

Our Ref: SEA00323/ERs
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SG Ref: SEA00304

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By email: sea.gateway@scotland.gsi.gov.uk

26 February 2009

Dear Ms McWilliam

**Environmental Assessment (Scotland) Act 2005
Perth and Kinross Structure Plan 2003: Alteration no.2- Population and Households –
Environmental Report**

I refer to your Environmental Report consultation submitted under the above Act in respect of the Perth and Kinross Structure Plan 2003: Alteration no.2- Population and Households. This was received by SEPA via the Scottish Government SEA Gateway on 22 December 2008.

SEPA has used its Scoping consultation response of 17 July 2008 to consider the adequacy of the Environmental Report and this is used as the framework for detailed comments which can be found in Appendix 1. For convenience, these comments have been structured to reflect that of the Environmental Report. Please note, this response is in regard only to the adequacy and accuracy of the Environmental Report and any comments SEPA may have on the plan itself will be provided separately.

As the Perth and Kinross Structure Plan 2003: Alteration no.2- Population and Households is finalised, Perth and Kinross Council as the Responsible Authority, will require to take account of the findings of the Environmental Report and of views expressed upon it during this consultation period. As soon as reasonably practical after the adoption of the plan, the Responsible Authority should publish a statement setting out how this has occurred. SEPA normally expects this to be in the form of an "SEA Statement" similar to that advocated in the Scottish Government SEA templates and toolkit which is available at www.scotland.gov.uk/Publications/2006/09/13104943/13. A copy of the SEA statement should be sent to the Consultation Authorities via the Scottish Government SEA Gateway on publication.

If you wish to discuss anything in this response please do not hesitate to contact me on 4497296 via SEPA's SEA Gateway at sea.gateway@sepa.org.uk.

Yours sincerely,



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Appendix 1: Comments on the Environmental Report

1. General Comments

1. It is noted that the Perth and Kinross Structure Plan 2003: Alteration no.2- Population and Households revises the amount of housing land required in Perth and Kinross in light of the higher projected population by 2020 and decides how this is allocated within the Housing Market Areas. The Strategic Environmental Assessment considers whether each local planning area is able to accommodate the amount of land needed for housing without having a significant impact on the environment of that area.
2. SEPA considers that the Environmental Report provides a clear assessment of the potential significant environmental effects of the Perth and Kinross Structure Plan 2003: Alteration no.2- Population and Households. SEPA welcomes the detailed and thorough descriptions of the environmental effects of each of the alternatives considered and generally agrees with the detailed assessment findings.
3. In relation to effects on water, one of the key environmental impacts identified through the assessment was potential flood risk arising from the proposed housing development, particularly from the River Tay and the River Earn. It is noted that mitigation measures are identified in the detailed assessment tables that refer to the need for allocated sites in the Local Plans to avoid floodplain areas and to address the potential adverse effects relating to flood risk and SEPA welcomes these measures. In addition, SEPA recommends that a Strategic Flood Risk Assessment (SFRA) is carried out to inform the development planning process. Further detailed comments in relation to mitigation measures are provided below.
4. SEPA also considers that the comments provided in its scoping response have been taken into account in the preparation of the Environmental Report. For ease of reference the comments in this annex follow the same order of the Environmental Report.

2. Detailed Comments

Non Technical Summary

1. SEPA considers that the non-technical summary provides a clear summary of the findings of the Environmental Report and the information required under paragraphs 1 to 9 of Schedule 3 of the Environmental Assessment (Scotland) Act 2005.

Section 1: Introduction

Section 2: Context of the Structure Plan Alteration

5. SEPA found the background information provided in these sections useful. It is noted that the Perth and Kinross Structure Plan 2003: Alteration no.2- Population and Households revises the amount of housing land required in Perth and Kinross in light of the higher projected population by 2020 and decides how this is allocated within the Housing Market Areas. The Strategic Environmental Assessment considers whether each local planning area is able to accommodate the amount of land needed for housing without having a significant impact on the environment of that area.
6. The relationship with other plans, programmes or strategies and the Structure Plan Alteration is summarised in Section 2. This is supported by Appendix 3 which provides a

very comprehensive review of how other relevant plans, programmes and strategies impact or are impacted by the Structure Plan Alteration.

Section 3: Existing Environmental Problems & Issues

Section 4: Evolution of the Environment without the SPA

7. The detailed baseline data for the Structure Plan area is provided in Appendix 1. SEPA considers that all relevant aspects of the environmental baseline have been considered in relation to the SEA issues within its remit. The potential problems and issues derived from the evaluation of the baseline data and their relevance to the Structure Plan Alteration are described in a table (pages 13-16). SEPA considers that this table provides a comprehensive review of the current problems and issues for the plan area and their relevance for the Structure Plan Alteration.
8. The likely evolution of the environment without the Structure Plan Alteration is described in Section 4. SEPA considers that the main trends have been identified in relation to the effects on the environment in the absence of the plan.

Section 5: Selection of Preferred Alternative

9. SEPA notes the approach to the assessment and selection of alternatives described in pages 18-24 and notes the four distinct alternatives considered in the preparation of the Structure Plan Alteration. The full assessment of the alternatives is provided in Appendix 2 and this is summarised in a Table in page 21.
10. SEPA welcomes the transparent approach to the assessment, supported by the use of objectives and assessment matrices with full use of commentary boxes explaining the likely effects and the link to mitigation measures. SEPA welcomes the detailed and thorough descriptions of the environmental effects of each of the alternatives considered. SEPA generally agrees with the detailed assessment findings in Appendix 2 and considers that the potential effects likely to result from the proposed alterations have been identified.
11. SEPA welcomes the consideration of secondary, cumulative and synergistic effects arising from the Structure Plan Alteration and impacts from other Structure Plans in adjacent areas. SEPA also found useful the description of key environmental impacts by planning area described in Table 2.

Mitigation

12. The Environmental Report describes the measures required to mitigate adverse environmental effects. Mitigation measures are identified in the detailed assessment tables in Appendix 2 where effects are directly related to the measures and also summarised in a table in page 31. The summary is based largely on the measures identified through the assessment of alternative 3 but also some of the measures identified for alternatives 1 and 4.
13. In relation to effects on soil, SEPA welcomes the proposed mitigation measure that Local Plans should support the re-use of brownfield sites and minimise as far as possible the use of Greenfield and high quality agricultural land. Another potential mitigation measure to consider in order to mitigate against effects on soil sealing is higher density development where appropriate.

14. In relation to effects on water, one of the key environmental impacts identified through the assessment was potential flood risk arising from the proposed housing development, particularly from the River Tay and the River Earn. It is noted that mitigation measures are identified in the detailed assessment tables in Appendix 2 that refer to the need for allocated sites in the Local Plans to avoid floodplain areas and to address the potential adverse effects relating to flood risk. However this is not included in the mitigation summary table.
15. The primary mitigation measure in relation to flooding should be avoidance in line with the mitigation hierarchy and the precautionary approach advocated in SPP7. The Local Plans should therefore allocate development in areas that are not at risk from flooding and do not increase the risk of flooding elsewhere and these decisions should be informed by a Strategic Flood Risk Assessment (SFRA). SEPA recommends that the SFRA should be identified as a mitigation measure to be implemented at Local Plan level. Further, more detailed flood risk assessment may also be required at Development Management stage.
16. Potential adverse effects on the water environment from development are acknowledged in the Environmental Report and mitigation measures refer to the use of SUDS, Drainage Impact Assessments and to the need for Local Plans to consider impacts on the water environment when allocating sites and SEPA welcomes these measures. One of the key environmental problems identified for some of the Structure Plan areas was the existence of public drainage systems at or close to capacity and the proliferation of private drainage systems. Therefore it would also be relevant to refer to the need to consider waste water drainage infrastructure and for liaison with Scottish Water and their improvement programme as mitigation measures to be implemented at Local Plan level.
17. SEPA would also welcome a reference to compliance with the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR) (as amended) at Development Management stage and to take cognisance and contribute to the measures for the water environment as identified for the Structure Plan area in the River Basin Management Plan at the Local Planning and Development Management stages.
18. In relation to air quality, mitigation measures are identified in relation to allocating sites at Local Plan stage close to/ within existing centres to reduce the need to travel and encourage sustainable forms of transport and SEPA welcomes these. Careful consideration should also be given at Local Plan stage to the location of new development in relation to Air Quality Management Areas and the potential for such development to contribute to exceeding limit values and also to the co-location of housing and industrial sites. These may also result in impacts on human health.
19. The increase in development proposed by the Structure Plan Alteration is also likely to result in an overall increase in greenhouse gas emissions and energy use which contributes to effects on climatic factors. Such effects could be mitigated by putting in place requirements for new housing to incorporate energy efficiency and renewable energy measures.
20. An increase in waste arising from the domestic sector is also likely to be a consequence of the increased development in the Structure Plan area and will result in an increase in the demand for sustainable waste management facilities. Mitigation measures should refer to the need to take this growth into account in the planning for waste management facilities for

Perth and Kinross and in the preparation of Local Plans. Mitigation measures could also refer to the need for large scale development to incorporate local level facilities for sustainable waste management and this should be implemented at Development Management stage.

21. SEPA welcomes the approach to determining the environmental capacity of each Housing Market Area. SEPA found the detailed map of environmental constraints provided in page 32 very useful as it provides a good overview of some of main environmental constraints for the Perth and Kinross area as a whole. SEPA also welcomes the description of the difficulties encountered in the assessment process.

Section 6: Monitoring

22. SEPA welcomes early consideration of monitoring requirements and the link between expected effects and potential monitoring indicators (Table in page 39).