



## **West Lothian Local Development Plan**

### **Strategic Environmental Assessment - Post Adoption Statement**

#### **Contents**

- 1. Purpose of this Statement**
- 2. Key Facts**
- 3. SEA Activities to Date – brief summary of stages**
- 4. How environmental considerations in the Environmental Report and the consultation response have been taken into account in the Local Development Plan**
- 5. The reasons for choosing the Local Development Plan as Adopted, in light of the other reasonable alternatives considered**
- 6. Monitoring**

#### **1. Purpose of this Statement**

1.0 The West Lothian Local Development Plan (LDP) was adopted on 4 September 2018. A statement is required under Part 3, Section 18 of the Environmental Assessment (Scotland) Act 2005 to set out how the consultation responses and the findings of the Environmental Report have been taken into account in the preparation of the LDP.

1.1 The LDP comprises a development strategy for the period to 2024 and a detailed policy framework to guide future land use in West Lothian in a way which best reflects the vision, strategic aims and objectives of the Strategic Development Plan for Edinburgh and south east Scotland (SDP1).

1.2 The LDP has been subject to a process of Strategic Environmental Assessment (SEA) in accordance with the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004 and as required under the Environmental Assessment (Scotland) Act 2005. This process has:

- Taken into account the views of the Scottish Environment Protection Agency, Scottish Natural Heritage and the Scottish Ministers (Historic Environment Scotland) regarding the scope and level of detail that was appropriate for the Environmental Report;
- Led to preparation of an Environmental Report on the likely significant effects on the environment arising from the LDP which included consideration of:
  - the baseline data relating to the current state of the environment;
  - links between the PPS and other relevant strategies, policies, plans, programmes and environmental protection objectives;
  - existing environmental problems affecting the PPS;
  - the plan's likely significant effects on the environment (positive and negative);
  - measures envisaged for the prevention, reduction and offsetting of any significant adverse effects;
  - an outline of the reasons for selecting the alternatives chosen;
  - monitoring measures to ensure that any unforeseen environmental effects will be identified allowing for appropriate remedial action to be taken;
- Consultation on the Environmental Report;
- Taking into account the Environmental Report and the results of consultation in making final decisions regarding the LDP;
- Committing to monitoring the significant environmental effects of the implementation of the LDP. This will also identify any unforeseen adverse significant environmental effects and to enable taking appropriate remedial action.

## 2. Key facts

The key facts relating to the West Lothian Local Development Plan are set out below:

**Name of Responsible Authority:** West Lothian Council

**Title of PPS:** West Lothian Local Development Plan (LDP)

**Date of Adoption:** 4 September 2018

**What prompted the PPS:** Statutory requirement: The Town and Country Planning (Scotland) Act 1997

**Subject** Land use planning

**Period covered by PPS** 10 years (2014 – 2024)

**Frequency of updates** At least every 5 years (and subject to requirements arising from the outcome of the Planning (Scotland) Bill)

**Area covered by PPS:** West Lothian Council area (see figure 1)

**Purpose of the PPS:**

Set out a clear spatial strategy for the council area

Allocate land to meet the requirements of the Strategic Development Plan for the city region (SESplan)

Provide a clear basis for determining planning applications through the Development Management process

To ensure a sustainable approach to development in West Lothian

Availability of documents <https://www.westlothian.gov.uk/LDP>

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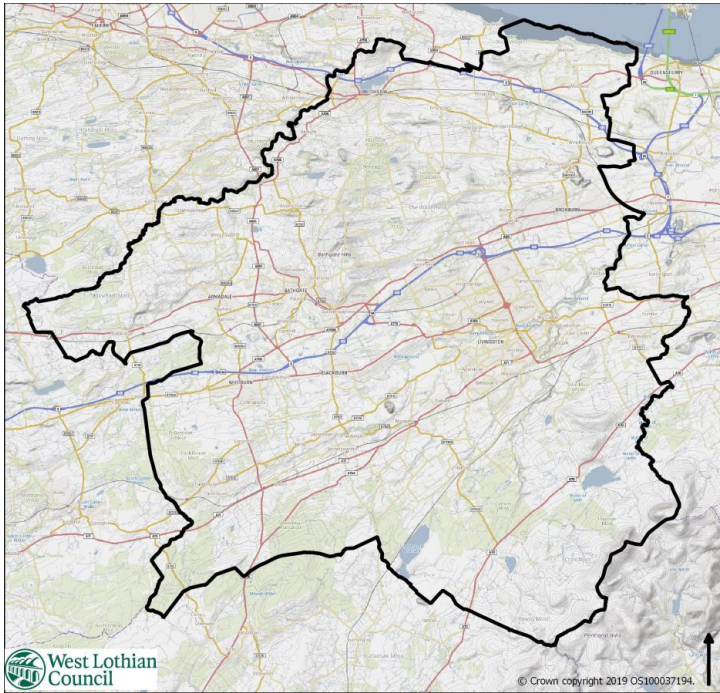
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**INSERT Figure 1 – map of West Lothian Council area**



### **3. SEA activities to date – brief summary of stages**

3.0 A Strategic Environmental Assessment (SEA) was undertaken at all stages in the preparation of the West Lothian Local Development Plan.

3.1 Preparation of the LDP has been informed by the views and comments received on the LDP Main Issues Report (MIR) (2014) and accompanying Environmental Report (ER) which was prepared under the Environmental Assessment (Scotland) Act 2005 (EASA). This assessment was available to read alongside the MIR and allowed the public to understand the environmental impact of the options at the MIR consultation stage. The MIR stage was the main opportunity for those with an interest in the development of West Lothian, and the protection of its environment, to input to the plan-making process.

3.2 An updated Environmental Report was prepared for the Proposed Plan stage of the LDP following consideration of comments received at the MIR stage and included an assessment of 5 new housing sites which had not been included in the MIR. The updated Environmental Report was published in October 2015 alongside the LDP Proposed Plan.

3.3 An Examination into unresolved objections to the LDP Proposed Plan was held by the Scottish Government Directorate of Planning Enforcement & Appeals (DPEA). The Examination commenced on 18 January 2017. In the Environmental Report which the council submitted to the DPEA, a comprehensive assessment of policies and proposals in the LDP Proposed Plan was undertaken. The principal Report of Examination was issued on 11 December 2017 (augmented with an additional Report of Examination dealing with a single site issue and issued on 8 January 2018). The Examination Report contained the Reporters' recommendations including proposed modifications to the LDP.

3.4 The Reporters' recommended modifications to the Proposed Plan included nine new housing allocations in addition to an extension of an employment site to the north of an existing employment site at Deer Park, Livingston. New housing sites at Brotherton Farm (H-LV33) and Wellhead Farm (H-LV35) had been the subject of separate, detailed appeal hearings whilst the sites at Tarrareoch Farm, Armadale (H-AM19) and Appleton Parkway, Livingston (H-LV34) had previously been subject to SEA at the LDP Proposed Plan stage, consequently the screening undertaken following the LDP Examination focussed on the five new housing allocations and the minor employment allocation for the site at Deer Park, Livingston.

3.5 In relation to polices in the LDP as they were assessed at the Proposed Plan stage and given that the LDP Examination report did not recommend major significant changes, or new polices, the council was satisfied there were likely to be no significant environmental effects arising.

3.6 A revised Screening Environmental Report was prepared to address this and other modifications identified by the Reporters. This screening request was submitted to the SEA Gateway in February 2018 and intimated that, after having undertaken an exercise to update the SEA to address the Reporters' recommended modifications, the council had concluded that the modifications would have no significant environmental effects and that no further environmental assessment in respect of the changes was required.

3.7 On 5 April, 2018, the council intimated to the SEA Gateway that it had gone on to make a formal determination under Section 8(1) of the Environmental Assessment (Scotland) Act 2005 that the modifications proposed to the LDP proposed plan were unlikely, overall, to have any major significant negative environmental effects and therefore concluded that a further SEA was not required.

3.8 The findings of the Environmental Report and its updates were reported to the Council Executive and informed the decision to contact Scottish Ministers to advise that the Council Executive had agreed to proceed to adopt the LDP and publish a Notice of Intention to Adopt. The relevant reports were considered by the Council Executive on 22 March 2018.

3.9 Following notification to Scottish Ministers of the council's intention to adopt the LDP, Scottish Ministers issued the council with a Direction under Section 20(5) of the Town and Country Planning (Scotland) Act 1997 requiring that the council consider further modifying the proposed plan.

3.10 The Direction required the council to include a new policy in the LDP relating to energy efficiency (policy NRG1a). The Direction was considered by the Council Executive on 21 August 2018. The Council Executive agreed to accept the terms of the Direction. A further amendment to the Environmental Report was prepared to reflect this decision and was submitted to the SEA Gateway for consideration on 14 September 2018. The council considered it unlikely that the incorporation of policy NRG 1a, proposed by Scottish Ministers, would raise any detrimental environmental effects and that there was consequently no need for a further Strategic Environmental Assessment.

3.11 A more detailed timeline of the stages of the SEA is summarised in Appendix 1: Chronology of SEA Activities during the preparation of the LDP to adoption.

#### **4. How environmental considerations in the Environmental Report and the consultation response have been taken into account in the West Lothian Local Development Plan**

4.0 Consultation with the statutory consultation authorities is a key part in the process of undertaking a SEA.

4.1 A summary of the comments received from the SEA Gateway (Scottish Environment Protection Agency (SEPA), Historic Environment Scotland and Scottish Natural Heritage (SNH)) and others are summarised in Table 1. The majority of the comments received concerned general comments or technical comments on individual sites but had no significant environmental impact on the LDP itself.

**Table 1: Summary of Comments Received to the Environmental Report**

<b>Environmental Report for MIR (August 2014)</b>
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Consultation Authority	Comment	WLC Response
SEPA	<p><b><u>General comments</u></b></p> <p>We are satisfied that the Environmental Report (ER) provides a satisfactory general assessment of the likely significant environmental effects of the West Lothian Council Local Development Plan (WLLDP) Main Issues Report (MIR). Subject to the detailed comments below we are generally content with the assessment findings.</p> <p>We are satisfied that the comments provided in our scoping response have largely been taken into account in the preparation of the ER and welcome Appendix 4 summarising the actions taken.</p> <p>We are unsure if SEPA comments on the site assessment, provided through a spreadsheet at different stages before the MIR consultation, have been taken into account. Appendix 4 acknowledges that SEPA has provided detailed comments on all the potential development sites as part of the preparation of the ER, but we can find no clear evidence that our comments have informed the assessment.</p> <p>In general further consideration could have been given to the protection and enhancement of the water environment and to waste issues. In addition flood risk could be extended to consider pluvial flooding and flood risk from small watercourses that have not been mapped i.e. &lt;3km<sup>2</sup>.</p> <p>Please note that we have agreed with Fiona McBrierty (WLC MIR contact) that we will provide updated comments on the preferred development sites in light of the new SEPA Flood Map which was published in January 2014. We will provide these comments by mid-December. We would therefore expect the environmental site assessment to be reviewed and updated following consideration of all comments from SEPA and presented in the ER associated with the Proposed Plan (PP), consistently with the guidance provided in paragraph 4.21 of PAN 1/2010 (Strategic Environmental Assessment of Development Plans). We would be happy to assist you with this task, if necessary.</p> <p>For easier reference the structure of this response will follow that of the ER and for the purpose of brevity and proportionality this response will focus on</p>	<p>The council considered all general and detailed comments from the three Consultation Authorities (SEPA, HES and SNH) related to the SEA Environment Report (ER), addressing these at the later Proposed Plan stage.</p> <p>As pointed out later by HES at the Proposed Plan stage, it is not a statutory requirement to summarise such changes as they relate to the few additional sites that do not undermine or create a different policy approach that would have required a full scale update to the ER.</p> <p>HES accept that the further short SEA of the additional sites is <i>“appropriate and adequate for the historic environment”</i> element of the Proposed Plan. HES general comments at the MIR stage were taken on board in the preparation of the Proposed Plan.</p> <p>A short non-technical summary statement was not considered practical given the number of sites which were being considered. A full SEA was carried out and the assessment made available and it could not have summarised over 440 sites.</p> <p>The council is also satisfied that it has</p>

Comment [MF1]: REDACT MY NAME

	<p>issues that require action or clarification.</p> <p><b><u>Detailed comments</u></b></p> <p><b>1. Introduction</b></p> <p>The ER does not contain a Non-Technical Summary (NTS). The preparation of a NTS is a requirement of the <a href="#">Environmental Assessment (Scotland) Act 2005</a> (see Schedule 3 – Information for environmental reports). Please find guidance and examples for the preparation of NTS in the <a href="#">SEA Guidance</a>.</p> <p><b>2. The environment of West Lothian</b></p> <p>This section provides a broad and comprehensive view of the West Lothian environment, supported by the baseline information report in Appendix 1; we however have the following comments to make.</p> <p>In general we consider that waste baseline information could have been expanded as this section makes reference to the Zero Waste Plan objectives rather than baseline information on waste for WL.</p> <p>Air quality appears to have been excluded from the key environmental problems in section 3.2 of the ER (page 38), we assume this is because it is being regulated by a dedicated regime that has been introduced to improve and protect air quality.</p> <p>Section 3.2 refers to water quality. As mentioned before we consider that in line with the River Basin Management Plan (RBMP) reference should be made to the quality of the water environment, which is more comprehensive than just water quality. The environmental problems in their current wording do not reflect issues related to other water-related issues, in particular in relation to morphology.</p>	<p>undertaken a rigorous Strategic Environmental Assessment of all the sites in the Proposed Plan and that this complies with the relevant legislation.</p> <p>While all of the detailed comments received from the three Consultation Authorities are reproduced opposite for completeness, they were considered and assessed when the Proposed Plan was prepared in 2016 and submitted to the Council Executive in June 2016 and were subject to further public consultation and scrutiny during August – October 2016. Thereafter, Scottish Government Reporters considered any comments to the Proposed Plan and accompanying SEA Environment Report during the LDP Examination process in 2017.</p>
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**3. Assessment of environmental effects and measures for the prevention, reduction and offsetting of significant adverse effects**

Please note that there is a discrepancy between the questions for the assessment presented in Table 10 and the actual questions used for the assessment as in Table 10 there is a P2 question (provision of greenspace, footpaths and cycleway) and in the assessment there is a B3 question (green network) instead.

We note that there have been some changes in the SEA sub-objectives questions. The consideration of improvement of existing water/waste water infrastructure, not proposed in the Scoping Report, has been added to Table 4, however this has not been considered for the site assessment.

In our response to the Scoping Report (paragraph 25.b) we proposed the rewording of the water-related terminology, to reflect the requirement of the RBMP: *SEA topic "water"- we recommend a minor alterations of wording of the SEA objectives to ensure the terminology is in line with the River Basin Management Planning process- to prevent deterioration and enhance the status water environment- we recommend that the reference to "quality of water" is replaced by "ecological status of the water environment" (as the term "status" includes water quality and other aspects of the water environment such as water quantity, physical impacts and ecology); replace reference to "major water bodies" with "baseline water bodies", as all water bodies should be protected under RBMP.* We note that the terminology and the objectives have been updated, however the enhancement part of our recommendation has not been added to the new wording.

We are unclear on how the sites with mixed effects have been summarised in Table 15. There is not a criterion for mixed effects in the assessment in Appendix 2B and there is only consideration of one scoring per site per SEA topic. If the mixed effects are part of the scoring '?' this should be made clearer in the key for reading the assessment and mitigation measures/enhancement opportunities should be identified accordingly.

	<p>In general we note that the assessment has identified a significant number of uncertain '?' effects in relation to the water objective W1 both in relation to issues/policies and sites. During the site consultations we provided a number of comments in a spreadsheet, as there are about 60-70 sites with a watercourse within the site boundary. We are unsure if these have been taken into consideration. See details in Section 5.</p> <p>In addition there are issues related to the waste water treatment and sewerage capacity in the Linlithgow area that could be considered in more detail in the assessment. Please see Section 3 below for further details.</p> <p>We note from the baseline information that there are issues with abandoned mine discharges in the area which may be leading to water quality impacts. Most of these are 'orphan' sites.</p> <p>We consider that more attention could be given to waste issues. Although waste is considered in the baseline information, there is little reference to waste in the assessment.</p> <p>We note that a number of sites do not allow for proximity to jobs and services and therefore results in negative scores for Air. It is not clear which mitigation measures, if any, are proposed for these sites, however we welcome the reference to master planning, planning policies and sites review mentioned in the Main Issues assessment in Appendix 1A which expect to be considered in the preparation of the PP. Please note we have made comments on low emissions strategies as part of the response to the MIR.</p> <p><b>Assessment of issues and policies</b></p> <p>As mentioned before, Table 10, outlining the questions for the assessment of issues and policies, proposes a question (P2 - provision of greenspace, footpaths and cycleway) which is however not available in Appendix 1A. We however note that B3 (green network) is available under Biodiversity in</p>	
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	<p>Appendix 1A but not in Table 10. We consider this an important aspect to be considered under Population and Human Health as well as Biodiversity and therefore unless relevant reasons are provided for its exclusion, we would welcome consideration of this in the policies at PP stage.</p> <p>Please see more specific comments in Section 5 below.</p> <p><b>Cumulative effects</b></p> <p>We note that cumulative and synergistic effects will be further expanded when the allocations are added to committed, but not yet developed, sites. While we understand this approach, we consider that early consideration of cumulative effects could have helped in the identification of the preferred sites. We would be happy to be consulted on an informal basis if required to discuss the consideration of cumulative adverse effects and the identification of mitigation measures.</p> <p>We welcome the reference to the nutrient issues of the Linlithgow Loch in the Context section and note that the Linlithgow Loch Catchment Management Plan has been drawn up with a wide range of stakeholders, proposing a wide range of actions to tackle water quality in the Loch. We could however find no specific reference to this in the environmental assessment. We consider that cumulative effects from different sites will impact on the nutrient issue related to the Linlithgow Loch. Please find further details about this in the SEPA response to the MIR, including reference to the Perth &amp; Kinross Council Supplementary Planning Guidance for the Loch Leven Catchment, with Loch Leven being a waterbody which suffers from excessive nutrient concentration as a result of phosphorus and nitrogen entering the Loch as a result of manmade discharges.</p> <p><b>2. Mitigation</b></p> <p>We are content with the overall principle applied to mitigation, however we would have welcomed more specific references to where a type of mitigation would be applied and by whom, in order to support the</p>	
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	<p>preparation of the PP. We note that some mitigation has been proposed in Appendix 1 baseline report (e.g. the role of de-culverting) and we would welcome reference to this and/or implementation in the PP.</p> <p>In general we consider that opportunities for enhancement have not been fully considered, especially in relation to the water environment. See also Section 5 for details.</p> <p>Section 4.5 provides an overview of the mitigation proposed. In particular it states: <i>'It is not considered possible to identify a list of specific measures in the Plan, however mitigation measures can be set out in other policies. The main mitigation measure of the WLLDP will be the application of all relevant policies'</i>. While we agree that the implementation of the policies is an effective and powerful way to attenuate negative effects, we would have welcomed reference to the specific policies as appropriate rather than just a general statement. This is in order to add to the transparency of the process and help in the preparation of the PP.</p> <p>We also note that in Paragraph 4.3.29 it is considered that some of the negative results can be resolved, either completely or in part, through the development process. This is partially covered in the summary section for each settlement in Appendix 2A. We would welcome the implementation of these mitigation measures in the PP.</p> <p>We welcome the identification of flood risk assessment (FRA) as a general mitigation measure and note that this is mentioned in several occasions in the document. The site assessment in Appendix 1B does not however specifically mention where a FRA will be requested and the site appraisal by settlement often states that advice from SEPA on potential flood risk will be required. We therefore understand that this reflects the original assessment undertaken by WLC, not taking into account the comments already provided by SEPA on the sites. We would therefore welcome for all comments to be considered in preparation of the PP and mitigation and/or enhancement to be proposed accordingly, with an update of the ER in</p>	
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	<p>relation to significant environmental effects as explained in PAN 1/2010.</p> <p><b>4. Monitoring</b></p> <p>This section provides a summary of the main aspects to be monitored on the basis of what are considered to be key environmental effects at this stage, explaining that at this time it is difficult to estimate what might be significant. We therefore welcome the intention to look at monitoring in more details as the WLLDP progresses.</p> <p>Please remember that, according to PAN1/2010 paragraph 4.49, there is potential for overlap between the monitoring carried out for the SEA and the broader monitoring undertaken for the development plan. Please also remember that, in order to meet the requirements of Section 19 of the Environmental Assessment (Scotland) Act 2005 monitoring must be undertaken:</p> <ul style="list-style-type: none"> <li>(i) to identify significant environmental effects arising from the implementation of the development plan;</li> <li>(ii) to identify unforeseen environmental effects, in order to allow remedial action to be taken where required.</li> </ul> <p>Air quality appears to have been excluded from the main list summarising the key environmental effects, possibly because it is being regulated by a dedicated regime that has been introduced to improve and protect air quality. We are content that monitoring for Air is considered in Appendix 3, however we consider that further emphasis could be given to this as a considerable number of sites have been assessed as having an uncertain or mixed effect, according to Table 15.</p> <p>In relation to the monitoring of adoption of SUDS features paragraph 5.1.4 states that it is uncertain as to whether this will go ahead. It is not clear if this in relation of monitoring of all SUDS or just those adopted by WLC, or</p>	
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the monitoring of which SUDS are adopted.

## **5. Appendices**

### **Appendix 1 – Baseline report**

Section 3 - POPULATION AND HUMAN HEALTH - Although we provided links to where to find the most recent data on waste, we consider that our scoping comments have not been fully taken into account as more up-to-date information could have been provided for waste. Appendix 1 refers to 2006/07 data and Area Waste Plans which have now been superseded by the Zero Waste Plan. Please note that more recent information is available in the waste data section of SEPA's website [http://www.sepa.org.uk/waste/waste\\_data.aspx](http://www.sepa.org.uk/waste/waste_data.aspx). We understand that the WLC is reviewing the waste management options in relation to depots and location and therefore up-to-date information should be available to inform this process.

Section 6 – AIR - Strategic Environmental Issues – the text reads: 'Generally the level of emissions from individual vehicles is decreasing as emission control technologies improve. However, the increase in volume of traffic has counteracted this'. Please note that SEPA air specialists consider this to be not quite correct as the emissions of nitrogen dioxide from diesel powered vehicles have increased.

Ambient air quality – the text reads: 'Increase in car use and congestion in traffic cause negative impact on air quality in general'. Increased car use also threatens to undermine measures to reduce greenhouse gas emissions.

Section 7 – CLIMATIC FACTORS - The section on greenhouse gas emissions fails to recognise that road traffic is a significant source of greenhouse gas emissions. Every additional Km travelled by car will

	<p>increase emissions of greenhouse gases. When considered in isolation, this increase may appear to be insignificant; when considered nationally, the cumulative increase will be more significant and this could undermine the Scottish Government's commitment to reducing greenhouse gas emissions.</p> <p>There is a reference to greenhouse gas emissions from road traffic in Section 7.3, bullet point 1 and the table in Section 7.5 also contains a reference to greenhouse gas emissions from road traffic. However, this has not been explained in the main text. The issue of car dependency is considered in Section 8.1 but could be linked to Section 7.</p> <p><b>Appendix 1A – Assessment of issues and policies – results</b></p> <p>In relation to Main Issue 3 (Housing Growth, Delivery and Sustainable Housing Locations), we are seeing more developments that are located some distance from local amenities, therefore the number of journeys made by car is likely to increase. Whilst this figure may appear to be insignificant when considered alongside other developments in Scotland, the cumulative increase in the distance travelled by car could undermine the Scottish Government's commitment to reduce emissions of greenhouse gases.</p> <p>Still for Main Issue 3, there could also be a positive effect on water (W1) where the new development will include SUDS and help deliver the objectives of the RBMP.</p> <p>We welcome the mitigation measures proposed in relation to air quality for Main Issue 7 (Climate Change and Renewable Energy) and suggest that they are considered as mitigation measures as appropriate in other areas of the ER.</p> <p>Main Issue 6 (The Natural and Historic Environment) should possibly have interaction with W1 and deliver positive effects. This is because SUDS ponds and open conveyance network promotes green networks. Also new developments in Linlithgow could be an opportunity for planning gain SUDS retrofits at Linlithgow Loch. In addition, sites adjacent to waterways may</p>	
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	<p>provide an opportunity to deliver enhancements in accordance with the RBMP and contributions to the green network.</p> <p>As mentioned in the MIR response, in relation to green networks and infrastructure there is an opportunity to link the delivery with the objectives of the Water Framework Directive (WFD) by incorporating the blue network within the green network. The delivery of multi-functional green networks and infrastructure is fundamental to the successful implementation of the RBMP and sustainable flood risk management and as such, should be promoted by the policies in the plan.</p> <p><b>Appendix 2A – Site appraisal by settlement and Appendix 2B – assessment of development sites: results</b></p> <p>In relation to previous SEPA comments (from spreadsheets) not being considered in the assessment please find below some examples.</p> <p>EOI-34 Bangour Village the assessment states that there is a positive effects in relation to maintaining the status of the waterbody but there is no reflection of SEPA's comment about potential for morphological improvement by dealing with historic straightening. Also in EPI-0216 there is no mentioning of potential deculverting.</p> <p>Another example is EOI-0065, where we considered that the waterbody is within the boundary, while the assessment in page 283 considers that there are no watercourses within the site or directly affecting it. The assessment at page 595 gives a '?' score for water. In the SEPA spreadsheet with comments on the site provided during previous site consultations we wrote: 'Planned development in Bridgend would take Bridgend STW to limit of current capacity however no sewage pressures on water body 3401. No WFD pressure however straightened burn could be enhanced'. The scoring could therefore be neutral with opportunities for enhancement.</p> <p>We also found that in some cases in our spreadsheet we have considered that there is a water feature within the boundary (e.g. EOI0065, EOI0075,</p>	
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	<p>EOI 0080, EOI0104, amongst others), while the information in Appendix 2A states that there is not one.</p> <p>There are other examples like this however as we have already provided comments we consider that it is for the WLC as the Responsible Authority to ensure that the SEA is an interactive process and comments provided on the sites are reflected in the SEA.</p> <p>We remind you that there are opportunities for restoration for the following sites: EIO-0010, EIO-0023, EIO-0034, EIO-0039, EIO-0065, EIO-0068, EOI-0127, EOI-0130, EOI-0133, EOI-0136, EOI-0138, EOI-0144, EOI-0190, EOI-0215, EOI-0218, EOI-0219, Late submissions L007, L010, L014, PJ001.</p> <p>EOI-0167 - The assessment has identified a positive effect under Population &amp; Human Health (avoid co-location of sensitive development with industrial facilities/economic allocations?). In our spreadsheet with detailed comments we confirmed that there is a co-location issue with regulated sites, as there are 6 poultry farms under single permit PPC Part A, with therefore potential odour issues. Although we disagree with the scoring the site has been assessed as non-preferred so this should not be an issue.</p>	
<p><b>Historic Environment Scotland</b></p>	<p>Overall the report provides a clear assessment of the likely effects of the emerging plan on the historic environment and HES is pleased that the comments returned in previous correspondence, and at scoping stage, have been taken into account. It is clear that a huge amount of effort has gone into the assessment of site specific proposals and HES consider the manner in which you have integrated SEA questions into the planning assessments to be very effective. This approach is a good way of ensuring that the assessment is baseline driven and that you are able to look at each proposal at a sufficient level of detail to broadly predict the likely environmental effects. Simply for information, a non-technical summary should have accompanied the Environmental Report.</p>	<p>The council considered all general and detailed comments from the three Consultation Authorities (SEPA, HES and SNH) related to the SEA Environment Report (ER), addressing these at the later Proposed Plan stage.</p> <p>As pointed out later by HES at the Proposed Plan stage, it is not a statutory requirement to summarise such changes as they relate to the few additional sites</p>

	<p>Overall we support the framework used for the assessment, which reflects what was set out as part of the scoping process. The baseline information provides a helpful overview for the key issues for the historic environment, and we welcome the recognition of how industrial activity throughout the area, notably mining related, has played a key role through the creation of settlements, transport infrastructure and other aspects of the built environment. As a minor point, the lack of affordable housing identified in the report (page 38) relates more to an issue for the LDP to consider, rather than an environmental problem.</p> <p>The assessment tables in Appendix 2B which show the likely effects for the historic environment, arising from each SEA topic and from each allocation are clear. The commentary, where provided, is helpful in understanding the reasoning behind the scoring. Our comments on these findings are split into Annex A for those allocations where we consider there is likely to have a significant effect and Annex B where we have highlighted some additional information and commentary based upon your assessment findings. For any further assessment undertaken as you move towards the Proposed Plan it would be helpful to update tables 15 and 16 of the main report in light of these comments and other representations made.</p> <p><b>Linlithgow EOI-0054</b></p> <p>This proposed development site is located within the Battle of Linlithgow Bridge Inventory Battlefield; the Inventory entry for this battlefield can be seen at <a href="http://data.historic-scotland.gov.uk/pls/htmldb/f?p=2500:15:0:::BATTLEFIELD:linlithgowbridge">http://data.historic-scotland.gov.uk/pls/htmldb/f?p=2500:15:0:::BATTLEFIELD:linlithgowbridge</a>. We assume that any development of this site is likely to begin adjacent to existing housing and infrastructure, at the north east end of the site. As noted in the inventory description, we currently believe that much of this area played a significant role in the battle and this should be considered when evaluating the deliverability of this allocation. Indeed, whilst we consider that there is capacity for some development of the site, in view of potential effects on the battlefield, it may not be possible to achieve the densities proposed without a significant adverse effect.</p>	<p>that do not undermine or create a different policy approach that would have required a full scale update to the ER.</p> <p>HES accept that the further short SEA of the additional sites is “<i>appropriate and adequate for the historic environment</i>” element of the Proposed Plan. HES general comments at the MIR stage were taken on board in the preparation of the Proposed Plan.</p> <p>A short non-technical summary statement was not considered practical given the number of sites which were being considered. A full SEA was carried out and the assessment made available and it could not have summarised over 440 sites.</p> <p>The council is also satisfied that it has undertaken a rigorous Strategic Environmental Assessment of all the sites in the Proposed Plan and that this complies with the relevant legislation.</p> <p>While all of the detailed comments received from the three Consultation Authorities are reproduced opposite for completeness, they were considered and assessed when the Proposed Plan was prepared in 2016 and submitted to the Council Executive in June 2016 and were subject to further public consultation and scrutiny during August – October 2016. Thereafter, Scottish Government Reporters considered</p>
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	<p>The assessment in the Environmental Report concludes there would be no significant adverse effects upon the historic environment from development at this <i>'not preferred'</i> site. However, we understand from the planning assessment and other documents that you are aware of the site being a historic battlefield and the significance of the issues outlined above. You may therefore wish to consider revising the assessment finding (Appendix 2B page 591).</p> <p><b>Uphall EOI-0017 &amp; East Calder EOI-0018</b></p> <p>The assessment concludes there would be no significant adverse effects from development at these <i>'not preferred'</i> sites. There is however, a scheduled monument Newbigging Craig, settlement 350m SSW of (SM6201) located within these proposed development sites. We have concluded that development of these sites may potentially have significant adverse impacts on the scheduled monument itself, and upon its setting. Scheduled Monument Consent would be required for development directly affecting the monument, and it is unlikely that this would be granted. Adverse direct and indirect impacts could potentially be mitigated through modification of the development site boundaries, and/or the use of a site specific development brief. The future management of the archaeological site should also be taken into consideration if this allocation is to be taken forward.</p> <p>You may therefore wish to consider revising the assessment and adding appropriate mitigation such as that described above.</p> <p><b>West Calder EOI-0161</b></p> <p>The assessment concludes there could be significant adverse effects from development at this <i>'preferred'</i> site. This proposed development site is adjacent to the scheduled monument Five Sisters, shale bing (SM 6254). We are content that the impacts of redevelopment of the current Outlet Centre could be accommodated, with any adverse impacts on the setting of the monument mitigated through policy. However, we consider that development of the fields which currently separate Freeport Outlet Centre</p>	<p>any comments to the Proposed Plan and accompanying SEA Environment Report during the LDP Examination process in 2017.</p>
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	<p>from the bing could have a significant adverse impact on the setting of the monument.</p> <p><b>Winchburgh EOI-0205</b> The assessment concludes there could be significant adverse effects from development at this <i>'not preferred'</i> site. We would agree with this conclusion. A large central section of this development site covers the scheduled monument Faucheldean Bing (SM5692). We would highlight also that Scheduled Monument Consent would be required for development directly affecting the monument, and it is unlikely that this would be granted.</p> <p><b>Uphall EOI-0217 (in addition to comments for EOI 0116)</b> The scale and nature of the proposed development would have a direct impact on the scheduled monument Union Canal, River Almond to River Avon (SM8954), altering its character and nature at this location. The provision of slipway, pumping out stations, a marina for up to 80 canal boats would constitute a major intervention into the scheduled monument. Whilst we consider that there is scope to accommodate some canal related retail/leisure development in the area indicated, the scale of development proposed is likely to result in a significant negative effect.</p> <p><b>Annex B: Additional comments based on the SEA assessment findings</b></p> <p><b>Hoghill EOI 0003</b> This site lies adjacent to the Mid Calder Conservation area.</p> <p><b>East Philipstoun EOI-0067</b> The assessment concludes there could be significant adverse effects from development at this <i>'not preferred'</i> site. The proposed development site is on the periphery of House of Binns Inventory Designed Landscape and is on a key approach to the GDL. We are content that with robust application of national and local policy, development with a low visual impact could be accommodated without significant adverse impacts.</p>	
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	<p>You may wish to consider altering the assessment matrix to reflect likely impacts on the fourth SEA Cultural Heritage sub topic as well as applying mitigation such as that described above.</p> <p><b>Newton EOI-0071</b>  The assessment concludes there would be no significant adverse effects from development at this <i>'not preferred'</i> site. The proposed development site is partially within the boundary of Hopetoun House Inventory Designed Landscape (GDL), and has the potential to have adverse impacts on the Designed Landscape, particularly in terms of affecting the existing policy woodland. This could be mitigated through amendment of the site boundaries to omit the area within the GDL, or restriction of development to the previously developed sites within the proposed site boundary.</p> <p>You may therefore wish to consider revising the assessment and adding appropriate mitigation such as that described above.</p> <p><b>Philipstoun EOI-0073</b>  To note the presence of remains of the Philipstoun shale oil works including a likely bing or bings and the course of a railway (CANMORE reference 85566).</p> <p><b>Bathgate EOI-0080</b>  To note the record of a polished stone axe being recovered from this location although the exact findspot is not known (CANMORE reference 47767).</p> <p><b>Broxburn EOI-0086 &amp; EOI-0087 (and refers to Uphall EOI-0175)</b>  The assessment concludes there would be no significant adverse effects from development at these <i>'preferred'</i> sites. There is however, a scheduled monument Newbigging Craig, settlement 350m SSW of (SM6201) located close to these proposed development sites. Development of these sites may potentially have significant adverse impacts upon the setting of the scheduled monument. Adverse indirect impacts could potentially be mitigated through the use of a site specific development brief. The future</p>	
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	<p>management of the archaeological site should also be taken into consideration if this allocation is to be taken forward. You may therefore wish to consider revising the assessment and adding appropriate mitigation such as that described above.</p> <p><b>Livingston EOI-0099</b> To note the proximity of the A-listed Linnhouse viaduct (HBNUM 73765).</p> <p><b>Linlithgow EOI-0103</b> To note the presence of two historic environment records for this allocation - Site of 13th century army encampment (CANMORE 4921) and site of antiquarian recovery of Roman coins (CANMORE 49190).</p> <p><b>Livingston EOI-0110</b> The assessment concludes there could be significant adverse effects from development at this <i>'not preferred'</i> site. Development within this site boundary could potentially impact upon the setting of the scheduled monument known as Murieston Castle, Wester Murieston, West Calder (SM1207). We are content that application of national and appropriate local policies should be able to mitigate any potential adverse impacts. We also consider that there may be the potential to achieve some conservation gain to the monument from development in this location.</p> <p>You may therefore wish to consider adding appropriate mitigation such as that described above.</p> <p><b>Linlithgow EOI-0114</b> The assessment concludes there could be significant adverse effects from development at this <i>'preferred'</i> site. This potential development site could impact upon the setting of the scheduled monument Union Canal, River Almond to River Avon (SM8954). We also note that access to the northern part of the site appears to be constrained, and consequently have concerns that access requirements (for instance, a new access bridge) may have an adverse impact on the canal and its setting. We would not favour new crossings which may affect the site and setting of the canal at this point. If</p>	
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	<p>development of the site did not require a new crossing, we are content that application of national and appropriate local policies should be able to mitigate any other potential adverse impacts.</p> <p>You may wish to consider altering the assessment matrix to reflect likely impacts on the second SEA Cultural Heritage sub topic as well as applying mitigation such as that described above.</p> <p><b>Broxburn EOI-0115</b>  The assessment concludes there could be significant adverse effects from development at this <i>'not preferred'</i> site. Development of this site may, however, potentially have adverse impacts on the setting of the A-listed Almond Valley Viaduct. We consider that whilst development can be accommodated, this would need to be subject to a robust mitigation strategy.</p> <p>You may wish to consider altering the assessment matrix to reflect likely impacts on the first SEA Cultural Heritage sub topic as well as applying mitigation such as that described above.</p> <p><b>Broxburn EOI-0116</b>  The assessment concludes there could be significant adverse effects from development at this <i>'not preferred'</i> site. This potential development site could impact upon the site and setting of the scheduled monument Union Canal, River Almond to River Avon (SM8954). If development were not to have a direct impact on the scheduled monument, we would be content that application of national and appropriate local policies should be able to mitigate any other potential adverse impacts. We would note that any direct impact upon the monuments through adoption of this allocation its subsequent development would be subject to Scheduled Monument Consent.</p> <p>You may wish to consider altering the assessment matrix to reflect likely impacts on the second SEA Cultural Heritage sub topic as well as applying mitigation such as that described above.</p>	
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	<p><b>Torphicen EOI-0122</b> To note the allocation is within Torphicen Conservation Area.</p> <p><b>Blackburn EOI-0136</b> The assessment concludes there would be no significant adverse effects from development at this <i>'not preferred'</i> site. Development to the north may, however, potentially impact on the setting of the A-listed Blackburn House. Any adverse impacts could potentially be mitigated through the application of national and local policies, and/or the use of a site specific development brief. You may wish to consider altering the assessment matrix to reflect likely impacts on the first SEA Cultural Heritage sub topic as well as applying mitigation such as that described above.</p> <p><b>Broxburn EOI-0138d, f, h (three separate sites)</b> The assessment concludes there would be no significant adverse effects from development at these <i>'preferred'</i> sites. We note that the majority of these proposed sites are already within the core development area masterplan in the current Local Plan. Development on these sites could potentially adversely affect the settings of scheduled monument Greendykes Bing (SM6186). Whilst we are content that application of national and appropriate local policies should be able to mitigate potential adverse impacts, we would expect that allocation of this site would be supported by a management plan for the bing, similar to those outlines within the current local plan paragraphs 7.75-77.  You may therefore wish to consider adding appropriate mitigation such as that described above.</p> <p><b>Broxburn EOI-0144</b> The assessment concludes there could be significant adverse effects from development at this <i>'not preferred'</i> site. The scheduled monument Newbigging Craig, settlement 350m SSW of (SM6201) is located within this proposed development site. Development of this site may potentially have</p>	
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	<p>significant adverse impacts on the scheduled monument itself, and upon its setting. Scheduled Monument Consent would be required for development directly affecting the monument, and it is unlikely that this would be granted. Adverse direct and indirect impacts could potentially be mitigated through modification of the development site boundaries, and/or the use of site specific development brief. The future management of the archaeological site should also be taken into consideration if this allocation is to be taken forward.</p> <p>You may therefore wish to consider adding appropriate mitigation such as that described above.</p> <p><b>Bathgate EOI-0153</b> To note the proximity of the allocation to the low surviving remains of Bathgate Castle (CANMORE 47768).</p> <p><b>Linlithgow EOI-0165</b> To note the presence of cropmarked archaeological remains as seen in aerial photography (CANMORE 49248).</p> <p><b>Linlithgow EOI-0168</b> The assessment concludes there could be significant adverse effects from development at this <i>'preferred'</i> site. This potential development site could impact upon the site and setting of the scheduled monument Union Canal, River Almond to River Avon (SM8954). If development did not result in direct impacts upon the scheduled monument we would be content that the application of national and appropriate local policies should be able to mitigate any other potential adverse impacts. We would note that any direct impact upon the monuments through adoption of this allocation its subsequent development would be subject to Scheduled Monument Consent.</p> <p>You may therefore wish to consider adding appropriate mitigation such as that described above.</p>	
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	<p><b>Wilkieston EOI-170A</b>  The assessment concludes there could be significant adverse effects from development at this <i>'not preferred'</i> site. Development may potentially impact on the setting of the A-listed Bonnington House. Any adverse impacts could potentially be mitigated through the application of national and local policies, and/or the use of a site specific development brief.</p> <p>You may therefore wish to consider adding appropriate mitigation such as that described above.</p> <p><b>Winchburgh EOI-0196</b>  The assessment concludes there could be significant adverse effects from development at this <i>'not preferred'</i> site. This potential development site could impact upon the site and setting of the scheduled monuments Union Canal, River Almond to River Avon (SM8954) and Auldcaithie Church (SM5610). We suggest that in addition to application of national and local policy, a site specific development brief would be effective in mitigating potential adverse impacts. We note that access to the northern part of the site appears to be constrained, and consequently have concerns that access requirements (for instance, a new access bridge) may have an adverse impact on the canal and its setting. We would not favour new crossings which may affect the site and setting of the canal at this point. There appears to be potential for development on this site to produce conservation gain for Auldcaithie Church, perhaps through a management plan for the long term conservation of the monument.</p> <p>You may therefore wish to consider adding appropriate mitigation such as that described above.</p> <p><b>Winchburgh EOI-0199, 200, 201</b>  The assessment concludes there would be no significant adverse effects from development at these <i>'not preferred'</i> sites (for EOIs 0199 &amp; 0200) and a likely adverse impact at the <i>'alternative site'</i> (EOI 0201). The development of these sites has the potential for adverse impacts on the A listed Niddrie Castle (HB7437) and is also close to Newliston Inventory Designed</p>	
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	<p>Landscape. We consider that whilst some development could be accommodated, this would need to be subject to a robust mitigation strategy.</p> <p>You may wish to consider altering the assessment matrix to reflect likely impacts on the first and fourth SEA Cultural Heritage sub topics (for EOIs 0199 and 0200) as well as applying mitigation such as that described above for all three assessments.</p> <p><b>Winchburgh EOI-0204</b>  The assessment concludes there would be no significant adverse effects from development at this '<i>not preferred</i>' site. Development within this site boundary could potentially impact upon the setting of scheduled monument Greendykes, Oil Shale Bing (SM6186). Whilst we are content that application of national and appropriate local policies should be able to mitigate potential adverse impacts, we would expect that allocation of this site would be supported by a management plan for the bing, as is laid out within the current local plan paragraphs 7.75-77.</p> <p>You may therefore wish to consider adding appropriate mitigation such as that described above.</p> <p><b>Linlithgow EOI-0210</b>  The assessment concludes there could be significant adverse effects from development at this '<i>preferred</i>' site. This potential development site could impact upon the site and setting of the scheduled monument Union Canal, River Almond to River Avon (SM8954). If development does not result in a direct impact upon the scheduled monument we would be content that the application of national and appropriate local policies should be able to mitigate any other potential adverse impacts. We would note that any direct impact upon the monuments through adoption of this allocation its subsequent development would be subject to Scheduled Monument Consent.</p> <p>You may wish to consider altering the assessment matrix to reflect likely</p>	
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		<p>impacts on the second SEA Cultural Heritage sub topic as well as applying mitigation such as that described above.</p> <p><b>Uphall EOI-0217</b> To note the proximity of the allocation to the scheduled monument – the Union canal.</p>	
<b>Scottish Heritage</b>	<b>Natural</b>	<p><b>Main Report</b></p> <p>Table 1, page 6 (SEA Requirements) This table appears to summarise Schedule 3 of the Environmental Assessment (Scotland) Act 20051 ('the Act'), which sets out requirements for information in Environmental Reports.</p> <p>The current version of the Environmental Report appears to have omitted a non-technical summary. In addition, the division of the requirements in this table is misleading as matters set out here as 'Addressed within the Scoping Report (April 2012)' are included as information for Environmental Reports in Schedule 3 of the Act. We would expect that where requirements have been considered at scoping stage, there would be further refinement at Environmental Report stage. That is particularly relevant in this instance where there is a 2 year period between scoping and the Environmental Report in which changes and additions to the policy landscape, and potentially also to the environmental baseline, took place.</p> <p>Table 4, pages 15 – 17 (Environmental Assessment Objectives) The <b>Biodiversity</b> sub-objective "<i>Protect species/habitats/wildlife corridors of nature conservation importance</i>" appears to us as likely to be resource intensive to identify and then monitor. We suggest that this is replaced with a more general objective on protecting, maintaining and enhancing wider habitat connectivity, perhaps linked to the Green Network sub-objective. Identification and monitoring are likely to be clearer in this instance as they will be linked to projects and proposals coming forward through the planning system or other routes such as the Scotland Rural Development Programme (SRDP).</p>	<p>The council considered all general and detailed comments from the three Consultation Authorities (SEPA, HES and SNH) related to the SEA Environment Report (ER), addressing these at the later Proposed Plan stage.</p> <p>As pointed out later by HES at the Proposed Plan stage, it is not a statutory requirement to summarise such changes as they relate to the few additional sites that do not undermine or create a different policy approach that would have required a full scale update to the ER.</p> <p>HES accept that the further short SEA of the additional sites is "<i>appropriate and adequate for the historic environment</i>" element of the Proposed Plan. HES general comments at the MIR stage were taken on board in the preparation of the Proposed Plan.</p> <p>A short non-technical summary statement was not considered practical given the number of sites which were being considered. A full SEA was carried out and</p>

	<p>We welcome the approach to assessing <b>Landscape and Townscape</b>, which goes beyond objectives based on designated sites. At present, the identified monitoring is restricted to designated sites, which omits 4 of the sub-objectives from monitoring. Our opinion is that these non-designated site based sub-objectives could be monitored through decisions in development management. City of Edinburgh Council set out this type of monitoring approach in the SEA of their LDP and we recommend referring to their assessment for further information.</p> <p>We recommend that the third sub-objective for <b>Population and Human Health</b> is amended as it should be maintaining as well as providing access. The final sub-objective here is very general, risking unfocused assessment as discussed on page 26 of Scottish Government’s SEA Guidance. We also recommend that the final item for monitoring the green network should include quality, a factor that is as important as distance to and extent of the green network.</p> <p>The soil typologies set out here should be broadened in line with Scottish Planning Policy (SPP) which identifies carbon rich soils, deep peat and priority peatland habitat as environmental interests.</p> <p>Section 3 – The Environment of West Lothian Paragraph 3.1.48 on page 28 discusses peat soil as “... <i>to be found on the periphery of West Lothian.</i>” Our knowledge of this resource in West Lothian suggests that it is focused in the west and south of the area; however there are also locally important areas of peat in more central locations such as Easter Inch Moss near Seafield.</p> <p>We recommend that the reference to Forth Estuary at paragraph 3.1.56 (page 29) in the context of the Special Protection Area (SPA) is changed to Firth of Forth. In the following paragraph the discussion of the proposed Local Biodiversity Sites describes a substantial increase in the suite of sites, rising from 29 to 130. It would be useful to consider how these sites will ‘fit’ into the Central Scotland Green Network and what their role in the wider</p>	<p>the assessment made available and it could not have summarised over 440 sites.</p> <p>The council is also satisfied that it has undertaken a rigorous Strategic Environmental Assessment of all the sites in the Proposed Plan and that this complies with the relevant legislation.</p> <p>While all of the detailed comments received from the three Consultation Authorities are reproduced opposite for completeness, they were considered and assessed when the Proposed Plan was prepared in 2016 and submitted to the Council Executive in June 2016 and were subject to further public consultation and scrutiny during August – October 2016. Thereafter, Scottish Government Reporters considered any comments to the Proposed Plan and accompanying SEA Environment Report during the LDP Examination process in 2017.</p>
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	<p>green network may be. This may be useful in identifying indicators for monitoring.</p> <p>We are unsure as to why the introductory paragraph on <b>Landscape</b> (3.1.69, page 35) in this chapter discusses biodiversity and climate change agreements and legislation. The remainder of the Landscape section (paragraphs 3.1.69 – 3.1.80) also omits relevant agreements such as the European Landscape Convention, which the UK signed up to in 2006 and is now the framework for our work for Scotland’s landscapes. However, while there is no explicit reference to the European Landscape Convention, this section does appear to adopt an ‘all landscape’ approach as set out in the Convention.</p> <p>Discussion of <b>Key Environmental Problems</b> at paragraph 3.2.1 (page 38) includes affordable housing. We are unclear as to why this would represent an environmental problem more so than development per se.</p> <p>Section 4 – Assessment of Environmental Effects  The site assessment questions set out in Table 12 (pages 43 – 45) are generally good, with links to overall sustainability of sites and potential deliverability providing a clear link to the objectives of the MIR. However, we are not sure why the question on settlement coalescence is under <b>Material Assets</b> as opposed to <b>Landscape and Townscape</b> unless distinct settlements are a material asset to the area. Some rationale for such decisions would round out the assessment.</p> <p>Discussion of the <b>Key Growth Areas</b> at paragraphs 4.3.8 – 4.3.15 (pages 48 – 49) is useful but, as the Environmental Report is a document which should be accessible to all interested parties, we suggest that this part of the assessment would be clearer if set out on a map with supporting text. As currently presented, it is more difficult to understand the placement of these areas and their interactions with each other and the wider area.  The table following paragraph 4.3.16 on page 50 does not accord with other parts of the Environmental Report and the MIR where active travel is emphasised. At present, there is no discussion of active travel whereas</p>	
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	<p>reading the MIR gives a clear impression that West Lothian Council is committed to multi-modal, sustainable travel that includes good walking and cycling links.</p> <p>Paragraph 4.5.2 (page 61) states that the main mitigation measure of the LDP will be the application of all relevant policies. While this is an acceptable approach to reducing/minimising environmental effects it would be more robust at this point to provide more detail on the specific policies.</p> <p><b>Appendices</b>  <b>Appendix 1 – Environmental Baseline</b></p> <p>There is some good thinking set out in this section of the Environmental Report. However, the key information we would look for from a baseline, e.g. a clear outline of environmental assets and their current extent, state, etc. is lost amongst the qualitative information. We recommend that these are separated out into clearly defined but cross-referenced sections.</p> <p>The questions in this baseline chapter are more extensive and more useful than the actual SEA assessment questions used and it is in fact difficult to relate these sets of questions to each other. As far as we can see, the SEA sub-objectives in Table 4 (pages 15 – 17, Main Report) have formed the very general SEA assessment questions in Table 10 (page 41, Main Report) as well as those in this Appendix. The questions set out in Table 12 (pages 43 – 45, Main Report) are different again. None of these questions really relate to the objectives and questions described in the Baseline section, which provide a more useful steer to both assessment and monitoring. Within this Baseline section, readers are then referred to Section 4 of the Main Report and Appendix 2B for the results of assessment, but these assessments are using the different questions, so they unfortunately do not tally.</p> <p>Some of the questions set out here are not practical for monitoring and this is carried through into the monitoring section. For example, objectives and questions such as “<i>Protect and enhance ecosystems</i>” and “<i>Does the option protect or enhance ecosystems?</i>” are so broad in scope they are likely to be</p>	
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	<p>difficult to monitor. At this point we think that further consideration of what can be monitored and how that relates to the questions and the form they take is needed.</p> <p>We also note that some questions are in several objectives in some form or another, e.g. green network question under <b>Biodiversity, Population and Human Health</b> and <b>Landscape and Townscape</b>. While this example highlights the multiple benefits of green networks we recommend that you ensure that where questions are replicated, the links between Topics are evident throughout the assessment.</p> <p>Appendix 1A – Assessment of Issues and Policies  At first glance the assessment from page 165 onwards appears to be assessing the MIR questions as opposed to the issues and policies. It would be clearer if the next iteration of the Environmental Report set out a summary of the issue rather than the associated question. For example, <b>Main Issue 1 Economic Development &amp; Growth</b> has 5 aims as set out in Figure 7, page 13 of the MIR. It is these which should be set out in this table for assessment, in which case the assessment could note positive impact against CL1, P1 and so on.</p> <p>This section of the assessment doesn't really discuss how issues have scored against the indicators set out on pages 163 – 164. There is the 'score' and then there is some discussion around the issue and mitigation but these don't necessarily relate to each other. Where a positive, neutral or negative score is set against an indicator this should be discussed and, if mitigation is possible, have that outlined against it.</p> <p><b>Appendix 2A – Site Appraisals</b>  Where site appraisals refer to the views of SNH being sought, we assume that this refers to the development management application stage. In accordance with our Service Statement for Planning and Development<sup>3</sup>, any general recommendation such as this should be changed to refer stakeholders to our website.</p>	
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	<p>We note comments in the site appraisals such as “... <i>no SNH protected species prevalent, however, SNH need to provide their views on this.</i>” Unfortunately we do not have any further information than that provided in our response to the call for sites as we do not hold extensive, wider countryside information on species presence, etc. Any comments would be based on the potential for such sites to host protected species. West Lothian Council and any developers on such sites should refer to our website for advice4 and to TWIC’s site screening forms.</p> <p>Some sites, for example EOI-0210, have a conclusion on impact which appears to be at odds with their status as preferred sites in the MIR. We would expect the SEA to inform the selection of sites and subsequent preparation of site requirements and briefs. Our response to the MIR provides further advice on this point.</p> <p><b>Appendix 3 – Monitoring Scheme</b></p> <p>At present the monitoring scheme is largely lacking in detail, establishing an intention of what should ideally be monitored for baseline information. For example, under the <b>Biodiversity</b> Topic, the proposal is to measure area of priority habitat via an updated Phase 1 survey. This is not practical and does not monitor the impacts of the Plan. Elsewhere, the proposed monitoring seems very complicated and indirect. The questions posed in the <b>Baseline</b> chapter will help guide thinking about monitoring as the LDP and the Environmental Report evolves.</p> <p>As set out above in our advice on the Environmental Assessment Objectives, linking monitoring to the development management process could provide a clear, repeatable process by which to monitor the effects of the plan. Rather than go through these in this response we would be happy to sit down together to discuss monitoring requirements and how this might draw on work already being carried out by West Lothian Council.</p>	
<p><b>Environmental Report for LDP Proposed Plan (October 2015)</b></p>		
<p><b>Consultation Authority</b></p>	<p><b>Comment</b></p>	<p><b>WLC Response</b></p>

<p><b>SEPA</b></p>	<p><b>Environmental Report 1 Revisions</b></p> <p>Disappointed to see that ER2 only presents assessment of the new sites and does not revisit the ER1 assessment. Whilst we agree with a proportional approach, we consider that it is still important to ensure that the purpose and requirements of the Environmental Assessment (Scotland) Act 2005 are met.</p> <p>The comments we provided at MIR stage refer to the significance of the effects of the ER1 environmental assessment on the basis of information held by SEPA. We recommend that the assessment should therefore be revised in order to consider the effect of the new sites on the PP as a whole and to ensure that mitigations/enhancement measures are identified.</p> <p>We have provided a comprehensive flood risk review of the preferred sites according to the new SEPA Flood Maps as part of our separate PP</p>	<p>The ER2 assessment follows the ER1 assessment. The approach taken by the council is considered to be proportionate and within the scope of the legislation. It was not considered expedient to undertake a further full-blown re-run of the SEA process for less than 20 sites compared to over 420 that arose at Main Issue Report stage; the council's approach is proportionate.</p> <p>The council consider that given the level of development allocations assessed at the MIR stage along with the roll forward of many of the undeveloped sites from the West Lothian Local Plan (2009), there are no major significant environmental effects. The additional 19 sites, some of which were small scale, have been judged to have very little effect on the wider 400 plus employment, housing and mixed uses sites allocations and indeed only just over half (11) of the sites were judged suitable to progress to allocation in the Proposed Plan.</p> <p>The updated flooding information, where considered necessary, will be translated into the relevant site specific delivery requirement schedules in Appendices 1 and 2 of the LDP as they relate to Employment and Housing sites.</p>
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	<p>response.</p> <p>We remain unclear as to how the SEA informed the plan. We raised this issue in our previous response as comments submitted by SEPA (in respect to the water environment) on the call-for-sites did not appear to be considered in the ER1.</p>	<p>respectively. The council will advise the Reporter that if they are minded to support the changes sought by</p> <p>The council will advise the Reporter that if they are minded to support the changes sought by the consultation authorities, the council would raise no objection to these being included in the LDP.</p> <p>SEPA information relating to the call for sites process was used to inform the SEA of all the 420 sites listed in ER 1. Many sites are rolled forward from the adopted West Lothian Local Plan (2009); a proportionate approach is necessary.</p> <p>Indeed, the council consider that given the level of development allocations assessed at the MIR stage along with the roll forward of many of the undeveloped sites from the West Lothian Local Plan, there are no major significant environmental effects as the wider spatial strategy and its focus on Core Development Areas has not significantly changed but been updated with some minor extensions.</p> <p>The council welcomes the opportunity for further input from SEPA and the other two consulting authorities. As the LDP progresses through the Examination process towards adoption, an update SEA will likely be required. The council would raise no objection should the Reporter be minded to support the changes sought by</p>
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	<p>Recommend that in preparing the addendum to the ER revisions to the site assessments with regard to flood risk and protection of the water environment as per our previous comments should be considered.</p> <p><b>Environmental Report 2 – Post-MIR sites assessment</b></p> <p>Welcome the submission of the environmental assessment for the 19 sites which were submitted to the West Lothian Council after the MIR consultation. We responded to the sites informal consultations, which were presented to us at different stages, with separate responses.</p> <p>Welcome the WLC decision to group the sites into one assessment, submitted with the proposed Plan consultation, rather than submitting separate assessment for each consultation. We consider that most of our previous comments on the Plan have largely been taken into account, however we would bring the following to your attention:</p> <p>We would welcome clarification on the approach taken as we note that in some cases a developer requirement for a Flood Risk Assessment (FRA) and Drainage Impact Assessment (DIA) in the Proposed Plan is mirrored by a positive effect in the assessment on one case and a negative effect in another case. For example, we note that a negative effect has been identified for flood risk on MIRQ0159 (Land at Niddry Mains House, Winchburgh) whilst for site H-AM18 (Stonerigg Farm, Armadale) the assessment shows positive effects.</p>	<p>the consultation authorities.</p>
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	<p>In our response of 16 April 2015 we requested a Flood Risk Assessment (FRA) for several sites. We are content that for most cases the assessment shows a negative effect of flood risk for these sites. However, for MIRQ0038(1) – Hunter Road there is a positive effect which is incorrect.</p>	
<p><b>Historic Environment Scotland</b></p>	<p>We understand that the updated Environmental Report (ER) focusses on assessment of those development sites which were submitted to the council after the Main Issues Report (MIR) consultation. We are content that the assessment of these sites is appropriate and adequate for the historic environment.</p> <p>As these additional sites are the only element of the Proposed Plan included in the updated ER, we have assumed that you gave consideration to the remainder of the content of the PP and concluded that the new material that it contains (e.g. those policies which have undergone iterative development and change since they were assessed at MIR stage) is not expected to have significant environmental effects. Although not a statutory requirement, in future you could consider summarising such changes within the updated ER and outlining the reasons for concluding that significant effects are not expected. This would add value to the updated ER as a supporting document for consultation on the PP.</p> <p>At MIR stage, we noted that the ER was not accompanied by a non-technical summary. We also provided comments on some of the assessment findings and mitigation, and recommended that the ER be updated to reflect these and other representations made. In focussing the ER update solely on additional sites, the opportunity to address these points has not been taken, reducing the benefit of the ER as an accessible and accurate consultation tool. In light of this, we have appended the comments we provided on the ER at MIR stage, as these will have relevance as the Plan process moves forward to examination.</p>	<p>It is acknowledged that HES accept that the further short SEA of the additional sites is “<i>appropriate and adequate for the historic environment</i>” element of the LDP Proposed Plan.</p> <p>Indeed, the council consider that given the level of development allocations assessed at the MIR stage along with the roll forward of many of the undeveloped sites from the West Lothian Local Plan (2009), there were no major significant environmental effects. In many cases, there have only been minor iterative changes to many of the environmental protection policies.</p> <p>It is acknowledged that the timescale required to progress the MIR to Proposed Plan consultation stage has resulted in a short Environment Report update. However, the approach taken by the council is considered proportionate and within the scope of the legislation. It is acknowledged that there was an omission of a Non-Technical Summary.</p> <p>The points that HES make with regard to mitigation of potential effects on the historic environment on the numerous MIR sites was taken into account in the Appendix 1: Employment and Appendix 2: Housing site</p>

		delivery requirements that are set out as specific site requirements in the relevant schedules of the LDP. Further consideration can be undertaken at Planning Application stage and during pre-application negotiations on forthcoming development proposals.
<b>Scottish Heritage</b>	<b>Natural</b>	<p>We understand from the 'SEA Process' summary in section 1.2 that the scope of assessment at this stage is of additional proposed allocations which were received after the Main Issues Report (MIR) consultation. As far as we aware, there have been no other changes made to the Environmental Report which accompanied the MIR.</p> <p>Whilst this approach appears to conform to advice set out in paragraphs 4.34 to 4.41 of PAN 1/2010, it is unclear to us at this stage whether the effects of the addition of the 19 additional sites on the overall development strategy have been assessed.</p> <p>The tight focus of the update also means that your response to comments and advice on the Environmental report from the consultation authorities is not available to review. We are therefore unclear on how our previous advice will, in combination with this response, influence monitoring and in turn how it has influence the content of the Proposed Plan. We believe that this omission could be easily rectified, perhaps by the addition of a simple list of changes. As a starting point, it may be useful for us to meet to discuss out previous comments and your handling of these.</p>
		<p>It is confirmed there have been no changes to the previous major Strategic Environmental Assessment Environmental Report that was undertaken to assess over 420 proposed development sites as part of the Main Issues Report.</p> <p>It is acknowledged that this succinct approach conforms with the relevant PAN.</p> <p>The additional 19 sites, some of which were small scale, were judged to have very little effect on the wider 400 plus employment, housing and mixed uses sites allocations and indeed only just over half (11) of the sites have been judged suitable to progress to allocation in the LDP Proposed Plan.</p> <p>The council welcomes the opportunity for further input from Scottish Natural Heritage and the other two consulting authorities. As the LDP progresses through the Examination process towards adoption an update SEA will likely be required.</p> <p>It is acknowledged that SNH offered</p>

	<p>The approach to the update does not allow us to ascertain how the previous comments of the consultation authorities have influenced the SEA of the plan or the content of the Proposed Plan itself.</p> <p>Of the sites presented in this update, we were offered the opportunity to comment on these sites following the MIR consultation. Our comments, based on the information available to us at the time, were brief but indicated possible mitigation and opportunities for enhancement where possible. The comments on the sites in the update do not present potential mitigation measures. We therefore offer the following advice on the preferred sites:</p> <p>Land at Niddry Mains House, Winchburgh (MIRQ0159) – the ‘<i>Avoid adverse direct impact of species &amp;c</i>’ sub-objective is a negative due to the requirement to take access to the proposed allocation through Beatlie Wood. There is no assessment of the potential for utilising existing access to Niddry Mains House, which is shown as within the allocation on Map 2 of the Proposed Plan. There is also no assessment of alternative access options via adjacent CDA allocations H-WB3. Given Beatlie Wood’s role in setting of this part of Winchburgh, the emerging CDA development and as part of the wider green network, we would expect this assessment of options to address identified impacts.</p> <p>While there is no sub-objective specifically relating to movement and permeability, we would expect comments on the site to have identified a requirement to establish connections to the adjacent CDA allocations and to the existing and proposed town centre.</p>	<p>environmental comments on the additional 19 post MIR sites.</p> <p>It is understood that the existing access to Niddry Mains House (H-WB-18) will remain private and consequently there will need to be a new access to the MIRQ0159 development site to the east of the linear wood. However, through the master planning of the “CDA-NN” site it may be that development access can come from the east and avoid creating a new access through the woods. As above, the potential alternative access options would be considered at the more detailed master-plan stage. It may well be that there is no need to create an access through Beatlie Wood. However, if it transpires that a new access through the wood is required then a survey of the woodland would be required and in conjunction with required sightlines and layout of the development site, then the best location of the access would entail the minimum loss of trees, as has successfully occurred on similar circumstances at many enclosed wooded sites in Livingston e.g.; Rose Place, Eliburn and similarly at Old Wood Place, Eliburn.</p> <p>Acknowledged. However, the site allocation occurred after the Local Landscape Designation Review (LLDR) was completed. The LLDR notes this area is not part of the Bathgate Hills candidate SLA and the north boundary line is drawn</p>
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	<p>Land south of Willowdean, Bridgend (MIRQ0162) – the assessment of the sub-objective 'Avoid AGLVs &amp;c' identifies a negative impact for this site due to its partial position within the Bathgate Hills AGLV/cSLA. As with other sites within local landscape designations, mitigation should be based on the management recommendations set out in the Local Landscape Designation Review report.</p>	<p>some way to the south along the Ochiltree ridge road.</p>
<p><b>Environmental Report for LDP Proposed Plan with Modifications (April 2018) – SEA Gateway response 14 March 2018</b></p>		
<p><b>Consultation Authority</b></p>	<p><b>Comment</b></p>	<p><b>WLC Response</b></p>
<p><b>Scottish Environment Protection Agency</b></p>	<p>Having reviewed the Screening Report, we consider that in respect of our main areas of interest (air, water, soil, human health, material assets (of which we have a specific interest in waste) and climatic factors) sites E-LV 44 and H-LV 32 may have significant environmental effects in relation to flood risk. If we were consulted at Proposed Plan stage on the five new sites above we would have asked for a modification to the development requirement to require a Flood Risk Assessment (FRA) for sites H-WC6 and E-LU44.</p> <p>We note that the screening report contains in section 3 a site assessment.</p>	<p>The responses provided by the Consultation Authorities are partly in agreement with West Lothian Council's findings that, overall, a Strategic Environmental Assessment would not be required for the DPEA recommendations imposed on West Lothian Council in relation to the LDP Proposed Plan.</p> <p>In addition to consulting with the</p>



	<p>Whilst we are content with most of the assessment results, we consider that the SEA Topic of Water sub-objective flood risk has a positive scoring and does not explain possible flood risk in the commentary. We consider that there is potential for a significant negative effect in relation to flood risk, which however could be mitigated with the requirement for a FRA.</p> <p>We note the conclusions of the screening report state: <i>“The issues identified by this ER Screening Report are likely to have no significant environmental effect and can, as the Reporters have pointed out, be further considered at the Development Management process when development proposals come forward”</i>.</p> <p>Although we are of the view that significant environmental effects are likely, we consider that mitigation is possible in the form of a FRA to be required at development management stage. It is for the Responsible Authority to make a formal determination taking into account the consultation responses received.</p>	<p>Consultation Authorities, the Council has also taken into account the criteria set out in Schedule 2 of the Environmental Assessment (Scotland) Act 2005 in determining whether or not the West Lothian Local Development Plan – DPEA Modifications are likely to have significant environmental effects.</p> <p>Thus, West Lothian Council, following consideration of the DPEA Reporters’ recommendations arising from Examination of the West Lothian Local Development Plan – Proposed Plan and modifications arising, has made a determination under Section 8(1) of the Environmental Assessment (Scotland) Act 2005 that the modifications proposed by the DPEA to the West Lothian Local Development Plan – Proposed Plan are unlikely, overall, to have any major significant negative environmental effects and therefore a further SEA is not required.</p> <p>Consequently, the West Lothian Local Development Plan – DPEA Modifications to the Proposed Plan shall not be subjected to a Strategic Environmental Assessment.</p> <p>West Lothian Council’s reasoning for a determination that there are no overall likelihood of significant environmental effects is as follows:</p> <p>When assessing the five additional sites</p>
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		<p>recommended for inclusion in the West Lothian Local Development Plan - Proposed Plan for housing development by the Scottish Government's Directorate of Planning and Environmental Appeals (DPEA) Reporters appointed to carry out an Examination of the Plan, Historic Environment Scotland found that <u>overall</u> only one of the sites, H-LL 13 Kettlestoun Mains in Linlithgow, has the potential for significant potential environmental effects.</p> <p>HES has advised that the potential for significant environmental effects arising from development of the site are in relation to the proximity of the proposed site within the wider area identified as part of the Inventory of Historic Battlefields - Scotland which covers the Battle of Linlithgow Bridge in 1526. As indicated in the Screening Report prepared by the council, the Kettlestoun Mains site is partially a former used quarry and as the DPEA Reporters pointed out, the location of battlefield, along with landscape setting and proximity to the River Avon and Local Biodiversity Site associated with the river, are matters that can be addressed through the Development Management process.</p> <p>The area of the Battle of Linlithgow Bridge is known to be wide ranging and disputed in some aspects as to where certain events in the battle occurred. This was an issue when the Inventory of Historic Battlefields</p>
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		<p>was drawn up and a boundary for the battlefield was under consideration.</p> <p>It remains the council's view that through the Development Management process, as indicated by the DPEA Reporters, the issue of the impact of any development at site H-LL 13 Kettlestoun Mains, can be addressed and mitigated through the siting and location of built development or open space within the site as well as planning conditions relating to archaeological site survey and excavation of certain areas of interest should that be required prior to development. Any subsequent post excavation reports, as well as a watching brief on construction trenches, again through planning conditions imposed on any planning permission, would be funded by developers along with any subsequent interpretation that may be suitable on conclusion of archaeological investigations into the battlefield site.</p> <p>The council has a Service Level Agreement with the West of Scotland Archaeological Service who would be involved in giving pre-application advice to developers on archaeological issues related to any proposed development on the Kettlestoun Mains site, as well as during the development and post-development phases. LDP Proposed Plan policies ENV31: Historic Battlefields: Battle of Linlithgow Bridge (1526)" and ENV32:</p>
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		<p>“Archaeology” refers.</p> <p>Overall, the five additional development sites, recommended by the DPEA Reporters for inclusion in the West Lothian Local Development Plan - Proposed Plan, need to be seen in the context of over 440 allocated sites within the Proposed Plan.</p> <p>While SNH has no issues to raise with regard to the sites causing significant environmental effects, SEPA merely raise the point that of the five sites, only two; site E-LV 44 Deer Park, Livingston and site H-LV 32 Eucal Business Centre, Livingston may have significant environmental impacts in relation to flood risk. Site E-LV 44 Deer Park presents a very minor extension to tidy up the site boundary to the existing Deer Park employment site which is an allocated development site in the adopted West Lothian Local Plan (2009) and has been carried forward into the West Lothian Local Development Plan – Proposed Plan, while Site H-LV 32 Eucal Business Centre, Livingston presents a conversion of an existing small business centre complex in the centre of Craigshill, Livingston.</p> <p>Planning permission for the conversion of buildings at site H-LV 32 Eucal Business Centre to housing development, had previously been granted by the council although this planning permission has</p>
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		<p>since lapsed. The site was allocated for housing in the adopted West Lothian Local Plan (2009), before being de-allocated in the West Lothian Local Development Plan – Proposed Plan due to partial occupancy of the building as business units. However, new site owners pursued re-use for housing and the DPEA Reporters have accepted housing use on the site.</p> <p>With regard to site E-LV 44 Deer Park, the council has no authority to make modifications to the West Lothian Local Development Plan to include reference to the requirement for a Flood Risk Assessment to be prepared for the site post modifications. This can, however be addressed under Policy EMG 2 of the West Lothian Local Development Plan and at the planning application stage through the Development Management process and the design and layout of proposed development. It has been explicitly discussed and agreed with Development Management colleagues that such procedures will be observed.</p> <p>Similarly, SEPA suggest a Flood Risk Assessment for site H-WC 6, Hartwood Road West, West Calder.</p> <p>In addition to consulting the above bodies, the council has also taken into account the criteria set out in Schedule 2 of the Environmental Assessment (Scotland) Act</p>
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		<p>2005 in determining whether or not the modifications proposed by the DPEA to the West Lothian Local Development Plan – Proposed Plan are likely to have significant environmental effects. The council has concluded that environmental effects can be addressed and mitigated through the Development Management process.</p> <p>Finally, it will be noted that the West Lothian Local Development Plan – Proposed Plan has already been subject of a full Strategic Environmental Assessment at an earlier stage in the LDP process.</p> <p>Thus, West Lothian Council, following consideration of the DPEA Reporters' recommendations arising from Examination of the West Lothian Local Development Plan – Proposed Plan and modifications arising, has made a determination under Section 8(1) of the Environmental Assessment (Scotland) Act 2005 that the modifications proposed by the DPEA to the West Lothian Local Development Plan – Proposed Plan are unlikely, overall, to have any major significant negative environmental effects and therefore a further SEA is not required.</p> <p>The council's Screening Determination was submitted to SEA Gateway on 5 April 2018.</p>
<b>Historic Environment Scotland</b>	The screening report includes a brief assessment of the potential environmental effects of the additional sites at section 3. The assessment	See above.

	<p>identifies significant negative effects on the environment in relation to five of the sites. You have identified that site H-LL 13 Kettlestoun Mains has the potential for significant negative effects on the historic environment, and we agree with this finding. In view of this, it is unclear why the Screening Conclusion states that the issues identified in the Screening Report are likely to have no significant environmental effect.</p> <p>In light of the information provided at section 3, and our previous response to the Environmental Report which accompanied the Main Issues Report, we consider that significant negative effects on the historic environment are likely as a result of the DPEA modifications.</p>	
<b>Scottish Natural Heritage</b>	<p>The screening report appears to be positioned somewhere between screening the additional sites for the need for Strategic Environmental Assessment (SEA) and providing an addendum to the existing SEA of the Proposed Plan.</p> <p>While the additional sites that require consideration appear unlikely to have strategic environmental effects when considered on their own, we note that they have not been assessed in the context of potential cumulative, inter-relationships and synergistic effects with the other allocations in the Proposed Plan. However, our appraisal of the information provided suggests that individually and cumulatively, the additional sites are unlikely to have a significant environmental effect. We therefore agree that the Proposed Plan is not likely to have significant environmental effects.</p> <p>Please note that this consultation response provides a view solely on the potential for the plan or programme to have significant environmental effects. We cannot comment on whether or not the plan or programme meets other criteria determining the need for SEA as set out in the Act.</p>	See above.
<b>Environmental Report for LDP Proposed Plan with Ministerial Direction (September 2018) – SEA Gateway response dated 11 October 2018</b>		
<b>Consultation Authority</b>	<b>Comment</b>	<b>WLC Response</b>
<b>Scottish Environment Protection Agency</b>	Although we are of the view that it is unlikely that there will be significant negative effects associated with the new policy, we consider that there will be significant positive effects as a result of the new policy in relation to the	Policy NRG 1A, although in itself new, is nevertheless consistent with the wider objectives of the overarching West Lothian

	<p>SEA topics of Climatic Factors and Air. This is also clear from the environmental assessment of policy NRG 1a presented in the screening report.</p> <p>The Environmental Assessment (Scotland) Act 2005, Schedule 3 – Information for Environmental Reports - paragraph 6, point (d) refers to likely significant both negative and positive effects.</p> <p>Although we are of the view that significant environmental effects are likely, it is for the Responsible Authority to make a formal determination taking into account the consultation responses received.</p>	<p>Local Development Plan which has already undergone SEA.</p> <p>A key purpose of Policy NRG 1A is to promote and secure sustainable development and encourage best practice and thereby reduce and minimise any significant adverse effects on the environment in cumulative terms. It is agreed that adherence to Policy NRG 1A should, if anything, have a positive effect on the environment of West Lothian.</p> <p>Policy NRG 1A will complement other relevant policies in the LDP which will be relied upon to help determine the acceptability of new development but as the policy only applies to development that takes place within the administrative area of West Lothian its effect is invariably constrained.</p>
<p><b>Historic Environment Scotland</b></p>	<p>We understand that the modification proposed by Scottish Ministers relates to the inclusion of a policy relating to low and zero carbon generating technology. The policy has been prescribed by Scottish Ministers, and is provided within the screening report. You consider that the proposed modification would not have significant environmental effects. On the basis of the information provided, we agree that significant effects on the historic environment are not likely.</p>	<p>Policy NRG 1A, although in itself new, is nevertheless consistent with the wider objectives of the overarching West Lothian Local Development Plan which has already undergone SEA.</p> <p>The council is of the opinion that Policy NRG 1A will likely have a benign effect and will contribute to more sustainable development which can only be beneficial to human health and wellbeing. Proposals will in any event be assessed in detail as and when planning applications are</p>



<p><b>Scottish Heritage</b></p> <p><b>Natural</b></p>	<p>The additional policy requires proposals for new buildings to demonstrate that 10% of current carbon emission reductions will be met through installation and operation of low- and zero-carbon generating technologies. Our appraisal of the information provided suggests that individually and cumulatively, the effect of the policy is likely to be positive. However, the target is low and we therefore consider that for LDP1, it is unlikely that environmental effects will be significant. We therefore agree that the amendment is not likely to have significant environmental effects.</p> <p>Please note that this consultation response provides a view solely on the potential for the plan or programme to have significant environmental effects. We cannot comment on whether or not the plan or programme meets other criteria determining the need for SEA as set out in the Act.</p>	<p>submitted.</p> <p>The council is of the opinion that Policy NRG 1A will likely have a benign effect and will contribute to more sustainable development and which can only be beneficial to human health and wellbeing.</p> <p>The policy advises that the percentage carbon emission reduction target will be maintained at 10% for the duration of the current LDP, but indicates that this will likely be increased in future iterations of the plan. Further regard can therefore be had as to the environmental impact of the policy as part of the SEA process which will require to be carried out as part of future development plan preparation.</p>
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## 5. The reasons for choosing the Local Development Plan as Adopted, in light of the other reasonable alternatives considered

5.0 The detailed description of the framework for assessing the environmental effects is set out in Appendix 2B of the West Lothian Local Development Plan Environmental Report (August 2014) and Table 2 of the Environmental Report (Update- Additional Sites) October 2015.

### Assessment of Proposals

5.1 The main focus for assessing reasonable alternatives to the policies/policy direction took place at the MIR stage of the LDP preparation process and the publication of the Environmental Report (ER) that accompanied the MIR. All identified alternatives were assessed and recorded in the Environmental Report published alongside the MIR in August 2015. The ER proposed mitigation and enhancement measures to prevent, reduce or offset adverse impacts and to enhance positive effects that were predicted to arise from the implementation of the LDP.

5.2 The Environmental Report was updated to include an assessment of 5 new sites which were included in the LDP at Proposed Plan stage and had not featured in the LDP at MIR stage. This included site assessment criteria and a landscape and visual assessment was also undertaken.

### **Assessment of Policy**

5.3 As anticipated in the MIR, a significant number of policy topics were rolled forward from the West Lothian Local Plan, having been refreshed and updated to reflect requirements of Scottish Planning Policy 2014 and other policy documents prepared at national, strategic and local level for example, the updated guidance from SEPA on flood risk and the Strategic Development Plan (SDP1). Scottish Planning Policy and requirements to accord with the SDP policy framework limited the options for reasonable alternatives. The environmental objectives were well reflected in the LDP policies – mainly positive or no significant or likely interaction were noted. The SEA assessment broadly confirmed that the policies are environmentally sound, and few changes to policy were made following Examination of the LDP Proposed Plan.

5.4 On balance the combination, accumulation and possible synergies of effects of policies and proposals were considered more likely to result in net environmental improvements across the LDP area and over the LDP period.

5.5 By the final statutory stages of the LDP in April and September 2018, the reasonable alternatives available to the council had reduced to a statutory duty to consider the modifications recommended in the Report of Examination and in the Direction issued by Scottish Ministers.

5.6 Since the Reporters' findings were largely binding, the council had only limited scope to decide not to include any of the recommended proposals and policies. All of the Reporters' recommendations were accepted by the council. The terms of the Direction issued by Scottish Ministers were also accepted by the council.

5.7 There were no further significant negative impacts identified in any of the revisions or additions to policies, as recommended in the Report of Examination or in the Direction issued by Scottish Ministers. The modifications recommended in the Report of Examination were determined not to raise any new or additional significant environmental effects.

### **6. Monitoring**

6.0 The council will monitor the LDP and its environmental effects through the annual Housing Land Audit, the Vacant and Derelict Land Survey, employment land audit, review of the Open Space Strategy and other policy documents such as the Local Outcomes Improvement Plan influencing implementation of the LDP. Overarching this will be the LDP Action Programme which is to be published on an annual basis and will be used to monitor the effects of implementation of the LDP. The Action Programme, in turn, will be used to inform the MIR for LDP2.

March 2019

**Appendix 1: Chronology of SEA Activities during the preparation of the West Lothian Local Development Plan to Adoption**

<b>DATE</b>	<b>ACTION</b>
August 2014	Publication of Environmental Report for consultation and submission to SEA Gateway
October 2015	Publication of updated/amended Environmental Report for consultation and submission to SEA Gateway
March 2018	Publication of Environmental Report for LDP Proposed Plan with Modifications and submission to SEA Gateway
September 2018	Publication of Environmental Report for LDP Proposed Plan with Ministerial Direction and submission to SEA Gateway
March 2019	Publication of SEA Post-adoption Statement