.

- 3.4. Most of this land was originally reclaimed from the sea - intertidal mussel beds, sand and mud - to allow for disposal of fuel ash from Cockenzie Power Station. The original settlement lagoons reduced the area available for feeding waders and wildfowl by around half, with 4 further areas added later. Once the lagoons reached capacity for ash disposal they were handed back to the local authority for recreational use. Large areas of amenity grassland and woodland were then created, as well as a boating pond. Wader scrapes were added in 1993 in recognition of the loss of habitat for waders and wildfowl, and these, along with Number 8 lagoon and nearby shore are included within the Firth of Forth SPA.
- 3.5. The adjacent Fisherrow Sands remains an important feeding area for wetland birds. Together with the roosting habitats of the Links, the area is one of the most important over-wintering grounds for wetland birds within the Firth of Forth SPA. The wader scrapes also provide feeding habitat for some waders, as does the amenity grassland. This can also provide valuable winter roosting.
- 3.6. The Council manages much of the MH16 area – the Levenhall Links section - on behalf of Musselburgh Common Good. Some of this land remains the responsibility of Scottish Power and will revert to Musselburgh Common Good once restoration is complete. Scottish Power's land consists mainly of No.6 and 8 lagoons, which now have planning consent for a meadow and wading bird refuges respectively. These will both benefit the qualifying interests of the Firth of Forth SPA. The restoration of Lagoon 8 into a functioning high water roost site will be a significant step in realising the sites nature conservation potential.
- 3.7. The Council's Levenhall Links Management Plan governs management of this area. This plan recognises the objective of conserving the integrity of the SPA may constrain other actions of the management plan. The Countryside Ranger Service manages Levenhall, including biological and visitor management, in accordance with this plan.

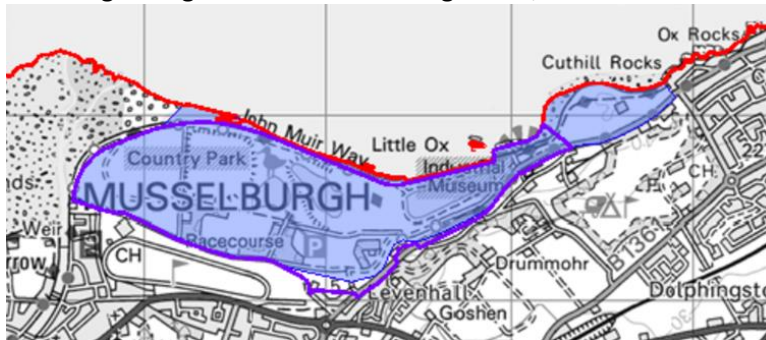


Figure 1 MH16 area shown in blue, area covered by the Levenhall Links Management Plan outlined in purple. The Council also manages the Preston Links area, the NE part MH16, as open space. (C) Crown copyright and database rights 2025 Licence no. AC0000824676.

- 3.8. The northern part of the Links, linking Lagoon 8, the wader scrapes and Lagoon 6 is managed in particular to benefit qualifying interest of the Firth of Forth SPA birds, including roosting waders, as well as breeding grassland birds and as coastal grassland. The more active and formal recreational activities have been catered for in a zone closer to the southern, urban edge of the Links or on the fringes of the Links along the sea wall. Informal recreation is accommodated in the central area, between these two zones. This acts as a buffer between these uses.
- 3.9. The success of these areas should not be underestimated; in an urban setting with many visitors this is a rich haven for birdlife. The management regime and the facilities on site have created a locally and nationally important bird watching area.
- 3.10. In addition, the Links is a well maintained, high quality, extensive area of open space providing for formal and informal recreation. This is a scarce resource in the west of East

Lothian and east of Edinburgh attracting visitors taking part in different activities and events, with increasing visitor pressure.

- 3.11. Dog walking is a specific activity that will need management. Both dog ownership and commercial dog walking have expanded: large numbers of dogs can be incompatible with the sites nature conservation role. The Council is considering how best to manage this.
- 3.12. The wader scrapes themselves face challenges due to encroachment of vegetation, build-up of silt and deterioration of the clay liner that retains the water. In the future it is likely that this will need major intervention.



Figure 2 Oystercatcher and Curlew on the wader scrapes at Levenhall.

Study into recreation at the coast

- 3.13. The HRA of the LDP also identified a possible need for management of recreation at the East Lothian coast. The relevant text is as follows (paragraph numbers as in the original):

5.27 Management of recreational use is an operational matter, which is not normally included within a local development plan. As noted in paragraph 5.9, research for this report has suggested that there is not a linear relationship between the levels of recreational use and housing numbers in East Lothian. Consequently, SNH has suggested that whilst there may be a need to consider management of recreational use, this may better be undertaken outside of the local development plan context. Nevertheless, in the interests of completeness, this report contains comments and observations relating to those measures that have already been identified to alleviate existing and projected increases in recreational disturbance.

5.29 A study of existing visitor numbers and disturbance arising from these should be initiated. This information should be used to identify areas of coast where measures are required to reduce disturbance, such as through introduction of barriers, fences, ditches, or planting. The information can also be used to develop refuge areas of coast, which should remain free from disturbance.

- 3.14. The Council has not yet carried this study out, and understands the RSPB are currently looking into taking a similar study forward. The Council has had discussions with NatureScot on proposals for this study, and whether the recommendation in the HRA ties this work to the LDP process. The Council received their response response in a letter dated 23 November 2021. In this NatureScot state that they agreed with the HRA findings in

paragraph 5.27 above, that there is not a linear relationship between recreational use and the development proposed in the LDP. Their advice at the time of consulting them on the HRA of LDP1 was that “the issue would be best explored outwith the bounds of LDP preparation”. They note that “recent discussions have led to a consensus that coastal recreation and its impacts extend beyond spatial planning”. This was amply demonstrated during the Covid when numbers of people visiting and wild camping at the coast rose significantly, bringing issues of management for the Council.



Figure 3 Recreational pressures on the Firth of Forth SPA are a wider issue than the LDP alone

4. LDP2 Methodology

- 4.1. As with LDP1, HRA and probably Appropriate Assessment, will be required for LDP2. NatureScot provides Guidance on Habitats Regulations Appraisal. This Guidance states that, in order to carry out an HRA information should also be gathered about the European site(s) that could potentially be impacted, including their qualifying interests and conservation objectives. Information about the European sites is available on [NatureScot's Sitelink website](#). Identifying potential for harm is done on a source-pathway-receptor model. This looks at the potential for a connection between a policy or proposal and the interest of the site. It means that even sites that are far afield may potentially need further consideration.
- 4.2. NatureScot's Guidance also states that the competent authority must have sufficient details about all aspects of the proposal and how this will be carried out. The Evidence Report stage is a very early stage of plan development. Screening relies on being able to accurately identify pathways for an effect to occur on a qualifying interest of a European Site arising from a policy or proposal contained within the plan. At this stage, there is no plan, and policies and proposals have not yet been identified. Although the Evidence Report does identify some areas where policy may be needed, and a Call for Sites process has been initiated, this does not give a firm enough basis to complete screening.
- 4.3. It is therefore not possible at this stage to finalise a list of policies and proposals for assessment, and therefore European Sites which could be affected. The following table shows sites that are likely, from HRA LDP1 and related strategies (including the Council's recent Tree and Woodland Strategy), to require to be screened. This may not be an exhaustive list, and full consideration will be given to the inclusion of other sites at a later stage.

Table 1: Prospective European Sites for Screening.

Site name	Designation	Key interests and/or pathway for effect
Sites within or partially within East Lothian:		

Firth of Forth	SPA	Overwintering waterfowl, waders
Forth Islands	SPA	Seabird colonies
Adjacent sites		
River Tweed	SAC	Freshwater habitat, otter and lamprey
Outer Firth of Forth and St Andrews Bay Complex	SPA	Seabirds
Sites within 20 km of East Lothian		
Berwickshire and North Northumberland Coast	SAC	Grey eals and coastal habitat including mudflats, sandflats and reefs
Dogden Moss; Peeswit Moss; Threepwood Moss	SACs	Raised bog
Fala Flow; Gladhouse Reservoir; Greenla Moor	SPAs	Pink footed goodse
Imperial Dock Lock, Leith	SPA	Common tern
Isle of May	SAC	Grey seal, reefs
Moorfoot Hills	SAC	Blanket bog and dry heath
St Abb's Head to Fast Castle	SAC	Vegetated sea cliffs
St Abb's Head to Fast Castle	SPA	Seabirds
Sites outwith 20km but which may have ecological connectivity with East Lothian		
Firth of Tay and Eden Estuary	SAC	Mobile species – harbour seal
Firth of Tay and Eden Estuary	SPA	Waders and waterfowl, raptor
Loch Leven	SPA	Waterfowl
Moray Firth	SAC	Dolphin
River Teith	SAC	Lamprey, salmon

4.4.

4.5. The following map shows the location of European Sites within or close to East Lothian.

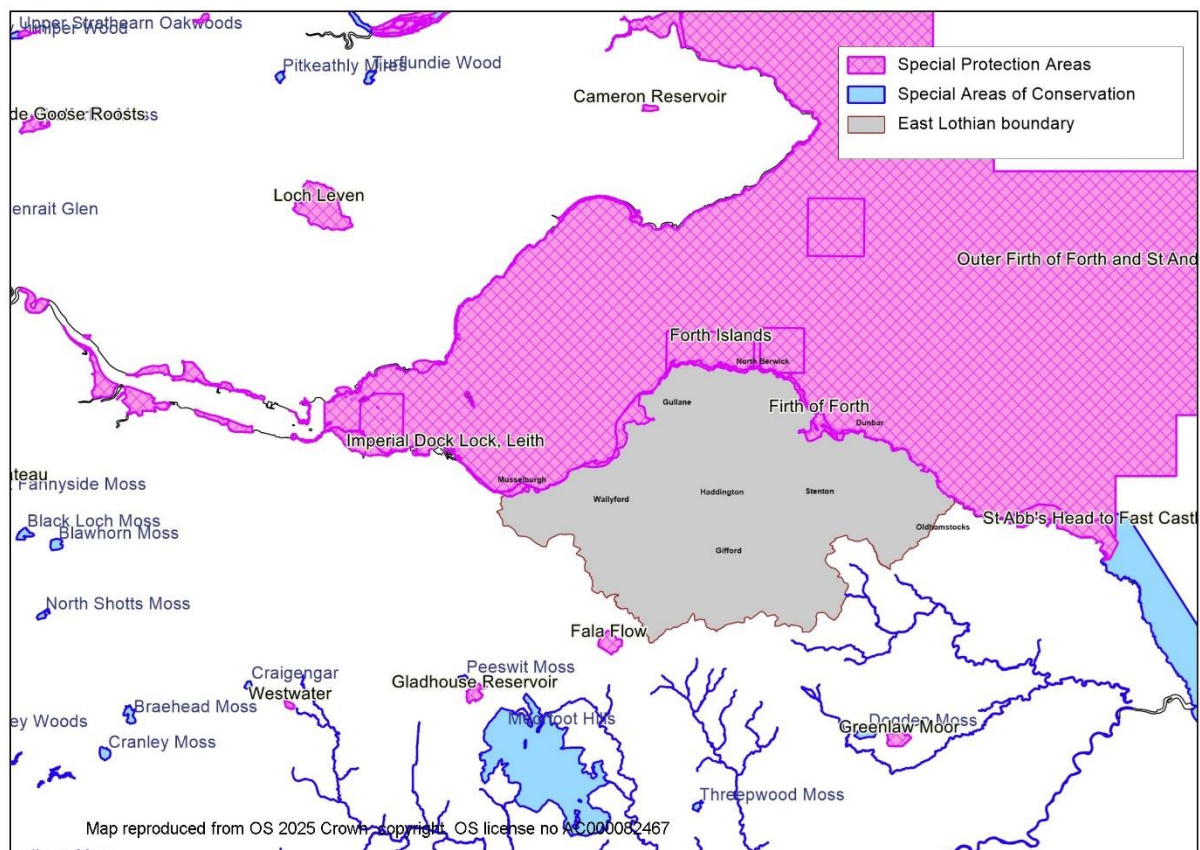


Figure 4 European Sites within or close to East Lothian

5. Identification of possible impacts from LDP2

- 5.1. Different types of development have the potential to give rise to different pressures on qualifying interests of the sites. The usual types of development considered in terms of biodiversity loss is major proposals for industrial, renewable energy or housing development. However, changes to land use from developing green networks can also have an effect on particular species, for example tree planting can, if not well planned, reduce habitat quality for inland waders and geese by introducing cover for predators. Improved access to the coast could also increase disturbance of qualifying interest at the Firth of Forth.
- 5.2. Potential effects include policies or proposals which would lead to:
- Direct loss of habitat within European sites within East Lothian
 - Disturbance of qualifying species either within the sites themselves or within supporting habitat (e.g. inland roost sites), including through recreation, noise, light, vibration or otherwise
 - Loss or decline in quality of supporting habitat of qualifying interests e.g. by direct loss of supporting habitat, effects leading to reduction in availability of food/foraging or resting areas, increase in cover for predators or otherwise
 - Alterations to water quality for qualifying interests e.g. through sediment, pollution or temperature change
 - Barriers to migration or movement of mobile qualifying interests
 - Increased risk of spread of invasive species or disease affecting the qualifying interests

- Changes in water, agricultural, game or fisheries management which could affect the qualifying interests
- 5.3. A full list of potential effects will be identified once the policies and proposals of the plan have reached a stage where this can be done. The list will refer to negative pressures identified for each qualifying interest in the information given by NatureScot through Sitelink. Once work on the Proposed Plan of LDP2 is underway, proposals and policies of the plan will also be examined for potential impacts that are not listed there, recognising that there is potential for development to lead to effects that are not currently identified as negative pressures.

6. LDP2 HRA Process

- 6.1. LDP2 is not yet at a stage where HRA can be effectively carried out, and this will not be possible until work on the Proposed Plan is well underway.
- 6.2. Following NatureScots guidance and the broad methodology outlined above, once the plan is nearing its finalised draft form each policy and proposal of LDP2 will be screened for potential impact. This will identify any that have Likely Significant Effect. Taking Habitat Regulation Appraisal work forward in an iterative process would avoid having to make significant changes to proposals or policy at a late stage. Once the plan approaches finalised draft form, it will be possible to determine whether an Appropriate Assessment will be required.
- 6.3. A draft HRA/Appropriate Assessment will allow feedback into the plan and if necessary changes to policies and proposals can be made. As with LDP1, this will allow for protective language to be included in LDP2 policies, or for other mitigation to be included where this is possible and needed. This might include for example identification of buffer zones or habitat creation, or requirements for ecological monitoring and adaptive management. Where, despite mitigation, a policy or proposal is identified as having an adverse impact on the integrity of any European Site, it will be omitted from the LDP2 as required by statute, unless there are overriding reasons of imperative public interest and there is no alternative.
- 6.4. The HRA process will be informed by consultation with NatureScot. It is recognised that it is good practice to engage with the public and environmental groups on the findings of the HRA, and consideration will be given to how this can be done.
- 6.5. At the moment the Council has not concluded whether there is capacity for work on HRA to be taken forward in house or whether consultancy services will be required. In either case, close cooperation between the LDP team and those undertaking the HRA will be needed to avoid changes having to be made to policies or proposals at a late stage.

7. Alignment with Strategic Environmental Assessment

- 7.1. Strategic Environmental Assessment (SEA) will be carried out on LDP2. SEA requires the identification and mitigation of the significant environmental impacts of a plan. Both processes aim to integrate environmental assessment and protection into the planning process. SEA focuses on the environmental effects of plans, programs, and strategies, while HRA specifically assesses the impact on European sites designated for their ecological importance. Consultation, both with the public and statutory agencies, is a key requirement of SEA, unlike with HRA where it is optional. The Scoping Report as agreed by the Consultation Authorities is provided as Appendix 1 to this document.
- 7.2. There is some cross-over between these two assessments. They are interconnected processes that work together to ensure that plans in Scotland are environmentally sound and contribute to sustainable development. The evidence base for both assessments can overlap, allowing for more efficient use of resources.
- 7.3. An SEA Scoping Report has been prepared and sent to the Gatecheck. This included a proposed overall objective for Biodiversity 'To protecting and enhance biodiversity'. A

proposed sub-objective is 'Avoid adverse impacts to designated habitats'. This clearly aligns with the purpose of HRA, which is to avoid adverse impact to European Sites.

- 7.4. The SEA Site Assessment process, which is heavily based on the criteria agreed by the key agencies (SEPA, NatureScot and HES) includes a criterion on International Designations which applies to Special Areas of Conservation/Special Protection Areas, and Ramsar sites. NatureScot (along with other agencies) are currently being consulted on the assessment matrix for sites submitted during the 'Call for Sites' process, which precedes plan formation. This will allow their comments on the sites put forward to be considered at the HRA Screening stage. In turn, the completion of the HRA will allow for information in that work to be included in the SEA Site Assessment table for those sites included in LDP2.
- 7.5. A summary of the conclusions of the HRA will also be included within the SEA, as impacts on European Sites, which have a high level of protection and importance, are likely also to be considered significant in SEA terms.

8. Conclusion

- 8.1. The Council has a statutory duty to protect Biodiversity. It recognises the importance of the biodiversity of the Firth of Forth and Forth Islands SPAs, which lie partially within East Lothian, both biodiversity value and for the pleasure they bring to residents and visitors alike. The Council is also keen to avoid harm to all European Sites, as is its statutory responsibility.
- 8.2. LDP2 is not yet at a stage where HRA can be carried out, however some preliminary information is being gathered through the linked SEA process. HRA will be completed in an iterative process alongside the plan-making process.



Figure 5 Dogs at Tynninghame beach in Firth of Forth SPA, Bass Rock of the Forth Island SPA in the background

Appendix 1

East Lothian Local Development Plan 2

Strategic Environmental Assessment Draft

Scoping Report

Copyright notices

Mapping

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ABBREVIATIONS ii

AA	Appropriate Assessment under the Habitats Regulations
CAT	Countryside Around Town
CGSN	Central Scotland Green Network
EA(S) Act	Environmental Assessment (Scotland) Act
ELBAP	East Lothian Biodiversity Action Plan
ELC	East Lothian Council

TWSEL	Tree and Woodland Strategy for East Lothian
ELLDLP	East Lothian Local Development Plan 2018
ER	Environment Report
HRA	Habitat Regulation Appraisal
IPCC	Intergovernmental Panel on Climate Change
PPS	Plan, Project or Strategy
NPF(4)	National Planning Framework (4)
SEA	Strategic Environmental Assessment
SEPA	Scottish Environment Protection Agency
SIMD	Scottish Index of Multiple Deprivation
SNH	Scottish Natural Heritage (now Naturescot)
SPA	Special Protection Area
SPG	Supplementary Planning Guidance
SPP	Scottish Planning Policy
SSSI	Site of Special Scientific Interest
SUDS	Sustainable Urban Drainage
UN	United Nations

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1. INTRODUCTION AND KEY FACTS: East Lothian Local Development Plan 2

1.1. This is the Scoping Report to inform the draft Environment Report of the East Lothian Local Development Plan 2 (LDP2). The draft Environment Report will identify the significant environmental impacts of that plan. The purpose of this Scoping Report is to set out sufficient information on the East Lothian LDP2 and our approach to its related strategic environmental assessment to enable the Consultation Authorities to form a view on

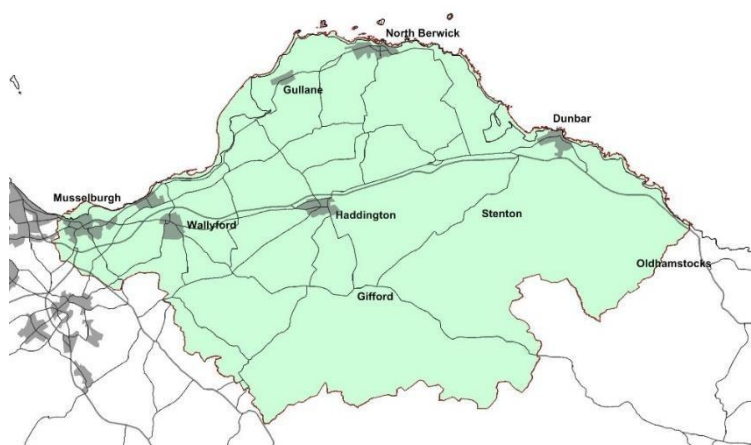
- scope/level of detail that will be appropriate for different topics
- appropriate timescales for consultation

1.2. The key facts relating to this PPS are set out below: **Name of**

Responsible Authority: East Lothian Council (ELC)

Title of PPS: East Lothian Local Development Plan 2 (LDP2)

MWhat prompted the PPS: Legislative provision of the Town and Country Planning (Scotland) Act 1997, as amended



Area covered by PPS: East Lothian Council administrative area

Subject: Town and Country Planning

Period covered by PPS: The Strategy will cover 10 years from the date of adoption

Frequency of updates: It is currently expected that a full replacement LDP will be adopted in 10 years however there may be partial updates before that time

Purpose of PPS: The Strategy is being prepared to meet the Council's statutory requirement to produce a Local Development Plan. This plan will replace the East Lothian Local Development Plan 2018 as the local part of the development plan for East Lothian. It will set out a spatial strategy, being a detailed statement of the planning authorities policies and proposals for the development and use of land.

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2. CONTEXT

Development Plans

- 2.1. Scotland's system of making decisions on development is plan led. Planning decisions must be made according to the development plan unless material considerations indicate otherwise. The development plan is therefore key in influencing where development should and should not occur.
- 2.2. The Planning (Scotland) 2019 Act ("the 2019 Act") introduced significant changes to development planning. The Development Planning (Scotland) Regulations 2023 ("the Regulations") form part of a wider package of measures to improve development planning, both in terms of what constitutes the statutory development plan and the process to prepare plans. These Regulations make provision in connection with the preparation of Local Development Plans (LDPs) under Part 2 of the Town and Country Planning (Scotland) Act 1997.
- 2.3. The changes will support implementation of a new approach to preparing LDPs that will result in new style plans, which support the management and use of land in the long-term public interest. Following these changes, the 'development plan' now consists of National Planning Framework 4 and the Local Development Plan for the area. In East Lothian, this is currently the East Lothian Local Development Plan 2018. LDP2 will replace this latter document.
- 2.4. The following statutory documents now guide decisions on development in East Lothian.

National Planning Framework 4 (NPF4)

- 2.5. Scottish Parliament approved and published the Fourth National Planning Framework (NPF4) on Monday 13 February 2023.
- 2.6. NPF4 sets out the Scottish Government's vision, ambition and policy for land use and development until 2045. It includes an updated collection of national planning policies, superseding both the previous Scottish Planning Policy and National Planning Framework 3, amalgamating policy and spatial framework into a single document. NPF4 therefore sets out comprehensive policies and a spatial plan for Scotland's future. NPF4 is ambitious in that it combines land use strategy and policy framework in their traditional forms, with the inclusion of wider environmental, economic, social, health and wellbeing and human rights and equality priorities.

Local Development Plan

- 2.7. Local Development Plans (LDPs), produced by local planning authorities, set out detailed policies and proposals to guide development in a local area. The topics are not set but formerly contained policy and proposals for housing, business, retail, transportation, energy and other strategic infrastructure, and strategic 'greenspace' such as green belts. They also contained policy protecting natural, cultural and community assets such as designated sites and buildings, community facilities and open space. Policies intended to help create sustainable places and health and well-being, and local living were also included. The introduction of NPF4 will bring a significant change to the amount of policy that now needs to be included within local plans, as it contains detailed policy traditionally contained within LDPs. This will free up resource to concentrate on allocations and placemaking, with policy focussing on topics where there is a need for local adaptation of national policy.

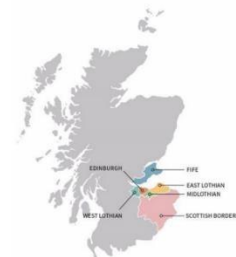
- 2.8. An LDP, when adopted by a planning authority, must accord with the approved NPF4. LDPs will seek to implement NPF4 requirements on a site-specific basis, for example, by allocating land to meet development needs for the period up to year 10 from the plan adoption. Both plans must include a Delivery Programme to ensure that the necessary infrastructure needed to deliver the policies and proposals contained in the Development Plan is in place. The key agencies that help to provide the necessary infrastructure are required to be active partners in plan preparation.

Other spatial plans

Indicative Regional Spatial Strategy

- 2.9. The 2019 Act also removed strategic development plans, which for this area was SESplan, previously the strategic level plan for Edinburgh and the South East of Scotland. Some aspects of the role of these strategic level plans is now performed by NPF4. Other elements will be contained in the new Regional Spatial Strategies, introduced by the Act. Regional Spatial strategies are prepared and adopted by planning authorities working together. They are long term spatial strategies which identify:
- the need for strategic development
 - the outcomes to which strategic development will contribute
 - priorities for the delivery of strategic development
 - proposed locations, shown in the form of a map or diagram.
- 2.10. New regional spatial strategies can therefore identify areas for future population growth, identify key sectors and clusters for future development and investment, and align with regional economic strategies. They are expected to set out a clear place-based spatial strategy that guides future development across different areas of Scotland. This will include identification of networks of regionally significant centres, growth and investment areas. It will ensure that future development and infrastructure works with each area's assets whilst conserving and enhancing nationally and regionally recognised natural and historic areas and assets.
- 2.11. Regional Spatial Strategies are not part of the development plan; however Local Development Plans must have regard to their contents.
- 2.12. The [Indicative Regional Spatial Strategy](#) covering East Lothian was approved by the Council in October 2020.

Regional Spatial Strategy for Edinburgh and South East Scotland City Region



Local Place Plans

- 2.13. Local Place Plans are plans for very local areas prepared by community bodies in consultation with their communities. Local Place Plans will allow communities to set out their own proposals for the development or use of land in their area at a local level, providing an opportunity for communities to contribute to development planning. These plans do not form part of the Development Plan but are part of the Government's wider work on planning reform. They are a tool for local communities to think about how to make their 'place' better, agree priorities, and work with others to make change happen.
- 2.14. Local planning authorities are required to have regard to Local Place Plans when preparing their LDP. Community bodies are in turn required to take LDP into account in their Local Place Plan.

Other relevant plans

2.15. Once the plan is adopted, LDP2s most important relationship will be with NPF4, as between them they form the development plan for East Lothian. There are also important relationships with the Local Outcome Improvement Plans (here this is the East Lothian Local Partnership Plan and Area Partnership Plans) that sit under this, as these sets out the aspirations of the Council and its partners for their local areas and how services will be delivered there. Links with other East Lothian Council plans and strategies, Local Place Plans, regional strategies and plans of neighbouring areas are also important.

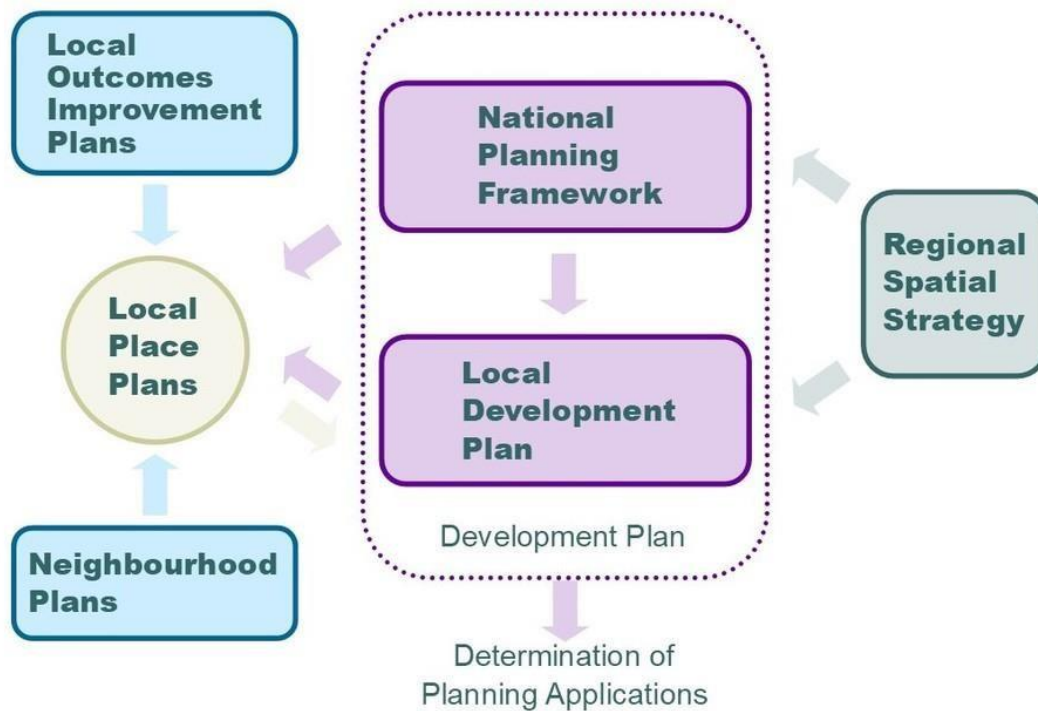
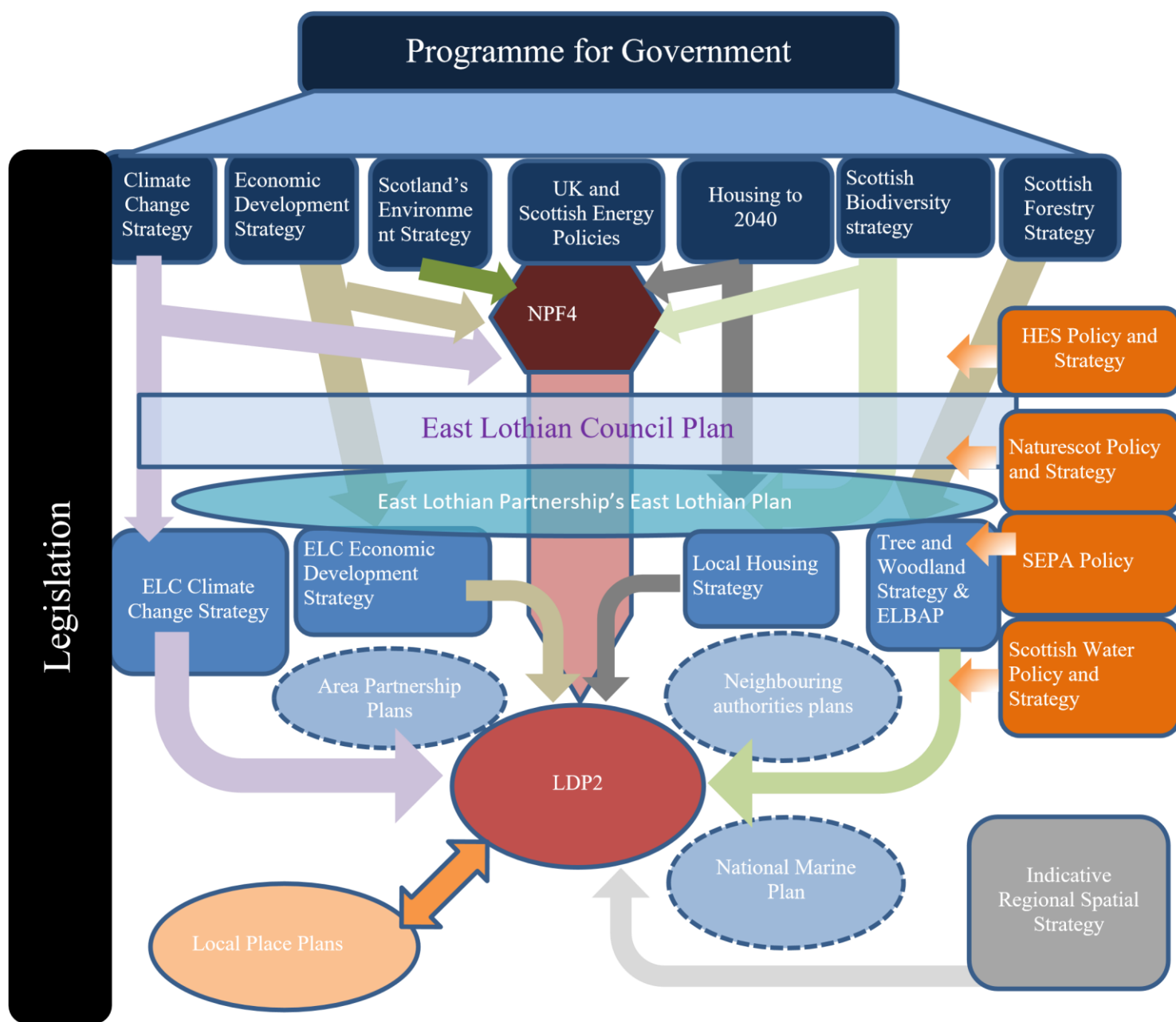


Figure 1 Relationship between Development Plan and other spatial plans for the area

2.16. The LDP also sits in a complex hierarchy of other plans, policies and strategies. The LDP should reflect the spatial requirements of these plans and strategies in its policies and proposals, as well as coordinating with the spatial plans of neighbouring areas. Some of the main plans to be taken into account are shown below. Other PPS that will be considered for their environmental objectives are shown in Appendix 1.



2.17. The LDP must have regard to environmental objectives from relevant PPS and legislation. The approach that we propose to take to this is to recognise that in preparing NPF4, and the SEA of that document, all relevant PPS for the topic areas were examined and relevant objectives taken into account. NPF4 and its SEA can therefore be taken as being compatible with the objectives of these PPS. As LDP2 will be compatible with NPF4, it will therefore also align with them. We therefore propose not to check any international or national PPS prior to the adoption of NPF4 for their environmental objectives. We will consider international and national policies and strategies that have been adopted after NPF4. We will also look at local level PPS regardless of date of adoption. Their environmental objectives will be checked, and the response of the LDP recorded in a table in an Appendix. The PPS that we currently expect to consider are shown in Appendix 1.

Scoping Question 1: please could you confirm whether or not this approach to international and national PPS and legislation is acceptable. Please say if there are any PPS that we should consider that are not included in Appendix 1.

3. OUTLINE OF CONTENT AND MAIN OBJECTIVES OF THE PLAN

- 3.1. Every planning authority must prepare an LDP for their area, setting out proposals and policies for the development and use of land and for the protection and conservation of natural assets and amenity. The LDP must also include a map showing its proposals. New style LDPs are expected to be place-based, with an increased emphasis on maps and site briefs rather than policy wording. The LDP should be used to co-ordinate development and service provision.
- 3.2. The Council is keen to balance new development with maintaining and improving the qualities of the area that make the area attractive, as well as meeting carbon emission reduction goals.
- 3.3. Key issues for LDP2 are likely to include:
- Mitigation of climate change including supporting renewable energy generation, decarbonisation of the grid and promoting energy efficient development
 - Adaptation to the climate emergency
 - Addressing the nature and biodiversity crisis
 - Supporting human health
 - The protection and enhancement of natural, historical and cultural, and community assets
 - Accessibility – sustainable transport options, digital access
 - Providing housing for a growing and changing population including affordable and specialist housing
 - Support for economic development, businesses and job creation with an emphasis on community wealth building and a well-being economy
 - Implications of population growth and change for service and infrastructure provision
 - Implications of changes in employment location and patterns
 - The provision of infrastructure and services
 - Community building and place-making to create great places to live, work, play and invest.
 - Tackling inequalities

Evidence Report

- 3.4. The first stage in preparing LDP2 is to prepare the Evidence Report. The Evidence Report as its name suggests will provide the evidence base for LDP2. The Evidence Report will be subject to

an examination process known as “the Gate Check” overseen by the Scottish Government Directorate for Planning and Environmental Appeals (DPEA).

- 3.5. The Evidence Report provides a summary of the information collected and analysis of what this evidence means for LDP2. The 2019 Act requires the planning authority to engage with a wide range of groups when preparing the Evidence Report, which has been done. This includes elected members, local communities, specific groups identified in planning legislation, key agencies, third sector organisations, private sector organisations, landowners and the construction and development industry. The Evidence Report includes a statement of how the views of these identified groups have been included in the plan preparation process.
- 3.6. The Evidence Report does not contain details of possible future development sites. Consideration of sites and criteria for choosing sites will take place at the Proposed Plan preparation stage. The Evidence Report is only intended to contain information to inform preparation of the strategy and the policy framework of the Proposed Plan.



4. APPROACH TO STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

Statutory requirements

- 4.1. This Scoping Report has been prepared in accordance with the Environmental Assessment (Scotland) Act 2005 ('the EA(S) Act'). This Act requires certain plans, policies and strategies that are likely to have a significant effect on the environment to be subject to Strategic Environmental Assessment (SEA). The main stages of SEA are:
- **Screening** – determining whether or not a plan needs SEA
 - **Scoping** – establishing what aspects of the environment are likely to experience significant effects, and how this should be examined
 - **Environmental Assessment** – assessing the impacts of the proposed strategy, including consulting and taking into account the views of key statutory bodies and the public on an 'Environment Report'.
 - **Decision** – deciding on whether or not to approve the plan, taking into account the environmental information contained in the finalised Environment Report
 - **Post-Adoption Statement** – setting out how the assessment and views of the public and key statutory bodies were taken into account
 - **Monitoring** – monitoring the significant effects of the plan and taking action if anything unexpected arises from the implementation of the plan
- 4.2. LDP2 is a type of plan which automatically requires SEA under Section 5 (3) of the EA(S) Act, so Screening has not been carried out.
- 4.3. The LDP will operate within a framework of the existing national and local policy, as set out above. These strategies have been where relevant been subject to SEA¹.
- 4.4. SEA must assess the **likely significant** environmental effects, both positive and negative, of the strategy. The purpose of requiring SEA is to achieve better policy making by taking account of environmental considerations from the start. It gives both the public and decision takers a better understanding of the impact of a strategy. The role of SEA is to predict (identify and describe) and evaluate (make a judgement on the significance of) the environmental effects of the policies and proposals LDP and where appropriate, reasonable alternatives. We currently propose to carry out appraisal by considering each policy option and potential proposal against SEA objectives in an iterative process. This will support plan preparation. The results will be reported in a narrative form by topic, which will also allow any effects not picked up through the use of objectives to be described.
- 4.5. Relevant environmental issues and effects (both positive and negative) will be identified and appraised using professional judgement.

¹ The SEA documents for the East Lothian Local Development Plan 2018 and the plan itself can be downloaded following the links from https://www.eastlothian.gov.uk/downloads/download/13023/local_development_plan_2018

Likely Evolution of the area without the Strategy

- 4.6. The ER must also set out how the area is likely to evolve without the strategy. Without the LDP, decisions on planning applications would be made against the policies of NPF4. The exact results are difficult to predict as it would depend on the aspirations of multiple landowners, business and individuals. It is likely that sites that are easier and cheaper to develop would come forward in favour of sites that are more difficult or less profitable. This is likely to include greenfield sites, some of which are likely to be in less sustainable locations.

Scoping Question 2: Your views on how to evaluate the likely evolution of the area without the LDP are sought.

Methodology

- 4.7. The aim is to examine the effects of the LDP as a whole on the SEA topics. We propose that the SEA be divided into topic areas as given in the EA(S)A Act. For each of the SEA topic areas, the draft Environment Report will provide information on the current state of the environment the 'baseline', and the likely impact of the policies and proposals. There is considerable cross over between some of the issues, and the ER will aim to cover an issue only once, with cross references where appropriate.

Relevant aspects of the current state of the environment (baseline)

- 4.8. The Council is developing an Evidence Report, which will be used to support the preparation of the Proposed Plan. The Evidence Report will be supported by data and information which has been provided to the council from Key Agencies as well as from other stakeholders and communities.
- 4.9. Much of the information contained there will also be relevant for the Environment Report. The Environment Report will draw on this information but will update it where necessary. Baseline data is included in Appendix 5 (see separate document). This document outlines sources of information relevant for the baseline.

Scoping question 3: are there any further sources of baseline information which should be included?

Environmental Issues

- 4.10. The draft Scoping Report sets out an initial indication of potentially relevant environmental problems in Appendix 5. These were identified through consideration of PPS and data to be included in the Evidence report. This will be further refined as the SEA process continues with input from specialist colleagues within the council, consultation agencies and, at the draft Environment Report stage, input from the public. As the plan emerges, particularly the housing land requirement, it may become apparent that there will be less or more impact on some of the issues.
- 4.11. A Scoping Table for each general SEA topic identifies the issues within that topic that the LDP could affect. It also indicates whether we currently expect think the LDP will have a significant effect on that issue. The SEA objectives and indicators will need to be refined to reflect the range of issues identified and this will be developed as the process goes forward.

Scoping Question 4: please comment on the topics covered in the Scoping Tables

Assessment

- 4.12. The Environment Report must consider short, medium and long-term effects; permanent and temporary effects; positive and negative effects; and secondary, cumulative and synergistic effects. This is proposed to be organised into chapters by 'SEA topic' – air, water, soil &c. Both positive and negative effects will be set out within the topic chapters.
- 4.13. To focus assessment, the Council proposes to develop a set of SEA environmental objectives and sub-objectives. Appendix 2 indicates a general idea of the type of indicators being considered, however further work on these will be needed. The indicators should look to align with those in National Planning Framework 4 taking into account the main potential effects of the LDP in East Lothian. The draft has been derived from indicators previously used for the current LDP, those of NPF4 and initial comments from some specialists within the Council. The intents and outcomes of NPF4 policies and example SEA objectives as set out in the SEA Scoping Report accompanying NPF4 were also considered. The SEA objectives will be framed as questions to help predict and evaluate the results of the spatial strategy overall, policies and proposals. It is therefore important to get these objectives right.
- 4.14. Each policy or proposal will be checked against these objectives and subobjectives. The check of policies and proposals of LDP2 will be done in an iterative way, so that amendments to the proposed plan can be made where issues are identified.
- 4.15. For proposals, the Scottish Government's Local Development Planning Guidance (May 2023, paragraph 108) states: *"Detailed policies and site proposals should not be included in the Evidence Report. Detailed site appraisal will not be appropriate at the Evidence Report stage, but the authority could usefully establish a site appraisal methodology that will be used to appraise sites and inform allocations for the Proposed Plan. This could also be linked or ideally integrated with the approach to SEA assessment"*.
- 4.16. The Council intends to carry out site assessment in largely the same manner as it did for the current LDP, though with revised planning criteria and environmental objectives. These assessments involved visiting each site, desk-based assessment and input from council specialists.
- 4.17. The Council proposes to sieve sites submitted for consideration using planning side Site Selection Criteria first. Document ELC 59 which accompanies the Evidence Report sets out the Councils proposed site assessment methodology. It is closely aligned with the Sea process and is based on a methodology created by the Consultation Authorities. Then those sites which remain will be subject to Environmental Assessment and the results reported in an Appendix to the SEA. This will avoid wasted work on environmental assessment of sites that have no realistic prospects of inclusion in the LDP. As an example of the type of criteria that may be used for this sieving exercise, the site suitability and deliverability assessment criteria used for LDP1 is shown at Appendix 3. This will be revised for the sieving exercise. Draft SEA indicators for sites that are not rejected through the sieving process are shown in Appendix 2. These were based on the SEA objectives used in NPF4, criteria proposed by Midlothian Council as a neighbouring authority that has taken part in an SEA pilot project with the Consultation Authorities, input from council specialists, and those used in LDP1. The objectives/sub-objectives deriving from NPF4 are shown in Appendix 6. **The development of objectives/indicators shown in Appendix 2 is still at an early stage.**

Scoping question 5: Do you have any comments on the approach to determining Objectives, Subobjectives and assessment questions in Appendix 2? (We are not looking for specific comments on the objectives/questions at this stage as this will be subject to change).

4.18. Consideration has been given to whether significant effects arising from NPF4 should be identified and assessed by this SEA. SEA Guidance (August 2013, page 22) states that:

“To aid proportionality, a Responsible Authority should aim only to scope in those SEA environmental topics, upon which the plan is likely to have significant environmental effects. Therefore, elements of a plan that are unlikely to have significant effects on the environmental topics or that have already been meaningfully assessed for other, potentially higher level plans, would not have to be assessed and could be scoped out.”

- 4.19. NPF4 has been subject to its own SEA assessment. The effects of the policies will therefore have been fully assessed there, and no new assessment is needed. For this reason, and to aid proportionality of this SEA, NPF4 policies have been scoped out of the assessment. Therefore, where the Council *does not* include policy that is different to that contained within NPF4, it is not proposed to carry out any assessment of that position, i.e., to re-examine the policies of NPF4, *unless* an alternative approach was seriously considered (see ‘reasonable alternatives’ below).
- 4.20. The proposed SEA assessment framework will embed the principles of NPF4 and ensure that the SEA objectives are informed by national policy directions.
- 4.21. Should it become apparent at the Environmental Report stage or during the sites assessment procedure that significant effects, negative or positive, might occur at an East Lothian level because of NPF4 policy application, which have not previously been reported in the SEA of NPF4, these effects will be reported.
- 4.22. LDP2 is likely also to include proposals which reflect proposals that have been made and assessed under other legislation or plans. These potentially include the Flood Protection Works at Musselburgh and consents under the Electricity Act. It is not proposed to reassess the effect of these proposals where consent has already been granted under other regulatory regimes.
- 4.23. LDP2 may also include safeguards for proposals or projects, for example improvements to the East Coast Mainline. Where a safeguard is included, assessment will consider *only* the effect of safeguard of land (i.e., that nothing incompatible with the interest for which it is safeguard will come forward) and not the effect of the proposal itself.
- 4.24. The Scottish Government Guidance for development plans (May 2023) states that sites should not be rolled forward from one plan to the next. A review allows for new policies and information to be taken into account. East Lothian Council will apply site selection methodology to those allocated sites which do not have planning permission, as well as sites suggested to the Council through the review of the plan.
- 4.25. Where sites already have permission, it is in the Council’s view too late in the process to seek a de-allocation. However, LDP2 must include references to development already committed, so it contains the complete picture of development in the area. There may be projects which have planning permission, as well as proposals consented under other regulations, which have not yet been implemented. Where such proposals are on sites allocated in the current LDP, the site was subject to assessment by the SEA of that plan. In light of this previous assessment, the fact that they are committed developments and the provisions of Section 14(3) of EASA, these proposals will not be subject to individual assessment in the Environmental Report but will be included in the cumulative assessment.
- 4.26. However, were consent to lapse before the adoption of the proposed plan, such sites would be subject to review.

Scoping question 6: Do you agree with the approach to the policy of NPF4?

Scoping question 7: Do you agree with the approach to safeguarded land, and proposals that have planning or other development consent?

- 4.27. How development comes forward depends on the preferences, imagination, and finances of many different stakeholders, as well as the application of the plan's policies to different development types, some of which may not have been foreseen. The assessment will be carried out on the assumption that all decisions will be made in accordance with the plan. Although material considerations may lead to a decision that is not in accordance with the plan, such cases cannot be forecast in advance. Such cases are not the intent of the plan and are not a result of it.
- 4.28. For both policies and proposals, we intend to set out the results of assessment against objectives for each policy and proposal and any reasonable alternatives (i.e., for proposals, sites that could have been chosen but were not) in separate Appendices. We do not intend to include this assessment in the body of the report. This is because sometimes this approach does not make sufficiently clear what the overall effect of the plan on a topic is. It can also lead to a presentation of the information that is repetitive and where it is difficult to extract the main effects. Where there are both negative and positive effects on different aspects of the same receptor, use of objectives and indicators in the form of matrices can obscure this. We therefore propose to report the findings of the SEA in narrative form, drawing on the assessment against the objectives of each policy and proposal. This allows the effect of a policy or proposal to be seen during plan preparation, using the objectives/indicators. But it also allows each topic to be considered and reported holistically, and the results clearly explained.

Secondary, cumulative and synergistic effects

- 4.29. The secondary, cumulative and/or synergistic effects of LDP2's land use proposals and policies will be assessed in the Environmental Report. Secondary effect are side effects – something that is not the main effect of the plan. Cumulative effects are those that act additionally with effects elsewhere to increase the effect. Synergistic effects are effects resulting from multiple sources or combined effects different in nature from the individual effects, but which act together to affect a different receptor.
- 4.30. Effects arising cumulatively or synergistically from LDP2 itself will be described in the topic chapters. For example, if several proposals all lead to loss of agricultural land, that is a cumulative effect of the plan itself. There are also likely to be cumulative effects that arise as a result of the operation of the LDP and other plans. Where possible, this will be included in topic chapters. However, sometimes there are secondary, cumulative and synergistic effects that do not sit easily within the topic chapters, and these will be included in a separate table.
- 4.31. The range of other PPS that have effects that could lead to cumulative or synergistic impact on the same receptors as the LDP is extremely wide. There is a need to keep this part of the assessment manageable, while picking up significant impacts. The Council will consider the LDPs of neighbouring authorities for potential cumulative effects. Electricity infrastructure is also having significant influence in our area, however there is no strategic plan for this as such. The Council is considering how and if it is possible to take this into account and would welcome your thoughts on this. The council is also considering other local or national PPS that should be considered.

Scoping Question 8: do you have any thoughts on PPS that should be included in cumulative assessment.

Relationship with project level assessment

- 4.32. The purpose of the Environment Report is to identify the strategic level effects that could occur from the Strategy overall. It does not take the place of detailed assessment, including Environment Impact Assessment, Flood Risk Assessment, Landscape and Visual Impact Assessment and others, which may be required at project level. Although development sites will be identified, selected, delineated and assessed, it will not be possible to fully establish the environmental effects of their development at LDP2 stage. It will not be possible to carry out a thorough analysis of all potential environmental effects for all sites, of the kind that may be undertaken for project environmental impact assessment.

Reasonable Alternatives

- 4.33. The EA(S) Act requires the Council to consider reasonable alternatives to the plan or programme. The Council has a statutory requirement to produce a Local Development Plan. Therefore 'do nothing' is not a reasonable alternative. The main impacts of development in East Lothian are likely to be from new housing and the development that flows from that. The level at which the requirement for housing land is set therefore a key driver of environmental impact. In line with the National Planning Framework 4 (NPF4) and Local Development Planning Guidance (May 2023) the Council will seek to identify the most appropriate locations for the housing land allocations needed to meet its Housing Land Requirement. NPF4 gives a figure for the Minimum All Tenure Housing Land Requirement. The effects of that overall figure in general have been found to be acceptable through the SEA of that document. It is likely that different environment effects could occur with a higher figure, or even, though less likely, a lower figure.
- 4.34. The final Housing Land Requirement figure will be set through the Gatecheck. As this figure will be set at Gatecheck, our current thinking is that there will be no reasonable alternative to it. Therefore, it is not proposed to include assessment of a higher or lower figure as a reasonable alternative. However, it is likely that representations may be made to the LDP to move this figure either upwards or downwards.

Scoping Question 9: Your views are sought on whether a different figure should be assessed as a reasonable alternative, and if so the circumstances that would require this.

- 4.35. Due to the early stage of plan preparation, it is not yet clear whether or not there will be reasonable alternatives to the overall spatial strategy. This is partly because many of the sites allocated in the current LDP have capacity beyond that plan period, so will meet much of the housing need to be planned for in LDP2. This means that we may not be seeking very much additional housing land. If that is the case, there is unlikely to be much scope for overall spatial strategies that would lead to very different conclusions in the ER.
- 4.36. Any reasonable alternatives to policies are likewise not yet clear. As noted above, the Council will not normally assess the situation where the Council makes no change to NPF4 policy in the LDP2. The exception to this is where taking an alternative approach is a realistic alternative that is seriously considered by the Council during the plan making process.

4.37. Where sites are put forward that could realistically be included in LDP2, they are considered to be a 'reasonable alternative' and the site assessment of those sites will be shown in an Appendix.

Mitigation

4.38. The EA(S) Act requires that the Environment Report includes "measures envisaged to prevent, reduce and as full as possible offset any significant adverse effects on the environment of implementing the plan or programme". It is likely that there will be:

- 'Internal' mitigation which is contained within other policies of the LDP
- 'External' mitigation for example mitigation that is contained in NPF4 policy or exiting legislation or consent through other regimes such as CAR regulation, Scheduled Monument consent or Operations Requiring Consent with SSSIs.
- Project level mitigation which is mitigation that would be needed at project level to avoid an effect that otherwise might occur

4.39. Environmental Impact Assessment (EIA) is likely to be required for some of the projects that come forward under the LDP. The EIA process can help reduce or prevent adverse environmental effects and strengthen positive effects through full exploration of environmental effects and requirements for mitigation.

4.40. Where other specific mitigation is included or needed, this will be noted in the text. For example, for some proposals, it may be that they can be brought forward without environmental harm, but only if they occur in a particular way.

Data gaps and limitations of the assessment

4.41. Gaps in knowledge or data and any difficulties in carrying out the assessment are required to be reported, and will be included. A foreseeable issue is that the Housing Land Requirement will be set through the Gatecheck process, which according to Scottish Government guidance on development planning, is not a stage where SEA should be carried out. The choice of figure will have a significant effect on the environmental impacts of the plan overall.

4.42. Some data is known to be lacking or out of date. This includes:

- Phase 1 habitat assessment, which was carried out for the whole area around 1996 (reported 1997). This is now almost 30 years out of date.
- The HRA of LDP1 called for a study into recreational impact on the Firth of Forth, which has not yet been carried out.
- Both the Local Biodiversity Sites and Local Geodiversity Sites were designated based on work carried out in 2014. In the case of the LBS, this included desk based assessment based on the 1997 Phase 1 study. Some site condition monitoring of the LBS will be undertaken for LDP2, but there are no plans in place to monitor the condition of the LGS.

4.43. The LDP2 itself will have no direct effects on the environment. The actual effects on the environment, depend on many thousands of future decisions made in respect of planning and related applications for development and land use change, and made in light of the application

of the plan's policies, including decisions to grant planning permission for development on sites allocated in the MLDP2 (allocation does not necessarily mean that permission will be given, but it is a strong indication of acceptability). This means that some long-term, cumulative and synergistic effects of the LDP2 are not entirely predictable.

Coordination with Habitats Regulation Appraisal

- 4.44. The LDP will be subject of a separate Habitats Regulations Appraisal and if necessary Appropriate Assessment. The main conclusions will be reported in the ER.

Adherence to Guiding Principles on the Environment

- 4.45. The UK Withdrawal from the European Union (Continuity) (Scotland) Act places duties on Scottish Ministers and other public bodies to have due regard to five guiding principles when developing policy. These are:

- principle that protecting the environment should be integrated into the making of policies;
- precautionary principle as it relates to the environment;
- principle that preventative action should be taken to avert environmental damage;
- principle that environmental damage should as a priority be rectified at source; and
- principle that the polluter should pay.

- 4.46. The first principle will be respected by the carrying out of SEA to inform policy making. A separate assessment of policy and proposals will be included to ensure that these principles are respected. This assessment will be included in an Appendix.

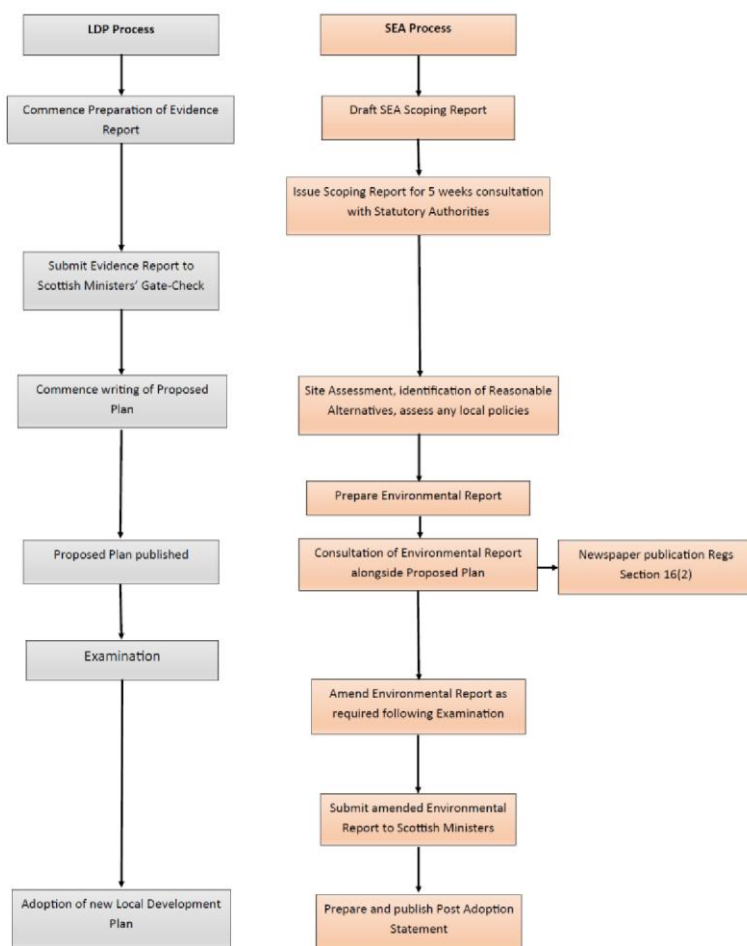
5. PROPOSED TIMESCALES

- 5.1. Section 18(2) of the Planning Act requires publication of proposed LDPs to include specification of a date (being a date not less than six weeks after the date of publication) by which any representations with respect to the proposed LDP must be made to the authority.
- 5.2. The period the Council intends specifying/notifying under Section 16(1)(b) and 16(2)(a) of EASA is the same as the period above and coinciding with the period for representation on the LDP. The current timetable for consultation is set out in Table 1 below. If the consultation period runs over the winter holiday period, the Council will allow for a longer consultation period than the statutory six weeks to compensate for the winter break.

5.3. The SEA process has been aligned with the preparation of LDP2 to ensure that the SEA will influence and inform LDP2. The diagram opposite shows the relationship between LDP2 and SEA processes.

5.4. Changes introduced by the 2019 Act have amended the process the Council needs to follow when preparing LDP2. Previously, the planning authority produced a Main Issues Report for consultation. This was followed by the production of a Proposed Plan, to which representation could be made by the public and other parties. These representations were considered at Examination by a Scottish Government Reporter, followed by adoption of the amended plan by the Council.

5.5. The new process requires the planning authority to produce an Evidence Report as the first formal stage of plan preparation. This will be followed by preparation and publication of Proposed LDP, to which representations can be made as previously. This will be followed by Examination, and again, adoption by the Council of the plan. When the Proposed LDP is submitted to Scottish Ministers for approval, it may be accompanied by a Modification Report making changes to the Proposed Plan resulting from comments received on the Proposed Plan.



5.6. Table 1 below sets out the timetable for preparing LDP2.

Table 1 Programme for preparation of LDP2 (Development Plan Scheme 2022)

Publication of Evidence Report (including identification of issues and possible consideration of solutions), and SEA Scoping Report	August 2024
Gatecheck on Evidence Report	Dec 2024
Recommended date for Submission of Local Place Plans (for consideration alongside development of draft Proposed Plan)	End of May 2024
Publication of draft Proposed Local Development Plan, SEA Environmental Report, draft Appropriate Assessment, draft PSEDA, draft FSDA and LDP Delivery Programme	June 2026

Consultation and possible modifications to the draft Proposed Plan	July 2026
Submission of Proposed Local Development Plan to Scottish Ministers	Feb 2027
Examination into Proposed Plan	April 2027
Adoption of Local Development Plan	Nov 2027
Monitor and Review	Ongoing

5.7. The 2019 Act requires that new LDPs be reviewed at intervals of no more than 10 years, rather than a five yearly review as before.

5.8. The SEA consultation process is important to allow people to comment on LDP2 with knowledge of its environmental effects. Consultation also allows more information on the environmental impacts of the LDP to be gathered, to be presented to policy makers and decision takers before the plan is finalised.

5.9. Presently we expect that comments will be able to be made at:

- [East Lothian Consultation hub](#), an online survey tool
- Via email to: ldp@eastlothian.gov.uk
- In writing to: Policy and Strategy, Development, John Muir House, Haddington EH41 3HA

Respect for the rights of the child

5.10. The Council recognises that children have the right to be informed about decisions that affect them. Article 12 of the UN Convention on the rights of the Child, the right to be heard is a General Provision as this plays a fundamental role in realising the rights in the Convention for all children. The council will consider how children's voices can be heard in relation to the SEA.

Scoping Question 10: Please give any views you have about how consultation on the SEA should involve children.

APPENDIX ONE – Environmental Objectives of other PPS

A2.1 The following is a list of Plans, Policies and Strategies whose environmental objectives are proposed to be considered. A table is proposed to be included in the Environment Report similar to the one below. This will summarise the main aims of each of the plans, and the implications for the LDP. A commentary on the response of the LDP will be included once the Environment Report is finalised. An overall appraisal will be included and reported using the symbols below, as to whether the LDP supports the environmental objectives of those plans.

KEY	
✓	Helps achieve main plan objectives, policy or strategy aims
//	Helps achieve some aims, but hinders others

?	Uncertain
=	No effect on main plan objectives, policy or strategy aims
x	Hinders main plan objectives, policy or strategy aims

NAME OF PLAN	ENVIRONMENTAL REQUIREMENTS OF PLAN	IMPLICATIONS FOR LDP2	Comments	Complies?
PPS WHICH AFFECT MULTIPLE TOPICS – any relevant sections will be included in the topic Chapters				
National Planning Framework 4		See Appendix 6 for main objectives		
Regional Spatial Strategy/City Regional Deal				
City Plan 2030 (City of Edinburgh's LDP)				
Midlothian LDP 2				
Scottish Borders LDP				
National Marine Plan 2 (if available)				
Forth and Tay Regional Marine Plan (if available)				
East Lothian Council Plan 202227	Sets out how the Council will work together across the Council, with our partners and with the people and communities of East Lothian to achieve the vision of an “even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy, that enables our people and communities to	LDP2 is a major tool for the Council to achieve its vision and objectives. The LDP needs to <ul style="list-style-type: none"> • Support recovery and renewal with a focus on regeneration • Consider how the LDP can help reduce poverty 		

	<p>flourish”. The overarching objectives are:</p> <ul style="list-style-type: none"> • Recovery and Renewal – recovering from the COVID pandemic by investing in regeneration and a sustainable future • Reduce poverty and Inequality – supporting our communities to deal with the growing levels of poverty and inequality • Respond to the Climate Emergency – meeting our net zero climate change targets <p>The four thematic objectives are: grow our economy; grow our people; grow our communities and grow our capacity.</p>	<ul style="list-style-type: none"> • Consider how the LDP can best help meet climate change targets 		
East Lothian’s Tree and Woodland Strategy (forthcoming)				
BIODIVERSITY, FLORA AND FAUNA				

Kunming-Montreal Global Biodiversity Framework	<p>Among the Framework's key elements are 4 goals for 2050 and 23 targets for 2030. These are summarised as:</p> <p>Goal A: The integrity, connectivity and resilience of all ecosystems are maintained, enhanced, or restored, substantially</p>	LDP2 will need to consider how to retain the overall integrity, connectivity and resilience of ecosystems within and near its area and that could be affected by development within East Lothian. This should be guided by the ELBAP		
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	<p>increasing the area of natural ecosystems by 2050; human induced extinctions are halted; genetic diversity is maintained</p> <p>Goal B: Biodiversity is sustainably used and managed and nature's contributions to people, including ecosystem functions and services, are valued, maintained and enhanced, with those currently in decline being restored,</p> <p>Goal C: monetary and nonmonetary benefits from genetic resources and traditional knowledge based on this, is shared fairly</p> <p>Goal D: adequate means of implementation, including finance, is secured</p> <p>10 Targets sit beneath this, 8 on reducing threats to biodiversity and 2 on meeting people's needs through sustainable use and benefit sharing</p>	and Scottish Biodiversity Strategy.		
Scottish Biodiversity Strategy				
Scottish Draft Planning Guidance: Biodiversity				
East Lothian Biodiversity Action Plan 3 (if available)				

<u>East Lothian Green Network Strategy SPG</u>	<p>The SPG sets out how the CSGN will be delivered in East Lothian. It aims to contribute to reversing the decline in quantity and quality of biodiversity, and protect geodiversity. It aims to protect and enhance the water environment, and reduce pollution issues, and strengthen landscape</p>	<p>Biodiversity. LDP2 should consider how it can contribute to reversing the decline in quantity and quality of biodiversity.</p> <p>Population. The LDP2 should consider how it can reduce the impacts of inequality and create resilient communities.</p> <p>Human health. The LDP2 should consider how it can</p>		
	<p>character and diversity. It includes actions for the Western Sector, Urban, Coast, Countryside and Nature Network.</p>	<p>contribute to the improvement of physical and mental health through provision of green infrastructure and recreation improvements.</p> <p>Water. LDP2 should consider natural solutions to water management and reducing pollution.</p> <p>Climatic factors. LDP2 should consider how climate change could be mitigated through landuse, and how the design can be adaptive to climate change.</p>		
<u>East Lothian Plan 2017-27</u> (Local Outcome Improvement Plan)	<p>The Plan: is intended to tackle inequalities of outcome, particularly for groups of people who do less well than others because of socio-economic inequality; is focused on what partner organisations can achieve by working together, over and above what they already do as single organisations. It is based on the following themes: prosperous; community minded; fair.</p>	<p>LDP2 will need to contribute to achieving the environmental outcomes set out, including helping people to find jobs, growing local business, strong resilient communities with a high quality environment; tackling poverty and health inequality.</p>		

<p><u>Fa'side Area Partnership Plan</u> (working document)</p>	<p>The themes are Sustainable Economy, Resilient People and Safe and Vibrant Communities. Within this, the priority areas for action are:</p> <ol style="list-style-type: none"> 1. Improving our Town and Villages 2. Supporting a thriving local economy 3. Improve travel options and reduce traffic congestion throughout the Area 4. Increasing opportunities for physical activity in day-to-day life 	<p>LDP2 should have regard to the environmental objectives and priority areas for action.</p>		
	<ol style="list-style-type: none"> 5. Supporting families to create healthy environments for children 6. Making it easier to choose healthy and locally grown food 7. Improving Community information, facilities and resources 8. Ensuring all Residents of Fa'side feel Safe and Secure in their Community 9. Becoming a more supportive and inclusive community 			

Preston Seton Gosford Area Partnership Plan	<p>1: Encourage social enterprise and small business development in the area.</p> <p>5: Capitalise on the area's rich cultural and industrial heritage to increase visitors and increase employability skills.</p> <p>6: Promote the sense of a village identity and cultural heritage in the communities of Prestonpans, Longniddry, Cockenzie & Port Seton and develop the understanding that the area is made up of a variety of local neighbourhoods, each with their distinct needs and identities.</p> <p>7: Protect green spaces and connect people with their natural environment within and between communities to increase health and wellbeing.</p> <p>12. Our communities are better able to make healthy choices, reduce isolation and access the services they need in order to maintain a positive level</p>	<p>LDP2 should have regard to the environmental objectives and priority areas for action of this plan.</p>		
	<p>of physical and mental health.</p> <p>14. Improve access to the places, spaces and facilities for everyone.</p> <p>18. Help ensure roads and pavements are safe and accessible.</p> <p>19. Actively encourage people to walk and cycle and use the path networks within and between our communities.</p>			

Dunbar and East Linton Area Partnership Plan		LDP2 should have regard to the environmental objectives and priority areas for action of this plan.		
Haddington and Lammermuir Area Partnership Plan		LDP2 should have regard to the environmental objectives and priority areas for action of this plan.		
Musselburgh Area Partnership Plan		LDP2 should have regard to the environmental objectives and priority areas for action of this plan.		
North Berwick and Coastal Area Partnership Plan		LDP2 should have regard to the environmental objectives and priority areas for action of this plan.		
POPULATION				
East Lothian Economic Development Strategy (forthcoming)		LDP2 should support the environmental objectives of the strategy in looking to provide local, sustainable employment and community wealth building.		
East Lothian Local Housing Strategy (forthcoming)				
East Lothian Poverty Action Plan (forthcoming)		LDP2 should aim to reduce poverty and lessen the effects of poverty.		

<u>East Lothian Green Network Strategy</u>	Supports the aims of the Economic Development Strategy by providing a high quality landscape and recreational setting. It aims to help people feel they live in resilient communities, and not in isolation, to feel safe in and take pride in their environment. Provides that green infrastructure should be designed to be accessible to all. IT proposes action within lower SIMD areas and projects in the Western Area to improve active travel links and promotion of heritage (subject to impacts on the Firth of Forth SPA).	LDP2 should provide a high quality landscape and recreational setting. It should support resilient design, and bear in mind the need for green infrastructure to be accessible for all. It should support action within lower SIMD area to improve active travel links and promote heritage (subject to impacts on the Firth of Forth SPA)		
HEALTH				
<u>Lothian Strategic Development Framework</u>				
<u>Central Scotland Green Network</u> Vision for Central Scotland and Action Plan	<p>The Central Scotland Green Network aims to make a step change to environmental quality across central Scotland through five themes:</p> <ul style="list-style-type: none"> • A place for growth: creating and environment for sustainable economic growth • A Place in Balance: creating an environment more in balance, to thrive in a changing climate • A Place to feel good: creating an environment which supports health 	LDP2 should contribute towards delivering the aims of the Central Scotland Green Network through creating an environment for business to invest, providing attractive green space and including space for nature.		

	<p>lifestyles and wellbeing</p> <ul style="list-style-type: none"> • A Place to Belong: creating an environment that people can enjoy and where they choose to live • A Place for Nature: creating an environment where nature can flourish 			
<u>Strategic Noise Action Plan for the Edinburgh Agglomeration (2014)</u>	<p>This plan is one in a suite of six draft noise action plans produced under the terms of the Environmental Noise Directive (END). The three main objectives of the Directive are as follows:</p> <ul style="list-style-type: none"> • To determine the noise exposure of the population through noise mapping • To make information available on environmental noise to the public <p>To establish Action Plans based on the mapping results, to reduce noise levels where necessary, and to preserve environmental noise quality where it is good</p>	<p>LDP2 should not add to noise levels and seek to preserve noise quality where it is good, including through consideration of the candidate quiet areas.</p>		
<u>East Lothian's Green Network Strategy SPG</u>	<p>The Strategy takes the five themes of the CSGN and applies them to the East Lothian context. The ELC Green Network Strategy identifies action in this geographical area as a priority. The Strategy recognises the role of the Green Network in health and includes among other things, action to improve the core paths, increase trees and plants in towns, and provide</p>	<p>LDP2 should accord with the strategy set out in the Green Network SPG in providing for a healthy environment including considering improvements to urban areas and access to local recreation.</p>		

	multifunctional open space.			
East Lothian Open Space Strategy 2018	Set out East Lothian's approach to planning for and maintaining the quantity, quality and accessibility of open space within the area. The related audit shows where there are shortfalls in quantity or quality of open space.	LDP2 should have regard to the findings of the Open Space audit, and if applicable follow the standards in the Open Space strategy.		
East Lothian's Road Safety Plan				
East Lothian Play Policy	Aim: All children and young people will have access to a range of opportunities to play in East Lothian's built and natural environment and their right to play will be recognised and supported by adults. Principles include that adults should positively promote and support children and young people's right to play.	LDP2 should consider how play could be incorporated into the strategy.		
WATER				
Forth Estuary Flood Risk Management Plan	Sets out the agreed goals or objectives of local flood risk management; and the specific actions that will deliver these actions over the short to long term. Actions in this area (10/23) include a Flood protection study, strategic mapping and modelling, maintenance of flood protection and flood warning, self help, awareness raising and use of planning policies.	LDP2 should take into account the flood protection study and need to maintain flood defences.		
Musselburgh Flood Protection Scheme				

East Lothian Green Network Strategy SPG	The strategy aims to adapt to climate change by reducing flooding, and by	LDP2 should aim to reduce flooding by providing an adaptive environment.		
	providing adaptive environments.			
SOIL				
East Lothian Contaminated Land Strategy	ELC Strategy for inspection of land to identify contaminated land based on the source-receptor pathway model with a bias towards protection of public health and enhancing the well-being of communities. The Strategy aims to support economic development through the provision of attractive sites and the reuse of brownfield land.	LDP2 should refer to this strategy in allocating land.		
East Lothian Climate Change Strategy 2020 - 2025	The Climate Change strategy seeks primarily to mitigate and adapt to climate change. The Strategy recognises the role of soil in absorbing rainfall, helping to avoid flooding. It notes that the next Local Development Plan will evaluate development location to avoid loss of topsoil.	LDP2 should recognise the role of soil in preventing flooding, and aim to avoid loss of topsoil.		
AIR				

<u>Musselburgh Air Quality Management Plan</u> (if the AQMA hasn't been revoked)	Sets out actions to tackle NOx in Musselburgh. As well as coordination with the ELLDP and LTS actions include enforcement against idling; SCOOT signalling changes and Sustrans active travel study; awareness campaign on the impact of emissions; bus stop relocation; promotion of green travel plans; electrification of buses; longer trains and platforms at Musselburgh station	LDP2 should support the aims of the Musselburgh Air Quality Management plan		
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CLIMATIC FACTORS				
Climate Change Committee Reports	Monitors whether the country is on track to meet climate change targets, allowing corrective actions to be taken when areas are off track.	Look for recommendations of actions and policy that needs to be strengthened.		

East Lothian Climate Change strategy	<p>The strategy aims: To engage, support and work with all relevant agencies, partners and communities to reduce Council services to net zero by 2045;</p> <p>To set out a coordinated approach, framework, outcomes, priorities and action plan for the implementation of climate change mitigation and adaptation across East Lothian;</p> <p>To contribute to the development of a sustainable, resource efficient and equitable East Lothian, with a thriving low carbon economy, a healthy and diverse natural environment, and flourishing low carbon communities that are resilient to the effects of future climate change;</p> <p>To prepare our communities for the impacts of climate change, and adapt to future predicted changes in our climate locally.</p>	<p>LDP2 should support the low carbon economy, a healthy and diverse natural environment, and flourishing low carbon communities that are resilient to the effects of future climate change.</p> <p>Landuse change should allow for mitigation of climate change including through woodland planting</p>		
East Lothian Green Network Strategy SPG	<p>The Strategy aims to help people make choices which have less climate impact and mitigate climate change through landuse.</p>	<p>LDP2 should support and encourage climate friendly behavioural choices for example by providing recreational areas close to</p>		

		homes, as well as mitigating climate change.		
East Lothian Local Heat and Energy Efficiency Strategy				
MATERIAL ASSETS				

<u>East Lothian Local Transport Strategy</u>				
<u>East Lothian's Local Transport Strategy Active Improvement Plan</u>				
<u>East Lothian's Local Transport Strategy Parking Strategy</u>				
<u>East Lothian's Road Asset Management Plan</u>				
East Lothian's Learning Estate Strategy (in preparation)				
CULTURAL HERITAGE				
East Lothian's Supplementary Planning Guidance on Cultural Heritage and the Built Environment				
LANDSCAPE				
Scottish Landscape Character Types and Descriptions -SNH (now Naturescot)	The aim of Landscape Character Assessments is to classify landscape within certain areas, to identify the forces for change which may affect their distinctive character, give guidelines for conservation/enhancement of the different types of landscape and to find opportunities for landscape conservation, restoration or enhancement	Landscape and Townscape: LDP2 should seek to support conservation and enhancement of different types of landscape in East Lothian.		
<u>East Lothian's Special Landscape Areas SPG (2018)</u>	This SPG describes the Landscape Character Areas of East Lothian, with guidance on how their character can be strengthened. It provides Statements of Importance for each of the Special	Landscape: LDP2 should seek to reinforce the landscape character of the different areas of East Lothian, and avoid harm to Special Landscape Areas, in line with this guidance.		

	Landscape Areas designated in the ELLDP, including the qualities and features which led to their designation, guidelines for development and management recommendations.			
<u>East Lothian Green Network Strategy SPG</u>	The Strategy supports the aims of the Economic Development Strategy by aiming to provide a high quality landscape and recreational setting.	LDP2 should aim to provide a high quality landscape and recreational setting.		
<u>ELC Countryside and Coast SPG 2019</u>	The SPG gives guidance on the operation of ELLDP policy towards the Countryside and Coast, within the framework set by the ELLDP, including the Countryside Around Towns (CAT) areas. It aims to improve design in coastal areas through guidance on character of the different coastal areas. The main objectives for the CAT areas are: protection of the landscape setting of settlements; prevention of coalescence of settlements to retain the distinctive identities of separate communities; provision of green networks and recreation.	LDP2 should take account of the design guidance with this SPG.		
<u>Edinburgh Greenbelt Landscape Character Assessment (2008)</u> (Report to SESPLAN)	Detailed report on Green Belt issues using landscape character assessment to identify what is needed to protect the landscape setting of towns and avoid inappropriate development.	LDP2 should respond to the findings of the Report and maintain the function of the Green Belt.		

APPENDIX TWO INDICATIVE SEA OBJECTIVES AND SUB OBJECTIVES

The proposed SEA objectives and sub-objectives will be determined with reference to those used in the SEA of NPF4, as well as its policy objectives. This will also refer to issues identified through work on the Environmental Baseline. Further work is required on aligning these.

Sub-objectives deriving from NPF4 policy is highlighted in red.

You do not need to comment on the objectives/sub-objectives/indicator questions as this will be subject to change.

SEA Topic/receptor	SEA Objective	Proposed SEA Sub-objective	Will the strategy or policy be likely to significantly affect ...?	Does the proposal/ allocation...?
BIODIVERSITY, FLORA AND FAUNA	To protect, maintain and enhance biodiversity	Avoid adverse impacts to designated habitats?	The protection or enhancement of international and national nature conservation areas or ancient woodland?	Have a significant effect on designated international or national conservation sites or ancient woodland? Does it deliver any positive effects on such sites/areas?
			The protection or enhancement of local areas designated for their nature conservation interest? Designated Local Nature Reserves/Local Biodiversity Sites/Country Parks? regional/ local nature conservation sites/ Ancient Woodlands/ local biodiversity sites/ species/ habitats/ wildlife corridors?	Have a significant effect on designated local biodiversity sites? Does it deliver any positive effects on such sites?
		Avoid adverse impacts to undesignated habitats and species.	Undesignated habitats and species?	Ensure that biodiversity outwith designated sites, is protected and enhanced? Deliver positive effects and contribute to nature networks?
		Protect/enhance/restore existing woodland and trees	Existing woodland and trees?	Avoid loss of or cause significant adverse effects on woodland and trees? Enhances existing woodland while delivering positive effects for biodiversity?

		Increase habitat connectivity and ecosystem function/Protect nature networks/ wildlife	Nature networks/ wildlife corridors of nature conservation importance	Contribute to protection, creation, expansion and enhancement of nature networks or wildlife corridors of nature
		corridors of nature conservation importance in response to climate change	including in urban areas/green networks?	conservation importance? Create, expand, enhance and protect nature networks including in urban areas?
		Protect and enhance green infrastructure including green and blue networks	Green and blue networks and nature networks, including parks and greenspaces in towns and villages?	Contribute to creation, protection and enhancement of green and blue networks?
		Avoid adverse impacts to protected species?	Harm protected species?	Harm protected species? Benefit protected species?
AIR	To protect and improve current air quality	Avoid adverse impacts to air quality. Reduce emissions of key pollutants and improve air quality.	Reducing harmful emissions to air from road transport? Reduce harmful emissions to air from other sources (solid fuel use, industrial emissions, ammonia, others?) Encourage technology which reduces emissions to air?	Contribute to reducing emissions and particulates of key pollutants to air from road transport? Support measures outlined in the council's air quality action plan? Encourage the use of technology which reduces emissions to air including EV chargers, some forms of renewable energy?
		Reduce exposure to poor air quality?	Reduce exposure to air pollution though locating sensitive uses in areas of good air quality? Avoid reducing air quality in AQMAs or areas that could become AQMAs?	Reduce exposure to air pollution and pollen, including through use of nature based solutions? Avoid reducing air quality in AQMAs or areas that could become AQMAs? Avoid co-location of sensitive development with facilities that emit pollutants to air?

CLIMATIC FACTORS	To reduce greenhouse gases, avoid new greenhouse gas emissions , and support	Reduce greenhouse gas emissions Sequester existing greenhouse gases	Contribute to a more sustainable settlement strategy? Reduce the need to travel by private vehicle?	Have good proximity to jobs/ services (enabling access within walking distance or via public transport)
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	the transition to Net Zero		Promote nature based and technological opportunities for sequestration?	Have good access to existing or proposed public transport services? Proximity to existing or planned core path or green active network? Promote nature based and technological opportunities for sequestration?
		Promote energy efficient locations/ buildings	Opportunities for low/green energy heat networks? The energy efficiency of buildings?	Occupy a relatively efficient location in terms of energy consumption*1
	Promote and enable adaptation to climate change.	Support East Lothian's resilience to anticipated extreme weather events and climate change	Enhance East Lothian's capacity to adapt to the climate crisis and future proof for future climate/extreme weather events including hotter drier summers and milder wetter winters?	Maintain and enhance the resilience of existing and planned grey, green and blue infrastructure? Promote and enable adaptation to climate change [this needs unpacked a bit more]?
			Consider coastal erosion?	Avoid risk from coastal erosion?

POPULATION	To improve the structure of and meet the	Improve the structure of population across East Lothian	Improving the structure of population across East Lothian?	Improve the structure of population across East Lothian?
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	essential needs of population across East Lothian	<p>Improve access to employment, education and essential services</p> <p>Increase sustainable access to essential services, employment and the natural environment.</p>	Improve access to employment and facilities?	Help meet the employment, educational and essential service needs of the population?
		Reduce inequalities within and between East Lothian's communities	Improve sense of place especially in in East Lothian's lower SIMD areas?	Improve sense of place especially in East Lothian's lower SIMD areas?
HUMAN HEALTH	To protect and improve human health	Increase the use of active travel modes?	Increase the likelihood of use of active travel modes?	Increase housing density in areas where public transport is or can be

	and wellbeing through improving the quality of the living environment of people and communities.			made available? Improve active travel provision?
		<p>Promote and enhance/improve access to open space and greenspace.</p> <p>Provide equal access for all to open space/greenspace/sports and outdoor play provision/paths/active travel routes and blue space</p>	Provision of open space/greenspace/sports and outdoor play provision/paths/ active travel routes/blue space for all?	<p>Promote and enhance/improve access for all to open space, greenspace and blue space?</p> <p>Ensure the protection and enhancement of accessible open space / greenspace / trees & woodland / access to nature in and around communities close to where people live</p>
		Reduce or avoid exposure to environmental noise [see Air quality for air pollution]	Increase the number of sensitive receptors in areas affected by noise or noise in Quiet Areas?	Increase exposure to noise or increase noise in Quiet Areas?
		Reduce potential exposure to contaminants from land? [include in 'Soil'?)]	Increase exposure to contaminants within land?	Avoid location of development on land where there are significant contamination or provide the opportunity to mitigate this?

		Reduce risk of harm through accidents	Reduce the risk of accidents?	Reduce road safety risk? Reduce risk of harm from industrial or other accident (including COMAH sites)
	Reduce the health gap and inequalities and improve health	Improve health and reduce health inequalities	Health and health inequalities?	Promote local living by way of proximity to services and facilities?
CULTURAL HERITAGE	Protect and enhance valued landscapes, historic and archaeological sites and other culturally and historically important features,	Avoid adverse impacts on the historic environment including its setting.	Protect and where appropriate enhance designated historic assets and where relevant, their setting?	Avoid harm to designated historic assets and where relevant, their setting? Where appropriate, enhance designated historic assets?
		Protect and enhance non designated historic landscapes, townscapes and archaeological or other culturally	Protect non-designated historic or culturally important landscapes, townscapes, sites or features?	Protect non-designated historic or culturally important landscapes, townscapes, sites or features?
	landscapes and their settings.	important sites or features?	Where appropriate, enhance such elements?	Where appropriate, enhance such elements?
		To make the historic environment more climate resilient and to reduce emissions from the historic environment.	The vulnerability of historic environment assets to current or future impacts of climate change? The energy efficiency or energy supply of historic environment assets? The retention and reuse of historic buildings?	Support the retention, repair and appropriate retrofit of historic buildings? Support the transition to green energy supply in historic buildings? Include measures to make the historic environment assets more resilient to the effects of climate change?
	Maintain the overall character and cultural life of East Lothian	Maintain the overall character and cultural life of East Lothian	Contribute to the overall character and cultural life of East Lothian?	Contribute to the overall character and cultural life of East Lothian?

LANDSCAPE, TOWNSCAPE AND PLACEMAKING	Safeguard and enhance the character and diversity of the Scottish landscape and areas of valuable landscape and geodiversity. Avoid adverse effects on landscapes and geodiversity.	Protect/ enhance designated landscapes	Designated landscapes?	Protect or enhance the special qualities and features of Special Landscape Areas and Country Parks?
		Conserve and enhance landscape character and scenic value of the area	Visual amenity, character or distinctiveness of landscape character types/areas?	Avoid conspicuous locations that have negative effect on locally or regionally important views? Avoid exceeding the capacity of the landscape to accommodate it?
		Protect character of the landscape/townscape	Visual amenity, character or distinctiveness of the landscape/townscape?	Protect and enhance the character, landscape, natural setting and identity of settlements?
		Protect and enhance geodiversity	Geodiversity?	Avoid damage and/or loss of access to candidate Local Geodiversity Sites?
		Maintain/ enhance quality/ distribution/ availability of publicly accessible open space	Open space provision?	Avoid loss of/ adverse effects on public open space/

				Improve open space provision (quantity/ quality)?
		Avoid settlement coalescence	Settlement coalescence?	Avoid loss of land important to avoidance of coalescence/ preservation of settlement identity in particular the CAT and Green Belt
		Protect and enhance existing woodland and trees and increase tree cover.	Existing woodland and trees? Support expansion or enhancement of woodland/tree cover?	Avoid loss of existing woodland and trees? Expand and/or enhance woodland?

MATERIAL ASSETS	Promote the sustainable design, use and management of new and existing assets Reduce use and promote sustainable management of natural resources.	Avoid adverse impact on existing material assets (water, heat, energy, flood protection)	Avoid adverse impact on existing material assets? Make best use of existing infrastructure?	Avoid adverse impact on existing material assets? Make best use of existing infrastructure?
		Encourage waste minimisation/ recycling	Waste minimisation?	Support the circular economy and waste hierarchy? Ensure reduction and reuse of materials in construction is prioritised?
		Reduce use and promote sustainable management of natural resources	Avoid the permanent sterilisation of mineral or renewable energy resources?	Avoid the permanent sterilisation of mineral or renewable energy resources?
		Promote use of brownfield, vacant and derelict land and empty buildings	Re-Use of brownfield land, vacant and derelict land and empty buildings? Minimise the use of greenfield land?	Involve the re-use of existing buildings worthy of retention, make an efficient use of land and minimise the use of greenfield land?
		Improve approach to sustainable energy	Energy efficiency/ provide for sustainable energy?	Prioritise renewable energy sources?
		Avoid loss of assets through natural or other disaster	Increase risk to assets from natural or other disaster?	Increase risk to assets from natural or other disaster (including the proposal itself??)
LAND AND SOIL	Safeguard and improve soil quality,	Safeguard and improve prime quality agricultural land	Prime quality agricultural land?	Avoid loss of, protect, and/or restore prime quality agricultural land
	quantity and function in Scotland, particularly high value agricultural land and carbon-rich soils.			and carbon-rich peatland?
		Safeguard and improve carbon rich soils including peatland	Carbon rich soils including peatland?	Avoid loss of, protect, and/or restore carbonrich soils including peatland?
		Minimise loss and harm to soils	Avoid soil disturbance and loss	Would the proposal result in loss of soil or soil function through erosion, soil sealing or otherwise

			Re-Use of brownfield land? [see MATERIAL ASSETS above]	Minimise use of Greenfield land? (see MATERIAL ASSETS above)
			Reduce soil contamination	
WATER	Protect, maintain and improve the ecological status and physical state of the water environment	Avoid adverse impacts on the ecological status and physical state of water bodies	Status of water bodies? [refer River Basin Management Plan]	Maintain status of water bodies? Avoid adverse impacts on the ecological status and physical state of water bodies? Contribute to reducing emissions and particulates of key pollutants to water from new development?
	Reduce the number of people and properties at risk of flooding.	Reduce flood risk Increase resilience to flooding	Extent of flood risk	Support the delivery of Local Flood Risk Management Plans? Is the site at risk of flooding or does it increase flood risk elsewhere?
	Ensure the sustainable use of water resources		Availability or quality of mains water? Availability of water for abstraction (farming, industry)?	Affect the quantity or quality of water available to existing users now or with future climatic change?

*1 relatively sheltered and/or avoids a north facing slope *2
should 'settings' be included?

APPENDIX THREE: LDP1 SITE SUITABILITY AND DELIVERABILITY CHECKLIST

The following checklist was **used for LDP1 and is given for information**. This checklist will be revised to allow an initial sieve of sites.

SUITABILITY AND DELIVERABILITY OF SITE		
Topic	Assessment Questions	Rating
Location	<ul style="list-style-type: none"> Is the site well related to an existing settlement? 	<p>Outside an existing settlement boundary and not well related.</p> <p>Outside an existing settlement boundary but well related.</p> <p>Within an existing settlement boundary.</p>
Accessibility	<ul style="list-style-type: none"> Is the site accessible by public transport? Are a range of facilities and services available within walking distance? (Based on thresholds in Annex B of PAN 75: <ul style="list-style-type: none"> 400m to a bus service 800m to a rail station Maximum threshold of 1600m to local facilities (Distances based on walking routes from the centre of the site). 	<p>The site does not meet any of the thresholds for accessibility listed in PAN 75.</p> <p>The site meets some of the accessibility thresholds in PAN 75.</p> <p>The site meets all the accessibility thresholds in PAN 75.</p>
Exposure	<ul style="list-style-type: none"> Does the site have shelter from northerly winds through topography or vegetation? 	<p>Little shelter from northerly winds.</p> <p>Some shelter from northerly winds.</p> <p>Good shelter from northerly winds.</p>
Aspect	<ul style="list-style-type: none"> Which direction is the site facing? 	<p>North facing.</p> <p>East or west facing.</p> <p>South-west, south or south-east facing.</p>
Suitability for Proposed Use	<ul style="list-style-type: none"> Is the site generally suitable for the proposed use? Are there any significant or potential conflicts with adjoining land uses, for example which may result in air quality or noise impacts for either existing or proposed use(s)? 	<p>The site is unsuitable for the proposed use and/or there would be major conflicts with surrounding land uses.</p> <p>The site is generally suitable for the proposed use and any potential conflicts could be mitigated against.</p> <p>The site is suitable for the proposed use and there would be no potential conflicts with adjoining land uses.</p>
Fit with strategic policy objectives and direction	<ul style="list-style-type: none"> Is the site within the strategic development area as identified in the SDP? Would the development of the site align with the strategic objective of the SDP to steer new development to the most sustainable locations? 	<p>The site is outwith the Strategic Development Area identified in the SDP <u>and</u> does not align with the strategic policy objective.</p> <p>The site is outwith the SDA, or it does not align well with the strategic policy objective.</p> <p>The site is within the Strategic Development Area identified in the Proposed SDP <u>and</u> aligns well with the strategic policy objective.</p>
Physical infrastructure capacity	<ul style="list-style-type: none"> Does sufficient physical infrastructure capacity exist/ can it be made available to accommodate the development? Including transport, clean water, waste water, etc. 	<p>Significant constraints, which are unlikely to be able to be overcome to make the site deliverable.</p> <p>Some constraints which can be overcome to make the site deliverable.</p>

		No constraints.
Service infrastructure capacity	<ul style="list-style-type: none"> Does sufficient service infrastructure capacity exist/ can it be made available to accommodate the development? Including education, health and emergency services (where known) etc. 	<p>Significant constraints, which are unlikely to be able to be overcome to make the site deliverable.</p> <p>Some constraints which can be overcome to make the site deliverable.</p> <p>No constraints.</p>
Deliverability/ Effectiveness	<ul style="list-style-type: none"> When would the site be likely to come forward? Is the site / can the site be made 'effective' – i.e. are any of the following constraints present? <ul style="list-style-type: none"> Ownership (is the owner known? Expressed interest in developing site?), Physical, Contamination, Deficit funding; Marketability, Infrastructure, Land use 	<p>Significant constraints – site is not effective.</p> <p>Moderate constraints – site can be made effective.</p> <p>Few/no constraints – site is effective.</p>

APPENDIX FOUR – LDP1 SEA SITE ASSESSMENT CRITERIA

This following table shows the indicators used for LDP1. Experience from LDP1 was:

1. Some of the criteria were based on the same item, although they had effects on more than one topic, in particular access to sustainable travel. This led to potential issues with ‘double counting’ – although multiple benefits did occur.
2. Some adverse effects were obscured by the overall score. A narrative is important to bring these out.

INDICATORS USED FOR LDP1			
Topic	Questions	Planning Assessment	SEA score
Biodiversity, Flora and Fauna	<ol style="list-style-type: none"> 1. Is the site outwith an area designated for its: <ul style="list-style-type: none"> • International • National, or • Local nature conservation interest? 2. Is the site’s development for the use proposed likely to have an adverse impact on the qualifying interest of such a site? 3. Would the proposed development provide any significant opportunity to maintain or enhance wider habitat connectivity? 4. Would the proposed development maintain or minimise the loss of protected trees or woodland important for its type, extent or landscape significance, and where relevant offer the opportunity for replacement planting and in all circumstances opportunities for an increase of such planting? 5. Does the site contain any notable species? 	<p>Likely loss or disturbance of significant wildlife habitat or species.</p> <p>Some loss or disturbance of wildlife habitat or species.</p> <p>No loss or disturbance of wildlife habitat or species.</p> <p>Note: Place an * in the box where it is not possible to rule out the risk of significant effects on a European site, either alone or in combination with other sites - this will act as screening exercise for appropriate assessment.</p>	<p>++ Very Positive</p> <p>+ Positive o</p> <p>Neutral</p> <p>- Negative</p> <p>-- Very Negative</p> <p>? Uncertain</p>
Population	<ol style="list-style-type: none"> 1. Would the site’s development for the proposed use contribute to the regeneration of a disadvantaged area? 2. In the case of housing, would the site’s development promote the provision of affordable housing within an area of particular affordable housing need? 3. Does the site have reasonable access by active travel or public transport modes to a town centre, education and community facilities, and employment? 	<p>The site’s development may result in adverse impacts for the wellbeing of the existing/future local population.</p> <p>The site’s development is unlikely to result in any benefits for the existing/future local population.</p> <p>The site’s development would result in benefits for the existing/future local population.</p>	<p>++ Very Positive</p> <p>+ Positive o</p> <p>Neutral</p> <p>- Negative</p> <p>-- Very Negative</p> <p>? Uncertain</p>
Human Health	<ol style="list-style-type: none"> 1. Is the site known to be contaminated and, if so, does the proposal provide the opportunity to mitigate this? 2. In the case of a housing proposal, is the site reasonable accessible to existing open space, sports facilities or the core path network? 	<p>The site’s development is likely to significantly adversely affect human health.</p> <p>The development of the site may result in some adverse effects upon human health.</p>	<p>++ Very Positive</p> <p>+ Positive o</p> <p>Neutral</p> <p>- Negative</p> <p>-- Very Negative</p> <p>? Uncertain</p>

	<p>3. Would the development of the site provide opportunities to contribute to the Central Scotland Green Network?</p> <p>4. Would development of the site maintain or enhance levels of noise?</p> <p>5. Is it likely that the development of the site will maintain or enhance levels of emissions to help ensure that the threshold for an AQMA designation is not triggered?</p>	<p>The site's development is likely to have no adverse impacts on human health.</p>	
Soil	<p>1. Would the site's development ensure that prime quality agricultural land is not lost?</p> <p>2. Would the site's development ensure that rare or carbon-rich soils are not lost?</p>	<p>The site's development would result in a significant loss of prime agricultural land/rare soils/carbon rich soils.</p> <p>The site's development would result in some loss of prime agricultural land/rare soils/carbon rich soils.</p> <p>The site's development would result in no loss of prime agricultural land/rare soils/carbon rich soils.</p>	<p>++ Very Positive</p> <p>+ Positive o</p> <p>Neutral</p> <p>- Negative</p> <p>-- Very Negative</p> <p>? Uncertain</p>
Water	<p>1. Is the site within a functional flood plain or is it at risk of flooding from other sources?</p> <p>2. Would the site's development be likely to increase the risk of flooding elsewhere?</p> <p>3. Would the site's development be likely to maintain or enhance the ecological status of the water environment?</p>	<p>The site is in a functional floodplain or at high flood risk from other sources and/or would have a significant detrimental impact on the quality of the water environment.</p> <p>The site is at some risk of flooding and/or its development may increase the risk of flooding elsewhere and/or it may have a negative impact on the water environment.</p> <p>The site is not at risk of flooding, will not lead to an increased risk of flooding elsewhere and is likely to maintain/enhance the ecological status of the water environment.</p>	<p>++ Very Positive</p> <p>+ Positive o</p> <p>Neutral</p> <p>- Negative</p> <p>-- Very Negative</p> <p>? Uncertain</p>
Air	<p>1. Would development of the site be unconstrained by existing sources of air pollution and would its development ensure such effects on existing sensitive receptors was within acceptable levels?</p> <p>2. Does the site have, or can it be provided with good active travel and public transport accessibility such that the need to travel by car is minimised?</p> <p>3. Does the site have good access to existing facilities, services and employment locally?</p>	<p>The site's development is likely to have significant adverse impacts for air quality.</p> <p>The site's development may have some adverse impact on air quality.</p> <p>The site's development would have no adverse impact on air quality.</p>	<p>++ Very Positive</p> <p>+ Positive o</p> <p>Neutral</p> <p>- Negative</p> <p>-- Very Negative</p> <p>? Uncertain</p>

Climatic Factors	<ol style="list-style-type: none"> 1. Would the site's development contribute to a sustainable settlement strategy? 2. Would the site's development help reduce the need to travel as well as the distance travelled? 	<p>The site would not contribute to a sustainable settlement strategy, would increase the need to travel and would be</p> <p>++ Very Positive + Positive o Neutral</p>
	<ol style="list-style-type: none"> 3. Does the site lend itself to development that would be energy and resource efficient? 4. Is the site likely to be resilient to the effects of climate change through, for example, flood, storm, landslip or subsidence? 	<p>vulnerable to the effects of climate change.</p> <p>The site would not contribute to a sustainable settlement strategy or it would not reduce the need to travel or it may be likely to be particularly vulnerable to the effects of climate change.</p> <p>The site would contribute to a sustainable settlement strategy and would reduce the need to travel and would not be vulnerable to the effects of climate change.</p> <p>- Negative -- Very Negative ? Uncertain</p>
Material Assets	<ol style="list-style-type: none"> 1. Would the site's development involve the re-use of existing buildings worthy of retention, make an efficient use of land and / or prioritise the use of brownfield land over greenfield land ? 2. Would the site's development avoid the permanent sterilisation of economic mineral resources the extraction of which would otherwise be acceptable in policy terms? 3. Would development of the site be supported by provision of adequate infrastructure, services and facilities and can these requirements be delivered? 4. Would the site's development be supported by the appropriate provision of waste handling / disposal, storage and collection facilities? 	<p>The site's development would make inefficient use of land and resources.</p> <p>The site's development would make efficient use of land and resources.</p> <p>++ Very Positive + Positive o Neutral - Negative -- Very Negative ? Uncertain</p>
Cultural Heritage	<ol style="list-style-type: none"> 1. Would the development of the site directly preserve and if appropriate enhance: <ol style="list-style-type: none"> a. the character or appearance of a Conservation Area? b. a listed building or its setting? c. a Scheduled Ancient Monument or its setting? d. a local archaeological site? e. a Historic Garden or Designed Landscape? f. a site included in the Inventory of Historic Battlefields? 	<p>The site's development would result in a significant loss or disturbance to historic/cultural assets.</p> <p>The site's development would result in some loss or disturbance to historic/cultural assets.</p> <p>The site's development would result in no loss or disturbance to historic/cultural assets.</p> <p>++ Very Positive + Positive o Neutral - Negative -- Very Negative ? Uncertain</p>

Landscape	<ol style="list-style-type: none"> 1. Is the site outwith a visually sensitive location or one where a built or natural landscape feature of significance might be harmed by its development? 2. Is the site outwith a visually and / or physically sensitive landscape within or outwith the Green Belt the development of which would not lead to the coalescence of settlements? 3. Would the site's development allow for the consolidation of the existing settlement pattern and structure of settlements? 	<p> The site's development would have harmful impacts on the landscape. The site's development would have some detrimental impact on the landscape. The development of the site would result in no adverse landscape impacts. </p> <p> ++ Very Positive + Positive or Neutral - Negative -- Very Negative ? Uncertain </p>
	<ol style="list-style-type: none"> 4. Would development of the site conserve or enhance important areas of open / green space? 	

APPENDIX FIVE SUMMARY ENVIRONMENTAL BASELINE

Please separate document

**APPENDIX SIX - NPF4 POLICY OBJECTIVES INCLUDED AS
SEA OBJECTIVES/SUBOBJECTIVES**

SEA Topic/Receptor	NPF4 Policy (February 2023)	Example SEA Objective from NPF4 Integrated Impact Assessment (2021)
BIODIVERSITY, FLORA AND FAUNA	Policy 3 – Biodiversity Policy 4 – Natural Places Policy 6 – Forestry, woodland and trees	Avoid adverse impacts to designated habitats and species. Avoid adverse impacts to undesignated habitats and species. Protect, maintain and enhance biodiversity.
CLIMATIC FACTORS	Policy 1 Tackling the climate and nature crises Policy 2 Climate mitigation and adaptation Policy 12 Zero waste Policy 14 Design, quality and place Policy 15 Local Living and 20 minute neighbourhoods	Avoid new Greenhouse Gas (GHG) emissions. Promote and enable adaptation to climate change.

POPULATION AND HUMAN HEALTH	Policy 13 – Sustainable transport Policy 15 – Local living and 20 minute neighbourhoods Policy 16 – Quality Homes Policy 23 – Health and safety Policy 24- Digital infrastructure	<p>Improve access to employment and essential services.</p> <p>Promote and enhance/improve access to open space and greenspace.</p> <p>To protect and improve human health and wellbeing through improving the quality of the living environment of people and communities.</p> <p>Reduce the health gap and inequalities and improve health.</p> <p>Increase sustainable access to essential services, employment and the natural environment.</p>
CULTURAL HERITAGE	Policy 7 - Historic Assets and Places	<p>Avoid adverse impacts on the historic environment including its setting.</p> <p>Protect and enhance valued landscapes, historic and archaeological sites and other culturally and historically important features, landscapes and their settings.</p>
LANDSCAPE, TOWNSCAPE AND PLACEMAKING	Policy 4 – Natural Places Policy 6 – Forestry, woodland and trees Policy 8 – Green belts	<p>Safeguard and enhance the character and diversity of the Scottish landscape and areas of valuable landscape and geodiversity.</p> <p>Avoid adverse effects on landscapes and geodiversity.</p>
MATERIAL ASSETS	Policy 9 – Brownfield, vacant and derelict land and empty buildings Policy 12 – Zero waste	<p>Reduce use and promote sustainable management of natural resources.</p> <p>Promote the sustainable design, use and management of new and existing assets/infrastructure to support the development of highquality places.</p>

LAND AND SOIL	Policy 5 – Soils	Safeguard and improve soil quality, quantity and function in Scotland, particularly high value agricultural land and carbon-rich soils.
AIR	Policy 23 – Health and safety Policy 13 – Sustainable transport	Avoid adverse impacts to air quality. Reduce emissions of key pollutants and improve air quality.
WATER	Policy 22- Flood risk and water management	Avoid adverse impacts on the ecological status of water bodies. Protect, maintain and improve the ecological status and physical state of the water environment. Reduce the number of people and properties at risk of flooding.