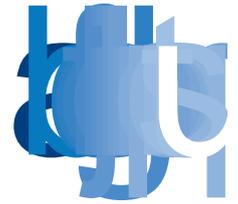


**Directorate for Local Government and Communities**

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D:

Carolyn Howarth, Senior Planner  
Development Planning  
Dumfries and Galloway Council  
Militia House, Dumfries  
DG1 2HR

**01107 Scoping - Dumfries and Galloway Council - Dumfries and Galloway Local  
Development Plan 2**

Dear Carolyn

With reference to the Scoping report you submitted to the SEA Gateway on 2 September 2015 .

In accordance with Section 15(2) of the **Environmental Assessment (Scotland) Act 2005** the Consultation Authorities have now considered the Scoping report you submitted. The individual responses from the Consultation Authorities to your report are attached to this letter.

As the Consultation Authorities have now expressed their views on the proposed scope and level of detail of the report, you should refer to the Act to consider what your next step should be. You should of course take into account the opinions offered by the Consultation Authorities.

Note, in accordance with Section 15(3) of the 2005 Act (when agreed) you are required to formally write to advise the Scottish Ministers of the period of consultation you intend to specify, both for the public and the Consultation Authorities.

If you have any queries or would like me to clarify any points, please call me on 0131 244 7650.

Yours sincerely

Kirsty O'Brien

SEA Gateway Officer

Ms Carolyn Howarth  
Development Planning  
Dumfries & Galloway Council  
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Our ref: LDP/DUM  
Our Case ID: 201503479  
Your ref: 01107 SCOPING

08 September 2015

Dear Ms Howarth

**Environmental Assessment (Scotland) Act 2005  
Dumfries and Galloway Council - Local Development Plan 2  
Scoping Report**

Thank you for consulting Historic Scotland on the above scoping report. I have reviewed this on behalf of Historic Scotland in its role as a Consultation Authority under the above Act. This letter contains the views of Historic Scotland on the scope and level of detail of the information to be included in the Environmental Report. Please note that our view is based on our main area of interest for the historic environment.

**Scope and Level of Detail**

It is my understanding that the Dumfries and Galloway Local Development Plan 2 (LDP2) aims to provide a policy and spatial framework for sustainable development in the region, facilitating economic development and supporting communities whilst at the same time protecting and enhancing the rich and diverse quality of the natural and built environment.

I note that the historic environment (under cultural heritage) has been scoped into the assessment. On the basis of the information provided, I am content with this approach and am satisfied with the scope and level of detail proposed for the assessment, subject to the detailed comments provided in the attached annex.

**Consultation period for the Environmental Report**

*Section 5: Next Steps* of the Scoping Report indicates that there will be a consultation period of 12 weeks for the Main Issues Report and Environmental Report. I am content with this timescale. Please note that, for administrative purposes, Historic Scotland consider that the consultation period commences on receipt of the relevant documents by the SEA Gateway.



I hope this response has been helpful to you. Please feel welcome to contact me should you wish to discuss my comments in further detail.

Yours sincerely,



Alison Baisden  
Senior Heritage Management Officer

## **Annex – Historic Scotland’s detailed comments on the scoping report for Dumfries and Galloway’s Local Development Plan**

### *General Comments*

We welcome the clear and proportionate approach to assessment as set out within the SEA Scoping Report. This recognises that LDP2 will not radically depart from the adopted LDP, but rather intends to build upon the policies, programmes and actions as set out within this document. This approach also benefits from the insights gained during the SEA process for the adopted LDP, adopting a succinct set of objectives against which the overall strategy, policies and site allocations will be assessed.

### *Introduction*

This section sets out the overall aims of LDP2, highlighting potential areas of change from the adopted LDP. We welcome the early identification of potential issues, and the intention to assess realistic and feasible alternatives and responses as part of the SEA Environmental Report.

### *Relationship with other relevant plans, programmes and strategies (PPS)*

This section situates LDP within a wider planning framework which consists of a hierarchy of plans, programmes and strategies (PPS). We welcome the inclusion of SPP and the Scottish Historic Environment Policy (SHEP) within this framework, as highlighted in Appendix 1 of the Scoping Report.

### *The Environment*

We welcome the development of a ‘baseline information document’, providing an overview of the state of the environment in Dumfries and Galloway. We understand that this will form the basis of the environmental assessment and will also act as a monitoring tool. As part of this document, we understand that baseline information will be collected in relation to the following Cultural Heritage features:

- Scheduled Monuments / archaeological sites
- Listed Buildings and buildings at risk
- Conservation Area
- Archaeologically Sensitive areas
- Inventory and non-inventory Gardens and Designed landscapes.

For information, we would add that Historic Scotland can provide GIS datasets under licence for scheduled monuments, listed buildings and gardens and designed landscapes (contact: [hsgismanager@scotland.gsi.gov.uk](mailto:hsgismanager@scotland.gsi.gov.uk)). This information is also available to download from our website.

The Scoping Report also identifies key environmental issues which are being taken into consideration for LDP2. We welcome the early consideration of these and would agree with those issues identified within paragraph 2.11, ‘Cultural Heritage’.

## *Methods*

We understand that SEA objectives will be used as an assessment tool and welcome this. As stated previously, SEA Objectives provide a robust and transparent framework for carrying out and documenting the assessment and I am content with those provided for Cultural Heritage.

We understand that each of the main components of LDP2 will be assessed against the SEA Objectives, including the overall strategy and vision, policies and site allocations.

We are pleased that, despite many sites and policies being 'rolled forward' from the adopted LDP with little or no change, an updated assessment will still be carried out. In particular, we welcome the use of an SEA checklist to assess the appropriateness of development sites whether they be existing allocations or newly considered.

We are also pleased that, where there are proposed changes to approach, policies or site selection, a detailed assessment will take place.

We broadly are content with the Assessment Framework as set out in Table 3 and the Proposed Scoring Guidelines set out within Table 4. These present an effective means of summarising the potential environmental effects of a Policy or Site. As an amendment to Table 3, you may wish to include a mitigation column to briefly indicate where such measures are necessary and how these will be carried out.

## *Summary*

We are satisfied with the scope and level of detail proposed for this assessment, and the proposed consultation period of 12 weeks for the Environmental Report.

**Historic Scotland  
8 September 2015**

Our ref: PCS/142349  
SG ref: SEA-01107-SCO

If telephoning ask for:  
Lorna Maclean

Carolyn Howarth  
Senior Planner  
Development Planning  
Dumfries & Galloway Council  
Militia House  
Dumfries  
DG1 2HR

6 October 2015

By email only to: [sea.gateway@scotland.gsi.gov.uk](mailto:sea.gateway@scotland.gsi.gov.uk)

Dear Ms Howarth

## **Environmental Assessment (Scotland) Act 2005 Dumfries and Galloway Council Local Development Plan 2 - Scoping report**

Thank you for your Scoping consultation submitted under the above Act in respect of the Dumfries and Galloway Local Development Plan 2. This was received by SEPA via the Scottish Government SEA Gateway on 2 September 2015.

As required under Section 15(2) of the Act, we have considered the document submitted and comment as follows in respect of the scope and level of detail to be included in the Environmental Report (ER). The [Scottish Government SEA Guidance](#) provides guidance to Responsible Authorities about the type of information that is expected to be provided at each SEA stage; we have also produced [Standing Advice for Responsible Authorities on Strategic Environmental Assessment \(SEA\) Scoping Consultations](#). We have used this guidance to inform our detailed scoping response which is attached as Annex 1.

On completion, the Environmental Report and the plan to which it relates should be submitted to the Scottish Government SEA Gateway ([sea.gateway@scotland.gsi.gov.uk](mailto:sea.gateway@scotland.gsi.gov.uk)) which will forward it to the Consultation Authorities.

Should you wish to discuss this scoping consultation, please do not hesitate to contact me on 01698 839 000 or via our SEA Gateway at [sea.gateway@sepa.org.uk](mailto:sea.gateway@sepa.org.uk)

Yours sincerely

Lorna Maclean  
Planning Unit Manager (SW)  
Planning Service

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## **Appendix 1: Comments on the Scoping consultation**

### **1. General comments**

- 1.1 Generally, the scoping report provides clear and detailed information on the proposed scope and level of detail of the assessment and covers most of the aspects that we would wish to see addressed at this stage.

### **Detailed comments**

### **2. Scoping in / out of environmental topics**

- 2.1 We agree that in this instance all environmental topics should be scoped into the assessment.

### **3. Baseline data**

- 3.1 We consider that the baseline data listed in table 1 identifies the main relevant data. Other sources of data for issues that fall within SEPA's remit are referenced in our SEA topic advice for air, soil, and water which can be accessed from [SEPA's SEA webpage](#).
- 3.2 It should be noted that SEPA's Indicative river and coastal flood maps are now referred to as flood maps.

### **4. Alternatives**

- 4.1 It is noted that the overall strategic direction and vision of the plan is unlikely to change significantly from the adopted LDP. The main areas of change are likely to be housing targets, policy and spatial framework for wind energy developments and housing in the countryside. Alternatives in relation to the main areas of change will be developed. We are satisfied with this approach to alternatives. Any reasonable alternatives identified during the preparation of the plan should be assessed as part of the SEA process and the findings of the assessment should inform the choice of the preferred option. This should be documented in the Environmental Report.

### **5. Assessment Methodology**

- 5.1 We support the use of SEA objectives as assessment tools as they allow a systematic, rigorous and consistent framework with which to assess environmental effects.
- 5.2 We also welcome the use of a site assessment and SEA checklist to assess the allocations.

### **6. SEA Objectives**

- 6.1 The water objective focuses on the quality of water bodies it should take into account a range of factors. The Water Framework Directive (WFD) introduced a more holistic approach to monitoring and classifying Scotland's water environment. WFD looks at the ecological status of water bodies which takes into consideration a range of factors such as morphology, biological quality elements, invasive non-native species. The water objective should ensure a range of factors are considered rather than just water quality, example wording could be "to protect and enhance the state of the water environment." The water environment covers rivers, lochs, estuaries, coastal and groundwater bodies.

## **7. Mitigation and enhancement**

- 7.1 We would encourage you to use the assessment as a way to improve the environmental performance of individual aspects of the final option; hence we support proposals for enhancement of positive effects as well as mitigation of negative effects.
- 7.2 We welcome the link between potential effects and proposed mitigation measures in the assessment framework.
- 7.3 One of the most important ways to mitigate significant environmental effects identified through the assessment is to make changes to the plan itself so that significant effects are avoided. The Environmental Report should therefore identify any changes made to the plan as a result of the SEA.
- 7.4 Where the mitigation proposed does not relate to modification to the plan itself then it would be extremely helpful to set out the proposed mitigation measures in a way that clearly identifies: (1) the measures required, (2) when they would be required and (3) who will be required to implement them.

## **8. Monitoring**

- 8.1 It is noted that indicators will be used for the monitoring of LDP2 and its SEA. It would be helpful if the Environmental Report included a description of the measures envisaged to monitor the significant environmental effects of the plan.

## **9. Consultation period**

- 9.1 We are satisfied with the proposal for a 12 week consultation period for the Environmental Report.



## Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland  
Nàdar air fad airson Alba air fad

Ms Carolyn Howarth  
Senior Planner  
Development Planning  
Dumfries and Galloway Council  
Militia House  
Dumfries  
DG1 2HR

Our ref: CNS/SEA/SSEA/01107 (CEA 138 123)  
21 September 2015

Dear Ms Howarth

### **Environmental Assessment (Scotland) Act 2005: Dumfries and Galloway Council – Local Development Plan 2 - Scoping Report**

I refer to your scoping consultation, received on 2 September 2015 via the Scottish Government SEA Gateway in respect of the above plan.

In accordance with Section 15(2) of the Environmental Assessment (Scotland) Act 2005, we have reviewed the above report. Our comments on the scope and level of detail to be included in the Environmental Report and on the duration of the proposed consultation period are set out below.

#### **Scope of assessment and level of detail**

Subject to the specific comments below, SNH is content with the scope and level of detail proposed for the environmental report.

#### **Consultation period for the environmental report**

We note that a period of 12 weeks is proposed for consultation on the Environmental Report and we are content with this proposed period.

#### **SEA objectives**

We note the current SEA objectives and these generally appear satisfactory. We suggest the following addition under the following SEA topic indicator:

- **Soil:** “Effects on peat and carbon rich soil”

#### **Assessment Methodology (Table 3: Summary Assessment Framework & Appendix 2: Local Development Plan: Site Assessment and SEA Checklist)**

We suggest that in the interests of clarity an additional / separate column be provided in table 3 alongside the comments column for ‘mitigation’.

We welcome the intended use of a site assessment and SEA checklist similar to that contained in Appendix 2 and also suggest for clarity, that under ‘Biodiversity, Flora and Fauna’, the second question be amended to make reference to development on or with connectivity to an International designation for example “*Is the development on/within or have connectivity to an International designation – e.g SAC/SPA/Ramsar (including potential sites)*”



INVESTOR IN PEOPLE

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**Habitats Regulation Appraisal (HRA)**

As you will be aware a Habitats Regulation Appraisal of the Local Development Plan 2 should be undertaken and reported on separately, in consultation with us.

**Concluding remarks**

I hope that these points are of assistance to you. Please note that this response is in the context of the Environmental Assessment (Scotland) Act 2005 and our role as a Consultation Authority. We understand that you will consult us separately on our views regarding the Environmental Report and on the Main Issues Report.

Should you wish to discuss this response, please contact Karen Rentoul at the address above or via email ([karen.rentoul@snh.gov.uk](mailto:karen.rentoul@snh.gov.uk)) in the first instance.

Yours sincerely

(by email)

Andrew Panter  
Operations Manager  
Southern Scotland