



Shetland Islands Council
Interim Planning Policy:
Towards Sustainable Construction
and Better Design in Shetland
SEA Environmental Report
Non-Technical Summary
March 2009

SHETLAND ISLANDS COUNCIL INTERIM PLANNING POLICY: TOWARDS SUSTAINABLE CONSTRUCTION AND BETTER DESIGN IN SHETLAND

SEA ENVIRONMENTAL REPORT NON-TECHNICAL SUMMARY

1 INTRODUCTION

1.1 STATUTORY CONTEXT FOR THE SEA

The Environmental Assessment (Scotland) Act 2005 (the Scottish SEA Act) is the statutory mechanism by which the requirements of the European Directive 2001/42/EC – ‘On the assessment of the effects of certain plans and programmes on the environment’ known as the Strategic Environmental Assessment or SEA Directive) are now delivered in Scotland. The purpose of the SEA Directive is twofold. Firstly it aims to provide for a high level of protection of the environment and secondly ensure that environmental considerations are taken into account in the preparation and adoption of plans. This should promote sustainable development as part of the planning process.

Current guidance (specifically the Scottish Executive’s¹ September 2006 Strategic Environmental Assessment Tool Kit) confirms that SEA will be required for all plans and strategies that are likely to have a significant affect on the environment.

The Council recognises that the delivery of its Interim Planning Policy: Towards Sustainable Construction and Better Design in Shetland (Construction and Design IPP) Policies could, if not managed sustainably, result in significant impacts on the environment. It is therefore appropriate that a plan of this nature should be subject to SEA and appraised fully so that any possible negative effects can be mitigated against and the positive effects strengthened as far as is possible.

1.2 PURPOSE OF THE ENVIRONMENTAL REPORT

The purpose of this Environmental Report (ER) is to set out the findings of an environmental assessment of Shetland Islands Council Construction and Design IPP. In accordance with Part 2 of the Environmental Assessment (Scotland) Act 2005, the ER identifies, describes and evaluates the likely significant effects on the environment of implementing the Construction and Design IPP and the reasonable alternatives that have been assessed.

The report is intended to provide this information for the Consultation Authorities and the general public during public consultation on the Construction and Design IPP.

2 THE CONSTRUCTION AND DESIGN INTERIM PLANNING POLICY AND ITS CONTEXT

The Scottish Government’s most recent Strategic Planning Policy Guidance (SPP3 Housing Revised 2008) indicates their clear objective of creating successful places and achieving quality residential environments should form the vital thread through the whole process of delivering new housing developments through the planning system. The process of site selection should include consideration of the type of development that can be achieved, based on a sound appraisal such as masterplanning. SPP1 *The Planning System and Designing Places (2001)* also state clearly that the planning process has a role to play in ensuring that new housing is well-designed and responds to its context. The siting and design of

¹ Now the Scottish Government

new housing should consider its setting, whether urban or rural, and the relationship with the landscape in which it is located, as well as topography, local materials, character, appearance and ecology. This does not mean that existing characteristics should simply be recreated in pastiche, nor does it prevent innovative design.

The Construction and Design IPP is intended to achieve Government objectives, by providing detailed information on the implementation of policy in respect of design and density, building on local character and distinctiveness in the Shetland context. It advocates a design led approach for decision making and is underpinned by a suite of best practice guides prepared by the Development Plans Team to help guide housing development:

The Construction and Design IPP has been shaped by a series of consultations with landowners, the local public and other stakeholders. Each policy has been assessed to ensure compliance with national policy, legislation and advice, and Shetland Islands Council main aims and objectives under the themes of sustainable development, economic competitiveness, social justice, environmental quality, design and sustainable transport.

3 THE SEA PROCESS

3.1 INTRODUCTION

SEA provides a structured approach to predicting and assessing the environmental effects which are likely to arise from the Construction and Design IPP.

The SEA process has been undertaken in three stages:

Stage 1: deciding on the scope of the assessment (which has included defining objectives, developing the assessment framework, establishing the baseline position and consulting with appropriate statutory agencies).

Stage 2: assessing the environmental effects of the Construction and Design IPP objectives and the policies within the draft Construction and Design IPP (which has involved assessing the effects of individual policies, considering alternatives, identifying residual and cumulative effects, identifying appropriate mitigation and suggesting proposals for monitoring).

Stage 3: preparing the Environmental Report (which has involved bringing together the findings of the scoping exercise, feedback from consultations, the assessment of environmental effects and developing conclusions and recommendations for mitigation and monitoring the effects of implementing the Construction and Design IPP).

3.2 SEA OBJECTIVES

A set of SEA objectives have been defined based on:

- a review of relevant plans and programmes;
- consultations with relevant agencies;
- analysis of the environmental baseline of the area;
- workshops held with a group of Shetland Island Council employees, from across Council departments;
- review of relevant environmental problems and issues; and

- a review of relevant SEA guidance relevant to objectives.

The objectives have been developed to provide a consistent and clear basis for the appraisal of the Construction and Design IPP.

4 ENVIRONMENTAL ASSESSMENT OF THE CONSTRUCTION AND DESIGN IPP

4.1 ALTERNATIVES AND DEVELOPMENT OF THE PLAN

SIC has sought an integrated and balanced approach to policy development right from the start. Rather than developing alternative policies SIC has evolved its policy document in an iterative way making use of the SEA process during this evolution to remove any undesirable environmental effects, should they exist, and to make sure that environmental sustainability elements within the policies were strengthened where possible.

As a result, therefore, of this iterative assessment and consultation process some of the supporting text and objectives within the Construction and Design IPP have been revised. The following summarises the overall impact that the SEA process has had in the evolution of the Construction and Design IPP and the key changes made:

- widening of the understanding of the impact that developments can have through interactions with consultees;
- greater clarity in the recognition and reference to the natural environment in particular biodiversity and bringing this into key policies. A number of suggested modifications to several policies will strengthen the contribution that this IPP has on the conservation and enhancement of biodiversity;
- clarity in the way that waste management and minimisation will be dealt with in the IPP, a modification of Policy SPG 1 helps to provide this clarity; and
- the addition of added protection to peat resources through the slight modification of Policy SPG 26.

4.2 ENVIRONMENTAL BASELINE

Details of the current state of the environment in the study area and how this might change in the future in the absence of the Construction and Design IPP and the environmental characteristics of the area likely to be affected by the plan were identified and are described in the Environmental Report.

Key environmental issues highlighted by the baseline data included biodiversity (flora and fauna), climate change, health, hydrology and flooding, material assets and waste management, landscape and visual effects and cultural heritage.

Environmental baseline data were taken into account when assessing the Construction and Design IPP policies including existing landscape, ecological, cultural heritage, and water features and statutory and local designations. This helped ensure that environmental considerations played a key role in ensuring that all policies exist within a framework which has taken full account of relevant environmental considerations.

4.3 ENVIRONMENTAL EFFECTS

In general terms the Construction and Design IPP does not generate any strongly negative environmental effects and puts into place a suite of overarching policies that will mitigate against inappropriate and environmentally damaging

development. Overall the Construction and Design IPP is likely to deliver a positive contribution to the broad environmental trends for Shetland. In the absence of the suite of policies the evolution of the SEA topic areas in general would be likely to show a slightly adverse trend.

Overall, in environmental terms, the Construction and Design IPP aims to:

- encourage more sustainable design and construction practices in both housing and general development as a whole;
- promote energy efficiency and more sustainable forms of energy generation (from renewables) particularly from micro-generation associated with housing;
- emphasise the importance of the protection of the natural and cultural heritage designations;
- recognise the importance of mitigating the contribution of the housing and commercial development sector to climate change (reducing carbon emissions) and making sure that there is adaptation to its effects in the future;
- minimise the obvious direct potential environmental impacts of development (e.g. air quality, water quality, visual etc).

Notwithstanding the above positive elements it is likely that there will be some environmental implications arising from any new developments (e.g. housing or commercial) that ultimately will come on stream as a consequence of this Construction and Design IPP. Some issues are almost inevitable, and would arise as a result of any new type of development and these include:

- emissions of greenhouse gases from energy use and traffic both during construction and operational activities;
- an increased burden on air quality from emissions generated by plant and equipment as well as traffic associated with any developments;
- an increased burden on water supply and water treatment relating to new developments be they housing or commercial;
- additional waste generation arising from activities within new developments (e.g. domestic or commercial waste).

Other issues are highly dependant on the nature, scale and location of particular developments. It is not inconceivable that some future developments might have implications for biodiversity (for example damage to habitats, disturbance of species and loss or damage to particular flora and fauna), landscape and historic character (including visual impact, effects on landscape and historic features) and transport impacts (increasing numbers and therefore emissions and potential congestion problems).

Although SIC can influence developers to adopt sustainable development principles and best practice in avoiding and/or mitigating any of these effects it has no direct control over the operation of individual developments. It is assumed that some of the above implications would be picked up more specifically by controls exerted by other agencies such as Scottish Natural Heritage, Scottish Environment Protection Agency (SEPA) and Historic Scotland.

4.5 POSSIBLE CUMULATIVE EFFECTS

The Construction and Design IPP has a significant role to play in contributing to the management and mitigation of those effects associated with the role of SIC as the Planning Authority. In particular the Construction and Design IPP policies can:

- steer any kind of new development (be it for housing, commercial and or industrial development) away from sites of nature conservation, landscape and seascape, historic and cultural heritage importance;
- address the contribution of the housing and commercial development sector to more global level issues (e.g. climate change, use of fossil fuels and energy, waste generation, loss of biodiversity) through influencing action at the local (Shetland) level;
- address resource use and material asset issues through encouraging more sustainable design and construction within new developments (e.g. adopting the waste hierarchy – recovery, re-use, and recycling together with sustainable sourcing of materials); and
- create the right development policy framework and approach to site design and construction that will help to provide proactive solutions to these problems.

4.6 PROPOSED MITIGATION

Mitigation measures, that is, measures to reduce any possible adverse effects on the environment, from the adoption of the Construction and Design IPP, have been suggested where appropriate during the environmental appraisal process.

4.7 MONITORING

Monitoring of the effects of implementing the Construction and Design IPP will be undertaken by regimes currently in place for local authority infrastructure and maintenance and through the routine monitoring by the environmental authorities.

Monitoring will therefore rely on the continued day-to-day management and site knowledge of those managing land for which they have responsibility, and the ongoing activities of the environmental regulators.

5 NEXT STEPS

The following stages in the development of the Construction and Design IPP and its environmental assessment are envisaged:

- The Environmental Report, which reports the findings of the SEA of the Construction and Design IPP will be published for consultation alongside the Construction and Design IPP. This is programmed for May 2009, and the consultation period is scheduled to last for 8 weeks.
- Following consultation on the Construction and Design IPP and the Environmental Report, the Construction and Design IPP will be revised and updated where necessary taking account of the comments received.
- Following revision of the Construction and Design IPP, an SEA Statement will be prepared and made available to the Consultation Authorities and public setting out how the findings of consultation and the environmental assessment have been incorporated into the development of the Construction and Design IPP.

It is intended to finalise the Construction and Design IPP and associated documents by July 2009 and it is anticipated that the Construction and Design IPP will be adopted in August 2009.

COMMENTS

Any queries on the SEA of the Shetland Construction and Design IPP should be addressed to:

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