

East Lothian Council

THE ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005

ENVIRONMENTAL REPORT

Joint Development Framework for Mains Farm & Gilsland North Berwick

**The Director of Environment
East Lothian Council
John Muir House
Haddington
EH41 3HA**

28/06/11

SEA ENVIRONMENTAL REPORT – COVER NOTE

PART 1

To:

SEA.gateway@scotland.gsi.gov.uk

or

SEA Gateway
Scottish Executive
Area 1 H (Bridge)
Victoria Quay
Edinburgh
EH6 600

PART 2

An Environmental Report is attached for:

A Joint Development Framework for Housing and Mixed Use Development at Mains Farm & Gilsland, North Berwick

The Responsible Authority is:

East Lothian Council

PART 3

Contact name

Andrew Stewart

Job Title

Principal Planner

Contact address

East Lothian Council
Environment Department
John Muir House
Court Street
Haddington
EH41 3HA

Contact tel no

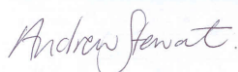
01620 827257

Contact email

astewart3@eastlothian.gov.uk

PART 4

Signature



Date

29/03/11

Content of the Environmental Report

1.0 Context and non-technical summary

(Including timescale and address for comments)

2.0 Introduction

- Purpose of this Environmental Report and key facts about the PPS
- SEA activities to date

3.0 Context

- Outline and objectives of Development Framework for the expansion of North Berwick
- Environmental factors excluded from the Environmental Report
- Environmental factors included within the Environmental Report
- Relationship with other PPS and environmental objectives
- Relevant aspects of the current state of the environment and environmental issues

4.0 Assessment of environmental effects and measures envisaged for the prevention, reduction and offsetting of significant adverse effects

- Alternatives
- Assessment of environmental effects and mitigation requirements
- Summary of assessment findings

5.0 Monitoring

Tables

| | |
|---------|---|
| Table 1 | SEA activities to date |
| Table 2 | Relevant plans, programmes and strategies |
| Table 3 | Effects, mitigation, procurement and responsibility |
| Table 4 | Summary of assessment findings |

1.0 CONTEXT AND NON-TECHNICAL SUMMARY

1.1 East Lothian Council has prepared a Draft Joint Development Framework in support of major residential (500 dwellings) and mixed-use development at Mains Farm & Gilsland, North Berwick. The purpose of the Development Framework is to set out the land use planning and associated matters that the applicant(s) must address in their subsequent planning application(s) and masterplan(s) and supporting documents. These submissions must be consistent with the requirements of the Development Framework. The Development Framework therefore acts as a further layer of policy context for the land allocations.

1.2 Under the terms of the Environmental Assessment (Scotland) Act 2005, and in consultation with Scottish Environment Protection Agency, Historic Scotland and Scottish Natural Heritage, it has been determined that the Mains Farm & Gilsland Joint Development Framework should be the subject of Strategic Environmental Assessment (SEA) procedures to ensure that the best feasible environmental option is promoted for development of these sites. For the avoidance of doubt, it is the Development Framework that is the subject of this SEA, not the principle of the allocation of the sites for development.

1.3 East Lothian Council has already carried out Screening and Scoping of environmental issues in conjunction with the Scottish Government's SEA Gateway. This Environmental Report sets out the processes gone through to date, the environmental issues raised and the means by which these are addressed in this Development Framework. It then goes on to assess the outcome of this process and the implications for the subsequent master planning and planning application(s) submissions for the future development of these sites.

1.4 Any significant environmental impacts are largely a consequence of the allocation of the sites for housing and mixed-use development. As a result the effect on the majority of the land will largely be permanent. Scottish Ministers exempted the East Lothian Local Plan 2008 from the SEA process in 2005. Nonetheless, this Strategic Environmental Assessment process will ensure that the Development Framework for these local plan proposals requires that any masterplan(s) and planning application(s) addresses the environmental matters identified as relevant to these sites.

1.5 Proposal H5: Mains Farm (400 houses) and H6: Gilsland (100 Houses) of the East Lothian Local Plan 2008 (ELLP2008) identifies and allocates the land at North Berwick within which the housing expansion of the settlement will take place. Proposal ED9 and ED10 of the ELLP2008 describe and illustrate related campus expansions of Law Primary School and North Berwick High School. However, the original education solution and associated strands of the development strategy for North Berwick set out in the adopted local plan were based on information available at the time the local plan was in preparation.

1.6 Since publication of the East Lothian Local Plan 2008, monitoring work has been undertaken by both the Planning and Education Authorities. This has revealed that economic conditions since publication of the local plan have changed anticipated impacts on education facilities. These changes are so significant that the Education Authority has reviewed its original solution for North Berwick set out in the adopted East Lothian Local Plan 2008. The outcome of this review is that any and all expansion of Law Primary School and North Berwick High School can take place within the existing campuses of the schools.

1.7 This is a relatively minor change in the context of the overall development strategy for the town, but the Council must set out how it would support a departure from its approved Development Plan. Development Frameworks are established policy mechanisms of the Council and as such it is appropriate to use this joint framework once approved to set out how the Council would support a departure from its approved Development Plan.

1.8 Accordingly, this Environmental Report identifies the environmental issues to be taken into account by the Development Framework so that it can require that adequate mitigation and, if appropriate, the testing of alternatives within this, is examined and presented by the applicant(s) through planning application submissions and masterplan(s), pursuant to establishing the best feasible environmental option for site development. As such, the particular environmental matters identified to be dealt with through this process are:

- Landscape and visual impacts;
- Noise impacts, particularly rail traffic;
- Water impacts, including flooding;
- The historic environment, particularly the Scheduled Ancient Monument at North Berwick Law, Listed Buildings in the vicinity and any sites on the Sites and Monuments Record
- Protected species and habitats;
- Human health – access to open space and recreational opportunities;
- The connectivity and resilience of habitat and open space networks;
- The free movement of non-motorised access throughout the expansion area and out into the wider countryside.

1.9 The Environmental Report does not consider alternative sites within North Berwick or elsewhere as the location for the delivery of the housing and mixed use development in the settlement as allocated to the sites at Mains Farm and Gilsland. Consequently, this Environmental Report does not compare the environmental effects of alternative development locations, although it recognises that alternative development options were considered as part of the preparation of the East Lothian Local Plan 2008. However, the Environmental Report does require the Development Framework to ensure that alternative development options are examined within the allocated sites in respect of:

- the scale, form and consequent visual and landscape impact of noise mitigation measures, particularly where any bunding is proposed;
- how best to accommodate and reflect the built heritage interest of the site and surrounding area while ensuring an appropriate setting is retained for them;
- How effective such development scenarios would be in addressing the visual impacts of the expansion.

1.10 The aim of the Environmental Report for the Development Framework is to identify environmental sensitivities and establish any mitigation requirements so that impacts can be prevented, reduced and offset as appropriate. As such, the scope of the SEA of the Development Framework is concerned with the content and direction to be provided by the Development Framework itself.

1.11 As such, a key aim of the Development Framework is to provide a context against which the delivery of Development Plan requirements can take place in an appropriate manner. The responsibility to provide detailed environmental data and any mitigation measures for any issues raised lies with the applicants(s) for development of these sites, to be submitted in support of any planning application(s) for development.

1.13 Following the assessment it is anticipated that the effect of the Development Framework will be a largely neutral. In its absence, not all relevant and significant environmental receptors may be identified timeously and the information needed to ascertain mitigation requirements may not be procured.

1.14 The consultation period for the Environmental Report and draft Development Framework is set out overleaf.

2.0 INTRODUCTION

2.1 Purpose of this Environmental Report and key facts

As part of the preparation of the Development Framework for the expansion of North Berwick, East Lothian Council is carrying out a Strategic Environmental Assessment (SEA) of the Development Framework. SEA is a systematic method for considering the likely environmental effects of certain Plans, Programmes and Strategies (PPS). SEA aims to:

- integrate environmental factors into PPS preparation and decision-making;
- improve PPS and enhance environmental protection;
- increase public participation in decision making; and
- facilitate openness and transparency of decision-making.

SEA is required by the Environmental Assessment (Scotland) Act 2005. The key SEA stages are:

| | |
|-----------------------------|--|
| Screening | determining whether the PPS is likely to have significant environmental effects and whether an SEA is required |
| Scoping | deciding on the scope and level of detail of the Environmental Report, and the consultation period for the report – this is done in consultation with Scottish Natural Heritage, The Scottish Ministers (Historic Scotland) and the Scottish Environment Protection Agency |
| Environmental Report | publishing an Environmental Report on the PPS and its environmental effects, and consulting on that report |
| Adoption | providing information on: the adopted PPS; how consultation comments have been taken into account; and methods for monitoring the significant environmental effects of the implementation of the PPS |
| Monitoring | monitoring, where within land-use planning legislation requirements, significant environmental effects in such a manner so as to also enable the Responsible Authority to identify any unforeseen adverse effects at an early stage and undertake appropriate remedial action. |

The purpose of this Environmental Report is to:

- provide information on the Joint Development Framework for the expansion of North Berwick;
- identify, describe and evaluate the likely significant effects of the PPS and its reasonable alternatives;
- provide an early and effective opportunity for the Consultation Authorities and the public to offer views on any aspect of this Environmental Report.

Consultation Period

The consultation period for the Environmental Report ran for a period of **six weeks** between **11/04/11 and 23/05/11**.

INTRODUCTION (cont)

2.2 The key facts relating to the Development Framework for Mains Farm & Gilsland are set out below:

- **Name of Responsible Authority**

East Lothian Council.

- **Title of PPS**

Joint Development Framework for Mains Farm & Gilsland, North Berwick.

- **What prompted the PPS**

The East Lothian Local Plan 2008 requires the preparation of Development Frameworks for all its strategic land allocations. Local Plan Proposal H5 & H6 at North Berwick are strategic land allocations.

- **Subject**

The Framework relates to the land that is the subject of Local Plan Proposals H5, H6, ED9 and ED10. They make provision for approximately 500 dwellings and mixed use development on land to the south and south west of North Berwick.

- **Period covered by PPS**

From current time to implementation of last planning permission.

- **Frequency of updates**

None anticipated once approved.

- **Area covered by PPS**

This is predominantly undeveloped agricultural land to the south and south west of North Berwick, in East Lothian.

Purpose and/or objectives of PPS

To provide land use planning guidance for the development of land at Mains Farm and Gilsland, as described above, thereby providing a context for the subsequent submission(s) of masterplan(s) and planning application(s).

- **Contact point**

Andrew Stewart
Principal Planner
East Lothian Council
John Muir House
Haddington EH41 3HA

Tel: 01620 827257

Email: astewart3@eastlothian.gov.uk

SEA activities to date

- 2.3 Table 1 summarises the SEA activities to date in relation to the Development Framework for Mains Farm and Gilsland North Berwick.

Table 1 SEA activities to date

| SEA Action/Activity | When carried out | Notes (e.g. comment on data availability, particular issues or any advice from the Consultation Authorities that has now been taken into account) |
|---|-------------------------|---|
| Screening to determine whether the PPS is likely to have significant environmental effects | May – June 2007 | <p>East Lothian Council submitted a Screening Report to the Consultation Authorities on 11 May 2007. The Consultation Authority responses were received in June 2007.</p> <p>Having regard to these responses, East Lothian Council determined that East Lothian Councils Joint Development Framework for Mains Farm and Gilsland, North Berwick could have significant effects on the environment and that a strategic environmental assessment was required.</p> <p>The Council agreed to prepare an Environmental Report alongside its Joint Development Framework for the sites. The report would identify, describe and evaluate the likely significant effects on the environment of the Development Framework and its reasonable alternatives as required by the 2005 Act.</p> <p>This determination was made on 6th July 2007.</p> |
| Scoping the consultation periods and the level of detail to be included in the Environmental Report | July 2007 | Advice received from Consultation Authorities considered and informed the subsequent Scoping Report |
| Outline and objectives of the PPS | May 2008 | Established as part of early draft of PPS and set out in SEA screening / scoping documents. |
| Relationship with other PPS and environmental objectives | August 2008 | Established as part of the Scoping Opinion and amended as a result of Consultation Authority responses. |
| Environmental baseline established | 2008 - ongoing | The Development Framework does not of itself establish the environmental baseline. This will be established by the applicant(s) through the information required to support a planning application(s), consistent with the requirements of the Development Framework. This will include an Environmental Statement, a Transport Assessment, and a masterplan. Potential environmental impacts such as noise, built and natural heritage, landscape and visual impact, water and drainage and flooding are all included as matters to be addressed for the Environmental Statement. The Development Framework requires the preparation of these various reports as part of any submission for planning permission. |

| | | |
|---|---------------------|--|
| Environmental issues identified | 2002 - ongoing | Environmental issues were established through the preparation of the East Lothian Local Plan 2008. This work is also ongoing as the Development Framework requires that identified environmental issues be addressed through the planning application process. |
| Assessment of future of area without the PPS | | This is not an option as the Development Framework is a requirement of the East Lothian Local Plan 2008. However, without the Development Framework there would be no policy context within which to require and guide the preparation of the necessary supporting information and studies needed to address likely environmental effects. Consequently, there would be less certainty that the impacts of development on these were identified, prevented, reduced and offset as appropriate. |
| Alternatives considered | 2002/03 and ongoing | <p>In terms of alternatives to the development of land at Mains Farm and Gilsland, the preparation of the East Lothian Local Plan 2008 involved two major consultation exercises in 2002 and 2003 on potential alternative sites/locations to meet East Lothian's structure plan housing land requirements. While the Edinburgh and the Lothians Structure Plan 2015 is specific about a requirement for approximately 500 houses at North Berwick, an extensive area of land at Ferrygate Farm, to the North West of North Berwick, was considered but rejected.</p> <p>In terms of alternative development within the local plan allocation, the Development Framework requires that this be addressed through the masterplan process. For example, this must demonstrate the extent to which alternative layouts and building lines minimise/mitigate the impact of development on the setting of the Scheduled Ancient Monument and on Listed Buildings and sites on the Sites and Monuments Record.</p> <p>That process of assessing alternatives should also demonstrate how effective such development scenarios would be in addressing noise, natural heritage and visual impacts.</p> |
| Environmental assessment methods established | Ongoing | Environmental assessment methods will vary depending on the nature of the topic assessed. The requirement for an Environmental Statement to accompany any planning application for the proposal will ensure that an appropriate range of assessment methods are employed, specific to the impact envisaged. |
| PPS alternatives to be included in the environmental assessment | | The preparation of this PPS is a requirement of the East Lothian Local Plan 2008 in relation to Local Plan Proposals H5 and H6. The scope for PPS alternatives is limited. However, the Development Framework requires the examination of alternative approaches to the landscape and visual impact of noise mitigation, and the impact of the development |

| | | |
|---|--|---|
| | | footprint and design adjacent to the SAM and listed buildings etc. |
| Identification of environmental issues that may persist after implementation and measures envisaged to prevent, reduce and offset any significant adverse effects | Post planning permission and construction | The PPS does not of itself create environmental issues and impacts. However, the effectiveness of the requirements of the Development Framework and how it is implemented will be monitored. This will involve ensuring that all supporting information/studies required by the Framework are submitted with the planning application. |
| Monitoring methods proposed | At planning application consideration and determination stage, and subsequent construction | The Development Framework sets out a range of requirements that any applicant must address in order that the environmental impacts of any proposal(s) and the mitigation measures proposed can be assessed. East Lothian Council will monitor the submitted planning application(s), ES(s), masterplan(s) and other supporting studies against the requirements of the Development Framework. |
| <p>Consultation timescales</p> <ul style="list-style-type: none"> • Timescale for Consultation Authorities • Timescale for public | | <p>Six weeks, in line with statutory requirements.</p> <p>Six weeks, in line with statutory requirements.</p> |

3.0 CONTEXT

Outline and objectives of the Development Framework

3.1 Schedule 3 of the Environmental Assessment (Scotland) Act 2005 requires that the Environmental Report include “*an outline of the contents and main objectives of the plan or programme*”. The purpose of this section is to explain the nature, content, objectives and timescale of the PPS.

3.2 The purpose of the Development Framework is to provide land use planning guidance for the development of land at Mains Farm and Gilsland for a mixed-use development including 500 houses. This will include mitigation of any impacts on the pre-school, primary and high schools, and provision of other social, community and small scale retail uses. The East Lothian Local Plan 2008 commits the Council to prepare Development Frameworks for all strategic land allocations. Planning applications and masterplans are to conform to the relevant Development Framework.

3.3 Proposal H5: Mains Farm (400 houses) and H6: Gilsland (100 Houses) of the East Lothian Local Plan 2008 (ELLP2008) are strategic land allocations, which identify and allocate land at North Berwick within which the housing expansion of the settlement will take place. Proposal ED9 and ED10 of the ELLP2008 describe and illustrate related campus expansions of Law Primary School and North Berwick High School. However, the original education solution and associated strands of the development strategy for North Berwick set out in the adopted local plan were based on information available at the time the local plan was in preparation.

3.4 At that time it was anticipated that there would be a need for significant investment in education facilities and other infrastructure to ensure sufficient education capacity could be made available to support the level and rate of residential development then anticipated to come forward in the catchment areas of Law Primary School and North Berwick High School. Interventions that were at that time assessed as necessary to provide this capacity included the expansion of school buildings as well as campuses by 1) the use of land to be acquired from Mains Farm, and 2) by the realignment of the Haddington Road so as to make use of land the Council owns south of its current alignment.

3.5 Since publication of the East Lothian Local Plan 2008, monitoring work has been undertaken by both the Planning and Education Authorities. This has revealed that the change in economic conditions since publication of the local plan has caused delay in the commencement of residential development and has slowed the anticipated cumulative rate of dwelling completions now expected in the catchment areas of these schools. The baseline pupil roll projection in relation to the schools has also reduced. As a result the educational impacts associated with the phasing and timing of all residential development currently anticipated within the Law Primary School and North Berwick High School catchment areas has changed significantly since adoption of the local plan.

3.6 So significant are the changes that the Education Authority has reviewed its original solution for North Berwick set out in the adopted East Lothian Local Plan 2008. The outcome of this review is that any and all expansion of Law Primary School and North Berwick High School required as a result of the amount, phasing and timing of all residential development currently anticipated within their catchment areas can take place within the existing campuses of the schools. As such, in this context there is no need to acquire land from the Mains Farm site and also no need to realign the Haddington Road to accommodate the cumulative impact of residential development currently anticipated within the catchment areas of Law Primary School and North Berwick High School.

3.7 While the interventions described at paragraph 3.4 remain requirements of the adopted Development Plan, they are no longer needed to ensure education capacity is provided to service the residential development currently anticipated within the catchment areas of these

schools. However, the situation may change again if, for example, future monitoring reveals that pupil rolls are projected to increase again through time requiring the interventions at paragraph 3.4 to be provided in whole or in part. As the Planning Authority has no control over when planning applications may be made and what precisely they will seek planning permission for, the framework must be able to respond to such changes in circumstance.

3.8 Should there not be any need for any or for as much of the expansion of educational campuses as set out in the local plan, this would be a relatively minor change in the context of the overall development strategy for the town. It is envisaged that any such change would also derive modest environmental benefit, for example in relation to the proximity of development to North Berwick Law, a Scheduled Ancient Monument and SSSI, and ensure that built development at Mains Farm is physically and visually contained to the north of a ridgeline across that site.

3.9 Nevertheless, to provide clarity, the Council must set out the context for how it would support a departure from its approved Development Plan strategy for North Berwick. Development Frameworks are established policy mechanisms of the Council and it is appropriate to use the Joint Development Framework once approved to set out the how the Council would support such a departure from its approved Development Plan for North Berwick.

3.10 The Draft Joint Development Framework for Mains Farm and Gilsland has been prepared in view of the above changes and has been agreed with relevant service departments of East Lothian Council, including the Education Authority, as an up to date statement of the requirements arising as a consequence of these local plan proposals. Importantly, while the number of houses allocated to each site remains as the Council originally intended through Proposals H5 and H6, the Draft Joint Development Framework sets out how it would intend to support a departure from its adopted Development Plan strategy for North Berwick.

3.11 Once the Joint Development Framework for Mains Farm and Gilsland is approved following the period of public consultation and any amendments to the draft, it will provide the Council with the basis against which it shall support any appropriate departure / departures from its approved Development Plan for North Berwick. However, the policies and proposals of the local plan and its associated guidance will remain relevant and these too shall be applied in the assessment of any planning application(s) / masterplan(s) for these sites as appropriate.

3.12 Accordingly, the Draft Joint Development Framework sets out the land use, design, infrastructure and information requirements that must be met by any planning application(s) and masterplan(s) for development of these sites, including those requirements identified through this SEA process. The joint framework establishes masterplan outputs, including the need to test alternative layout options where this SEA process has identified a need for this.

3.13 Once an approved framework is in place for these sites, a single masterplan could be prepared for the entire allocated area of both sites, or separate masterplans could be prepared for the entire allocated area of each site. The framework therefore creates the policy context within which to require and guide the preparation of the necessary supporting information and studies at planning application stage that will be needed to identify likely environmental receptors and to ensure the impacts of development are identified, prevented, mitigated, reduced and offset as appropriate.

3.14 The Development Framework is prepared and approved by East Lothian Council, as planning authority, following public consultation. It does not itself devise or require that a particular layout and design be presented for planning permission, but does identify the main planning requirements. It operates at a stage in the process where much of the baseline information necessary to devise the development strategy, prepare masterplans and assess environmental impacts is not available. Rather, it is the role of the Development Framework to

draw attention to the key issues and information requirements, including the need for further study, placing a requirement on applicants to produce technical and other studies to ensure that, through the iterative master planning process, the information is available to ensure that the best feasible environmental option is secured in the delivery of their masterplan.

3.15 The Development Framework establishes the broad parameters and key principles within which applicants must work in preparing masterplan proposals. The framework undertakes a contextual analysis of the site. It requires applicants to address land use matters of movement (access), housing, education provision, open space, built heritage, biodiversity, natural heritage, community uses and infrastructure, as well as the need to mitigate noise, visual and other environmental impacts as required. It sets broad design requirements for the urban form and landscaping expected to come forward on the site. It sets implementation requirements and expected masterplan outputs that will accompany any planning application(s) for the sites. All of this is undertaken in the context of national policy and advice on these matters.

3.16 The key development principles that underpin the Development Framework, and its requirements for the subsequent master planning and planning application process are:

- The promotion of a development that is in keeping with and that integrates with its surroundings, while delivering the development requirements of the Edinburgh and the Lothians Structure Plan and the East Lothian Local Plan 2008 at North Berwick;
- A requirement that the masterplanning/planning application processes demonstrates how the identified alternative layouts and development options have been considered in order to minimise and mitigate identified environmental impacts;
- A requirement that applicants provide for sustainable, energy efficient housing in a range of types, sizes and tenures;
- A requirement that applicants maximise the use of Home Zone principles to minimise the impact of accommodating traffic and to provide more people-friendly layouts, consistent with the Council's Design Standards for new Housing Areas;
- A requirement that applicants make provision for serviced land for affordable housing;
- A requirement for any necessary expansion of the pre-school, primary school and high school to be provided for by the applicants;
- Provision of a community sports pitch and associated changing accommodation plus new public open spaces and equipped play areas;
- The integration of a small new mixed use local centre capable of accommodating local retail or related services and/or commercial/office space, thereby minimising the need to and distanced travelled to access local services.

3.17 The Development Framework requires that environmental baseline data is established through the wide variety of supporting documentation that will accompany any masterplan and planning application submission(s) for the sites, to be presented in an Environmental Statement to report the findings of this work. This will allow the planning authority, consultees and other interested parties to assess the impacts of the planning application(s).

3.18 The timescale of the framework will be from the date of its approval by the Council to the implementation of the last planning consent. It is not anticipated that any update of the PPS will be required during the period of site development. The effectiveness of the requirements of the Development Framework and how it is implemented will be monitored. This will assess the extent to which the framework's requirements are implemented on the ground and how successful the overall development is in creating a sustainable expansion. This will in turn feed into the preparation of future Development Frameworks and any lessons learned applied.

Environmental factors excluded from the Environmental Report

3.19 The scoping stage allowed a number of matters to be 'scoped out' as they were either not considered relevant to the framework or there was no significant environmental effect as a result of the framework. The matters that were scoped out are:

Population

While the proposed development addressed by the Development Framework will result in an increase in North Berwick's population, a range of new facilities will be available to both the existing and new population consistent with the scale of development proposed. This will include the provision of good quality housing, any expansion of pre-school/primary school and high school facilities if required, and new and enhanced recreation, social and community facilities. The scale of such new provision will meet the additional demands generated by the development, and so no detriment will be generated in the standards of such provision.

Climatic Factors

East Lothian Council together with the Consultation Authorities considers that the area covered by the Framework and scale of the development proposed will not have a significant effect on climate.

Soils

East Lothian Council together with the Consultation Authorities considers that the area covered by the Framework and scale of the development proposed will not have a significant effect on Soils.

Air

East Lothian Council together with the Consultation Authorities considers that the area covered by the Framework and scale of the development proposed will not have a significant effect on air quality.

Environmental factors included within the Environmental Report

3.20 The matters that the Scoping stage concluded were likely to have significant environmental effects, and were therefore 'scoped in' are:

- landscape and visual impact,
- traffic impact
- impact on water and watercourses, including flood risk
- impact on human health (opportunities for recreation and amenity, air quality, noise and co-location with impact of proximity to industrial/licensed sites)
- impact on cultural heritage, including scheduled ancient monument, Listed Buildings and sites on the Sites and Monuments Record.
- Biodiversity, fauna and flora, including impact on the connectivity and resilience of public open space and habitat networks
- Material Assets, including sustainable use of resources and waste minimisation

Relationship with other PPS and environmental protection objectives

3.21 Schedule 3 of the Environmental Assessment (Scotland) Act 2005 requires that the Environmental Report includes an outline of the PPS relationships with other relevant PPS, and how environmental protection objectives have been taken into account in the PPS preparation. This section covers these issues and describes the policy context within which the PPS operates, and the constraints and targets that this context imposes on the PPS.

3.22 Table 2 summarises how the Development Framework for Mains Farm and Gilsland North Berwick affects, and is affected by, other relevant PPS and environmental objectives.

Table 2. Relevant plans, programmes and strategies (PPS) and environmental protective objectives, and their relationship with the Development Framework

| Name of PPS / environmental protection objective | Title of legislation and main requirements of PPS / environmental protection objective | How it affects, or is affected by the Development Framework in terms of SEA Issues* at Schedule 3 of the Environmental Assessment (Scotland) Act 2005 |
|--|--|---|
| All relevant Scottish Planning Policy & Advice | Town & Country Planning (Scotland) Act 1997 Planning etc. (Scotland) Act 2006 | Material consideration in land-use planning system. The PPS must take into account all relevant Scottish Planning Policy and Advice. It must ensure that the subsequent masterplan and planning applications are also consistent with this policy context. |
| Edinburgh & the Lothians Structure Plan 2015 | | Structure Plan sets strategic land use planning context for the Lothians. It requires that land for 500 houses be identified at North Berwick. The PPS must be consistent with its provisions |
| East Lothian Local Plan 2008 | | The East Lothian Local Plan 2008 must conform to the structure plan and set a detailed land use policy framework for East Lothian. Proposal H5 and H6 allocate land for 500 houses and related uses at North Berwick. The PPS must be consistent with the requirements of this policy and ensure that the subsequent masterplan(s) and planning application(s) are also consistent. |
| East Lothian Council Affordable Housing Policy | | The Council's affordable housing policy, adopted as supplementary planning guidance, requires that a proportion of the site comes forward as affordable housing. The PPS must be consistent with the requirements of this policy. |
| East Lothian Council Design Standards for New Housing Areas | | The Council's Design Standards for New Housing Areas require an efficient use of land, quality design and a well-connected layout, minimising the impact of the car and maximising the use of Home Zone principles. The PPS must be consistent with the requirements of this policy and ensure that the subsequent masterplan and planning applications are also consistent. |
| Central Scotland Green Network East Lothian Biodiversity Action Plan East Lothian Council Biodiversity Habitat Plan for Urban Areas. | Convention on Biological Diversity Habitats Directive (Directive 92/43/EEC) Nature Conservation (Scotland) Act | Identify species and habitats in greatest need, protects existing wild spaces and enhance degraded wild habitats. The PPS must be consistent with the requirements of this policy and ensure that the |

| | | |
|--|---|---|
| <p>Water Framework Directive (2000/60/EC)</p> <p>Provision of Waste Water Drainage in Settlements (SEPA Policy 55) and Groundwater Protection Policy for Scotland (SEPA Policy 19) & SEPA's Position Statement on Culverting</p> <p>SEAP Indicative River & Coastal Flood Map (Scotland) – gives an indication of the 1 in 200-year (0.5% annual probability)</p> <p>Ancient Monuments & Archaeological Areas</p> <p>East Lothian Council Open Space Strategy 2001 East Lothian Council Sports Pitch Strategy 2008</p> <p>Changing Our Ways – Scotland's Climate Change Programme (2006)</p> | <p>2004</p> <p>Zero Waste Plan</p> <p>European Directive</p> <p>Policy and Supporting Guidance</p> <p>Planning (Listed Buildings & Conservation Areas) (Scotland) Act 1997; Ancient Monuments & Archaeological Areas Act 1979</p> <p>Scottish Planning Policy – Open Space and Physical Activity</p> <p>Scottish Executive (March 2006)</p> | <p>subsequent masterplan(s) and planning application(s) are also consistent.</p> <p>The Zero Waste Plan aims to achieve a zero waste Scotland, where the most efficient use is made of resources by minimising Scotland's demand on primary resources, and maximising the reuse, recycling and recovery of resources instead of treating them as waste. The National Waste Plan and the Area Waste Plan, in accordance with PAN63: Waste Management Planning, are both material considerations in the preparation of this PPS and determination of any future planning application(s). The PPS must be consistent with their requirements and ensure that the subsequent masterplan and planning applications are also consistent.</p> <p>Establishes legal framework for protection, improvement and sustainable use of European water bodies – rivers, canals, lochs etc. Main objective to protect and improve UK water environment. The PPS must be consistent with their requirements and ensure that the subsequent masterplan(s) and planning application(s) are also consistent.</p> <p>To protect and, where appropriate enhance the historic environment. PPS must be consistent with their requirements and ensure same for masterplan(s) / application(s).</p> <p>Sets out open space and pitch requirements for East Lothian and are directly applicable to areas of new development. The PPS must be consistent with their requirements and ensure that the subsequent masterplan(s) and planning application(s) are also consistent.</p> <p>Sets framework for delivering carbon savings from devolved policy measures and supports increased efforts to transform Scotland into a technologically advanced and sustainable low-carbon economy. The PPS must ensure that the</p> |
|--|---|---|

| | | |
|---|-------------------------------|---|
| East Lothian Council Local Transport Strategy | Transport (Scotland) Act 2005 | subsequent masterplan(s), planning application(s) and supporting documents have regard to issues of sustainable development and climate change Prime objective to reduce the overall dependence on the private car and promote availability and use of alternative, more sustainable modes of transport where practical to do so. The PPS must ensure that the subsequent masterplan(s), planning application(s), Transport Assessment(s) and supporting documents consider these issues |
| East Lothian Draft Core Path Plan | East Lothian Council | Establish Core Path Network throughout East Lothian to give reasonable access to the countryside. The PPS must be consistent with its requirements and ensure that the subsequent masterplan(s) and planning application(s) protect existing rights of way. |
| Scottish Historic Environment Policy 1 – Scotland’s Historic Environment Scottish Historic Environment Policy 2 – Scheduling: protecting Scotland’s nationally important monuments | Historic Scotland | Sets out Scottish Ministers strategic policy for the Historic Environment, including the identification and designation of nationally important ancient monuments. The PPS must ensure that it and the subsequent masterplan(s) for are consistent with their requirements |
| Scottish Natural Heritage Landscape Character Assessment Scottish Natural Heritage Landscape Policy Framework | Scottish Natural Heritage | Framework for classification / description of landscape character and set out Scottish Natural Heritage approach to Scotland’s landscape. The PPS must ensure that it and the subsequent masterplan(s) take landscape into account |

* Biodiversity, flora, fauna, population, human health, soil, water, air, climatic factors, material assets, cultural heritage (including architectural and archaeological heritage), landscape, inter-relationship between these issues; secondary and cumulative effects.

Relevant aspects of the current state of the environment and environmental issues

3.23 This Environmental Report, and consequently the Development Framework, do not in themselves establish the detail of the baseline environmental data for the sites. This will be established by the technical documents to be submitted by the applicants(s) in support of the masterplan(s) and subsequent planning application(s), particularly the required Environmental Statement(s) and Transport Assessment(s).

3.24 The majority of the land that is the subject of the Development Framework PPS is currently intensively cultivated, prime quality agricultural land. It also includes an area used as a caravan park. The Mains Farm site is located nearby North Berwick Law, a Scheduled Ancient Monument and SSSI, while the Gilsland site is adjacent to the North Berwick Branch Railway Line. There are some Listed Buildings around the sites and on the settlement edge.

3.25 The allocated land will largely be developed for urban (mostly residential) and associated uses. There is also a requirement for the provision of new recreational provision to serve the expansion. The loss of prime quality land will be permanent, but unavoidable, if the terms of the Development Plan are to be implemented.

3.26 Without the implementation of the Development Framework this land would remain in its present state since the Council could not then consider any masterplan(s) or planning application(s) for the sites development - the Development Framework is a Development Plan requirement.

3.27 None of these land use changes are a direct consequence of the Development Framework: all are a consequence of the land's allocation for development. It is therefore the purpose of the Development Framework to ensure that any adverse environmental impacts associated with the sites development are identified and addressed so as to secure the best feasible environmental option for development.

3.28 Accordingly, as is normal, the Development Framework requires and sets a context for further studies to be prepared to identify and examine both the baseline and the impact of development on this, for example, in the preparation of Environmental Statement(s), Transport Assessment(s), masterplan(s) and subsequent planning application(s). As part of these submissions it requires that a range of environmental matters be addressed, including: traffic access and distribution; the protection of the Scheduled Ancient Monument and its setting; flood risk and impact on watercourses; impact on natural heritage, landscape and amenity, including impact on listed buildings, and noise. These studies will highlight necessary enhancement, reduction, remediation or compensation measures.

4.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS AND MEASURES ENVISAGED FOR PREVENTION, REDUCTION AND OFFSET OF ANY SIGNIFICANT ADVERSE EFFECTS

Alternatives

4.1 The Development Framework relates to sites allocated for development by the East Lothian Local Plan 2008. There is therefore no context within which an assessment of alternative sites to provide a location for this development can be undertaken as part of this Environmental Report. In addition, Schedule 3.1 of the Edinburgh & the Lothians Structure Plan 2015 is specific about a requirement for 500 houses at North Berwick.

4.2 However, preparation of the East Lothian Local Plan 2008 did involve consideration of alternative locations for development to meet structure plan requirements. In the case of North Berwick, the Council considered submissions that the Ferrygate Farm area to the north west of North Berwick should be allocated for residential development. However, the Council considered that development of that land would not offer the best planning strategy for the town, particularly in light of the distances between that site and key services and facilitates, for example the schools, leisure facilities the town centre and other retail opportunities.

4.3 While the scoping report established the absence of a Development Framework and its environmental consequences as being one potential alternative to consider, Policy H2, *Development Frameworks*, of the East Lothian Local Plan 2008 requires the provision of a Development Framework for this site. Accordingly, consideration of the environmental effects of an alternative involving the absence of a Development Framework is not an option.

Environmental Effects

4.4 The purpose of this Framework is to ensure that North Berwick is expanded in an appropriate manner taking into account the environmental considerations specific to the area, including how development at these sites may influence the environmental state beyond them. Informed as it is by the local plan the Development Framework has very limited scope to consider reasonable alternative development scenarios that would have any significantly different environmental effects either within the site or out with the sites and the matters that have been identified as likely to have significant environmental effects are:

- landscape and visual impact;
- traffic impact;
- impact on water and watercourses, including flood risk;
- impact on human health (opportunities for recreation and amenity, air quality, noise and co-location with impact of proximity to industrial/licensed sites);
- impact on cultural heritage, including scheduled ancient monument, Listed Buildings and sites on the Sites and Monuments Record;
- Biodiversity, fauna and flora, including impact on the connectivity and resilience of public open space and habitat networks;
- Material Assets, including sustainable use of resources and waste minimisation.

4.5 As explained in Table 3 below, a number of these environmental effects will require to be assessed in the normal way through the submission of supporting studies to accompany any planning applications, for example, in the provision of Landscape Frameworks, Transport Assessments and Travel Plans, Drainage Impact Assessments and Flood Risk Assessments, as well as addressed when seeking to comply with development plan policy, for example in the provisions of equipped play space, extending habitat networks and to comply with policy on waste separation etc.

4.6 However, in addition to these normal requirements, the SEA process has led the Development Framework to require that alternative layouts/development footprints are assessed through the master planning process in respect of the following:

- development footprints in the vicinity of the branch railway line, to inform the scale, form and consequent visual and landscape impact of noise mitigation, particularly any bunding;
- layouts that demonstrate how North Berwick Law Scheduled Ancient Monument and its setting has been preserved and / or enhanced and same in respect of sites on the Sites and Monuments Record;
- The design of site edges aimed at integrating the expansion with the wider landscape and minimising its visual impact.

Assessment of environmental effects and mitigation requirements of the Mains Farm & Gilsland Development Framework

4.5 The following table details the likely significant environmental effects of the Development Framework, the required mitigation, how this will be procured and by whom. The environmental impacts reflect those identified in by the Council's Scoping Report, as amended by additional impacts identified by the Consultation Authorities.

Table 3 Effects, mitigation, procurement and responsibility

| Required Mitigation | Method of procurement and timescale | Responsibility for delivery |
|--|---|---|
| <p>Effect: landscape and visual impact</p> <p>How the proposed development is integrated within and responds to its wider landscape setting</p> | <p>Development Framework to place obligation for this to be addressed as follows and procured through the Masterplan(s) / Section 75 Agreement(s) to accompany any planning application(s):</p> <ul style="list-style-type: none"> (i) the potential landscape and visual impact of the proposed development to be assessed; (ii) the need to reduce, remove or mitigate landscape and visual impact in all development circumstances through building layout and design and provision of formal and informal public open space and the landscape structure; (iii) the need to identify important landscape features and visual landmarks within and out with the sites, and to provide appropriate specific measures to protect these features and views; (iv) the need to identify specific character areas within the sites and promote development appropriate to these areas; (v) the need for a Landscape & Visual Impact Assessment and Landscape Framework to be incorporated into required masterplan, and for it to assess alternatives for the design of sites edges aimed at integrating the expansion with the wider landscape creating positive new urban edges and minimising the developments visual impact. | <p>Applicant(s) for Planning Permission</p> |
| <p>Effect: landscape impact of perimeter bund and associated woodland</p> | <p>Development Framework places obligation for various scenarios to be tested, including the extent of</p> | <p>Applicant(s) for Planning Permission</p> |

| | | |
|---|---|---|
| <p>planting</p> <p>Well designed noise attenuation is required and the landscape and visual impacts must be considered</p> | <p>an undeveloped buffer zone between the railway and nearest proposed housing. The preferred scenario would be implemented through the Masterplan / Section 75 Agreement to accompany any planning application.</p> | |
| <p>Effect: amenity - public realm proposals</p> <p>The creation of new public spaces</p> | <p>Development Framework places obligation for this to be implemented through the Masterplan / Section 75 Agreement to accompany any planning application(s). Any consent should define the size, function and design standards of the proposed areas of open space and public realm. This should be conditioned and related to the masterplan(s).</p> | <p>Applicant(s) for Planning Permission</p> |
| <p>Effect: character areas</p> <p>Phasing of implementation of key landscape works should be carefully considered. Useful emphasis should be placed on advanced planting. Advance construction of the regional SUDS features and proposed public footpaths would also be beneficial.</p> | <p>Development Framework to place obligation for this to be implemented through a landscape framework, with this defining the tree species and specification for each of the key areas of streetscape /open space. This along with a suitable phasing program should be procured through the Masterplan(s) / Section 75 Agreement(s) to accompany any planning application.</p> | <p>Applicant(s) for Planning Permission</p> |

| | | |
|--|--|--|
| <p>Effect: traffic and movement</p> <p>The development will generate additional journeys</p> | <p>Development Framework places obligation for journeys to be minimised and made consistent with the modal hierarchy. This will be assessed and measures implemented as part of required TA to accompany any planning application. Particular requirements of the Development Framework are:</p> <p>(i) to address the potential increased trip generation by means of a full Transport Assessment and Travel Plan</p> <p>(ii) to provide replacement junctions / traffic management measures at Grange Road, Haddington Road;</p> <p>(iii) to establish a movement framework that promote public transport, walking and cycling as alternative modes of transport to the private car including Safe Routes to School;</p> <p>(iv) to maximise 'Home-Zone' principles in line with Council Design Standards for New Residential Streets.</p> | <p>Applicant(s) for Planning Permission</p> <p>(continued)</p> |
| <p>Effect: access arrangements</p> <p>Public transport, pedestrian and cycling linkages with the existing community and beyond into the countryside</p> | <p>Development Framework places obligation for this to be implemented in accordance with the Draft East Lothian Core Path Plan linking pedestrian and cycle way network with public transport hubs and local services, including access for disabled, and procured through the Masterplan / Section 75 Agreement to accompany any planning application.</p> | <p>Applicant(s) for Planning Permission</p> |

| | | |
|---|--|---|
| <p>Effect: water quality and flood risk Potential impact of a development of this scale on the status of aquatic ecosystems including on the quality and quantity of surface and ground water; impacts of any engineering works near watercourses (such as culverts); waste water treatment capacity; water use and water recycling</p> <p>Potential impact of built development and surface run-off effects on flooding, either within or out with development area</p> | <p>Development Framework places obligation for these matters to be assessed through Flood Risk and Drainage Impact Assessments and implemented through the Masterplan(s) to accompany any planning application(s); in particular:</p> <ul style="list-style-type: none"> (i) protect and enhance all watercourses both directly and indirectly affected by site development; (ii) promote habitat enhancement and maintain wildlife corridors; (iii) in compliance with Scottish Planning Policy, ensure that all watercourses are incorporated into the proposed development scheme; (iv) avoid culverting; (v) ensure that an appropriate SUDS scheme agreed with Scottish Water and Scottish Environment Protection Agency is put in place for the sites; provide a connected and above ground network of measures to control surface water and diffuse pollution, as these systems have the greatest benefit to the natural heritage. (vi) undertake Flood Risk Assessment(s); (vii) submit Drainage Impact Assessment(s) in support of planning application for sites. (viii) submit Site Appraisal with any planning application to demonstrate how these matters have been taken into account in the sites development. | <p>Applicant(s) for Planning Permission</p> |
| <p>Effect: Human Health</p> <p>Potential impacts on health of local communities in the context of opportunities for recreation and amenity; potential impacts in relation to noise.</p> | <p>Development Framework places obligation for the provision of playing pitches and equipped public open space. It's requirements for provision of Safe Routes to School, footpaths and cycleways are all supportive of maximising beneficial health impacts. The Framework also requires noise impacts this to be assessed and measures implemented as part of required ES</p> | <p>Applicant(s) for Planning Permission</p> |

| | | |
|--|--|--------------------------------------|
| | to accompany any planning application(s). | |
| <p>Effect: impact on scheduled ancient monument, and potential unknown archaeological interests</p> <p>Ensure an appropriate setting is retained for the SAM and that any unknown archaeological interest is properly investigated, including sites on the Sites and Monuments Record</p> | <p>Development Framework to place an obligation for this to be addressed and implemented through the Masterplan(s) / Section 75 Agreement(s). The following are requirements:</p> <p>(ii) a full Archaeological Assessment and Method Statement and incorporation of any required mitigation as part of the masterplanning process;</p> <p>(iii) the masterplanning process to test alternative layout options where development interfaces with surrounding historic interests to ensure that development protects and, if appropriate, enhances their context and setting;</p> | Applicant(s) for Planning Permission |
| <p>Effect: habitat networks</p> <p>How the development can maintain and enhance wildlife corridors</p> | <p>Development Framework to place an obligation for this to be implemented in accordance with the Forestry Commission (Scotland) Forest Habitat Network Guidelines and through the Masterplan(s) / Section 75 Agreement(s) to accompany any planning application(s).</p> | Applicant(s) for Planning Permission |
| <p>Effect: Biodiversity conservation and enhancement</p> <p>How the development can maintain and enhance habitat</p> | <p>Development Framework to place obligation for this to be assessed, in particular to:</p> <p>(i) promote biodiversity conservation / enhancement;</p> <p>(iii) provide formal / informal public open space and full range of natural habitats appropriate to the sites;</p> <p>(iii) incorporate East Lothian Council Biodiversity Habitat Plan for Urban Areas and East Lothian Biodiversity Action Plan requirements;</p> <p>(iv) provide a Landscape Framework;</p> <p>(v) undertake a biodiversity habitat survey of sites to establish existing natural heritage, including legally protected species, Priority Species and the extent of existing habitats, as well as Species of Conservation</p> | Applicant(s) for Planning Permission |

| | | |
|--|--|--------------------------------------|
| | <p>Concern and any other relevant items;</p> <p>(vi) woodland framework and habitat network to be in accordance with the Forestry Commission (Scotland) Forest Habitat Network Guidelines and to be done with the use of native species;</p> <p>(vii) submit Appraisal of sites to accompany any planning application(s) to demonstrate how these matters have been taken into account.</p> | |
| <p>Effect: sustainable housing and energy efficiency</p> <p>Promote high quality design, ensuring that development layout, design and construction take account of sustainable development.</p> <p>Encourage district heating schemes / combined heat and power and energy efficient buildings. Promote reduction, re-use and recycling of materials.</p> | <p>Development Framework places obligation for this to be implemented through the Masterplan(s) / Section 75 Agreement(s) to accompany any planning application(s). In particular, the Framework requires:</p> <p>(i) provision of separation and recycling of waste in line with Area Waste Plan.</p> <p>(ii) consider the practicality of a district heating scheme or a combined heat and power plant;</p> <p>(iii) consideration of the energy efficiency of individual buildings, which could involve use of ground source heat pumps, passive heating, low emissivity, thermally efficient double-glazing, photovoltaic panels, thermal panels or wind energy;</p> <p>(iv) promotion of reduction, re-use and recycling of materials;</p> <p>(v) provision for separation and recycling of waste in line with Area Waste Plan.</p> | Applicant(s) for Planning Permission |
| <p>Effect: environmental impacts in general</p> | <p>Development Framework places obligation for environmental effects to be assessed and measures implemented through the Environmental Statement required as part of any planning application(s).</p> | Applicant(s) for Planning Permission |

Summary of assessment findings

4.6 The purpose of the Development Framework is to ensure that a requirement is placed on the applicant(s) of the land to demonstrate that the implementation of their masterplan will achieve the best feasible environmental option for site development. In the absence of such a Framework, not all relevant and significant environmental receptors may be identified and the information needed to ascertain mitigation requirements may not be procured. The allocation of land for development will have significant environmental effects. However, in seeking to ensure that these impacts will be properly addressed in the master planning and planning application processes, the Development Framework will seek to influence these effects such that they are prevented, mitigated, reduced and offset as appropriate.

Table 4: Summary of assessment findings

| SEA Topic | Likely Environmental Effects of Mains Farm & Gilsland Development Framework |
|--|--|
| Landscape & visual impact | Neutral |
| Traffic and movement | Neutral |
| Watercourses, drainage and flood risk | Neutral |
| Human health | Neutral |
| Noise | Neutral |
| Scheduled Ancient Monument and other heritage interests | Neutral |
| Biodiversity conservation and enhancement | Positive |
| Protected species | Neutral |
| Sustainable housing and energy efficiency | Neutral |

5.0 Monitoring

5.1 The effectiveness of the requirements of the Development Framework and how these are implemented will be monitored. This will assess the extent to which the Framework's requirements are responded to in the subsequent masterplanning process, the consideration of planning applications, implementation on the ground and how successful the overall development is in creating a sustainable expansion of North Berwick. This will in turn feed into the preparation of future Development Frameworks and any lessons learned applied.

