

Appendix 4

Responses to draft Environmental Report at Proposed Plan stage.

Responses to Draft Strategic Environmental Assessment.

Consultation authority	Summary of Comments	Council response	Amendments to SEA
Scottish Natural Heritage	The numbering of policies in ER needs to be amended to reflect the changes since the draft ER at MIR stage. ER and Appendices should be amended so that references to the policy numbers match the titles in the proposed plan.	Numbers and references have been checked and while there are some minor variations or abbreviated policy titles, the policies are considered to be clearly referenced.	No change.
	Helpful to have a key to the scoring. It is unclear whether "0" means no connectivity to the objective interests, no impacts or neutral impacts.	A key to the scoring will be added for clarity. This was an omission from the final version.	Scoring key included.
	Section 19, pages 60-63. It is unclear what will happen to the results or what action is proposed in the event of an unexpected result. Further information should be included.	It is difficult to say what action will be taken in the event of an unexpected result. Additional text relating to the setting up of an annual group of key environmental stakeholders and the role this group will have in monitoring the environmental effects of delivering the Plan.	Additional text added at section 19 Monitoring.
	Appendix 4- Buckie BK10- recommend that text in the Justification column is amended to include reference to being scoped in due to potential impacts on the Moray Firth Special Protection Area (SPA). This would make it consistent with requirements for the allocation set out in the proposed plan and the HRA of the plan.	Agree that the justification column should reflect the potential impacts on the Moray Firth Special Protection Area (SPA).	Amend Justification to read "Scoped in due to potential impacts on the Moray Firth Special Protection Area (SPA)."
	Appendix 5 policy assessments. Most of the objectives have multiple	The questions are not intended to all be answered, they are prompts for the	No change.

	<p>questions, however only one answer is given in the third column. Where answers should be no, they have been answered by a catch all “yes”.</p> <p>Not all the columns have been completed when a positive or negative score is recorded. For example the fourth column “Scale” is blank for PP2, DP7 etc. Where positive or negative impacts are recorded, it would be helpful for the scale to be recorded to clarify the significance and scale of the effect.</p> <p>To ensure consistency all questions should be answered and all columns completed.</p>	<p>assessment panel to consider the effects of the policy on the objectives.</p> <p>This is noted and will be incorporated into future SEA work. However, for the Proposed Plan, the Council considers that the information provided is clear enough to understand and follow the assessment process.</p>	
	<p>Appendix 5- PP1 Placemaking Objective 4- comments column should recognise this as an important contribution to safeguarding and enhancing biodiversity.</p>	<p>The questions are not intended to all be answered, they are prompts for the assessment panel to consider the effects of the policy on the objectives.</p> <p>This is noted and will be incorporated into future SEA work. However, for the Proposed Plan, the Council considers that the information provided is clear enough to understand and follow the assessment process.</p>	No change.
	<p>Appendix 5- PP1 Placemaking objective 6- Scoring for PP1 should be positive as it will contribute to protecting and enhancing the water environment through the requirement for Biodiversity Plans and integration of blue/ green corridors.</p>	Agreed.	Comments column amended to reflect this response.
	PP2 objective 4- although policy mentions	Agreed.	Comments column amended

	safeguarding the natural environment, it does not require actions to enhance it. An overall scoring of neutral 0 would be more appropriate.		to reflect this response.
	DP1, objective 7. The negative scoring appears to contradict the questions being answered positively, unclear why this is. Scoring should be amended to positive/negative as there will be some negative impacts from soil sealing and compaction through development, while the plan policies seek to safeguard soils elsewhere.	Agreed.	Scoring changed from + to 0.
	DP6, objectives 9 and 11. Disagree with the scoring and rationale. Do not consider the policy itself will deliver the positive outcomes in relations to sustainable transport or protecting or enhancing the greenspace. Some positive benefits might occur, by way of location and state of individual allocations rather than as a direct result of the policy itself.	Agreed.	Scoring changed from – to +/- and additional comment added to explain.
	DP10 Minerals, objective 1. Unclear how Council believe this policy will reduce or minimise air pollution. Policy is unlikely to reduce or minimise air pollution, there is potential for it to have locally negative effects through dust release, increased vehicle movements and emissions. Scoring should be negative.	Agreed.	Scoring changed to negative and comments added to reflect scoring.
	EP2 Biodiversity, objective 11, policy will contribute positively by creating or enhancing natural habitats of ecological and amenity value. Scoring should be changed to positive.	Agreed.	Scoring changed to positive and comments added to reflect scoring.
	EP3 Special Landscape Areas and Landscape Character, Objective 6- unclear	Agreed.	Scoring amended to 0.

	how the Council believe EP3 will protect or enhance the water environment, more likely that other policies would do that. Scoring should be neutral.		
	EP5 Open Space, Objective 6. Scoring should be positive as it will contribute to protecting and enhancing the water environment through the requirement for the integration of blue/ green corridors or features such as SUDS within open space.	Agreed.	Scoring amended to positive and comments added to reflect scoring.
	EP5 Open Space, Objective 7. Unclear how Council believe that EP5 will improve soil quality or use soil sustainably. Other policies are more likely to achieve this, scoring should be neutral.	Agreed.	Scoring changed to 0.
	EP14 Pollution, Contamination and Hazards, Objective 11- agree that addressing contamination issues may free up land for regeneration/ reuse, the policy itself does not require provision of greenspace. Recommend scoring is changed to neutral.	Agreed.	Scoring changed from + to 0.
	Appendix 6- Buckie R8 and LONG- presume that LONG refers to LONG1. Amend title.	A typographical error occurred. The title should read Buckie R8 and LONG1.	Amend title to read "Buckie R8 and LONG1".
	Cullen Objective 6, unclear why scored negative, when comments indicate neutral. Need to clarify in ER.	The Council agrees that there is an inconsistency. There are no known fluvial flood risks or significant surface water issues. The Environmental Impact should reflect this and be changed to neutral.	Amend Environmental Impact to "0".
	Elgin, land north of I8 and west of A941, no allocation reference in ER and text description does not match Elgin allocations.	The sites have been renamed in the proposed plan to R12 Lossiemouth Road North East and MU2 Lossiemouth Road (NE).	Change title to "to R12 Lossiemouth Road North East and MU2 Lossiemouth Road (NE)."
	Elgin I6 and LONG 3 Burnside of Birnie- unclear why these have been grouped together when 3km apart..	A typographical error has occurred and Elgin I6 should read Elgin I16. These two sites are immediately adjacent to each other. A	Amend title to I16 and LONG 3 Burnside of Birnie.

		development framework for both I16 and LONG 3 will be required which is why they have been grouped together.	
	Elgin I8 and Barmuckity- unclear if the two allocations I7 and I8 have been combined or there is an error in the title.	The title should read I7 Barmuckity.	Amend title to read I7 Barmuckity.
	Forres, Easter Newforres LONG2- no LONG 2 is identified in the proposed plan. Assume LONG 2 should be I5. Need to clarify.	The site previously identified has Easter Newforres LONG 2. It was renamed as I5 Easter Newforres in the Proposed Plan.	Amend table to read I7 Easter Newforres.
	Hopeman T1, west beach caravan park, assume should be called West Beach Caravan Park, objective 4 should add potential impacts on the proposed Moray Firth Special Protection Area.	It is agreed that objective 4 should add potential impacts on the proposed Moray Firth Special Protection Area (SPA).	Add "Potential impacts on the proposed Moray Firth Special Protection Area (SPA.)"
	Keith R8 Denwell Road, objective 4- unclear why this was scored positive, when the comments indicate it should be neutral to negative.	The site is currently designated as white land in the MLDP 2015. It is located on the edge of the settlement and is surrounded by green areas. The Proposed Plan policies seek new developments to promote biodiversity and connect into existing green networks. For these reasons the site scored positive.	No change.
Historic Environment Scotland	Elgin OPP Town Hall, the designation states that "The Town Hall is Category B Listed and potential heritage impacts will require to be assessed. However, the building's exterior would benefit from improvement as part of a package of measures to make it a place of civic pride." With no detail it is unclear how it scored as a positive impact against the assessment question relating to the protection and enhancement of a listed building. Expected this to be uncertain at this stage.	There are currently no detailed proposals for potential improvements to the town hall. The Council agrees that until that detail has been provided it is uncertain whether the improvements will have a positive or negative effect on the building. The Environmental Impact will be amended to reflect this.	Change Environmental Impact to "?".
Forres OPP3 Former Castlehill	Table 11: Site assessment summary states that no significant adverse effects are	There are currently no detailed proposals for the site and therefore it is uncertain whether	Change Environmental Impact to "?".

Hall	identified for the site. The assessment scored it as +/- however the potential demolition would likely constitute a significant effect.	any future proposal will have a positive or negative effect on the building. The Environmental Impact will be amended to reflect this.	
SEPA			
	<p>Appendix 7, unclear how the checklists considered the 12 environmental objectives and from the ER how to access the checklists which inform the summary assessments in the ER. It would have been useful to have this clarified and the ER contain a link to the completed checklists for clarity.</p> <p>Recommend if using this approach again it is considered developing the checklists so that they can be used as the only assessment of the site and included in the ER.</p>	<p>Noted. The checklists have acted as a screening method to identify whether there is likely to be a significant environmental effect.</p> <p>Future SEA's will address this further and include links back to site checklists, which were available on the Council website which could have been provided to SEPA.</p>	No change.
	Section 3 a) of the SNH response, of 7 March 2019 raises the issue of response to the question in Appendix 5 and support their recommendation.	Noted. See responses to SNH's comments on Appendix 5 above.	See above changes to Appendix 5.
	Previously recommended that that tables be checked for consistency. Consider without the supporting checklists this is difficult to assess to the ER alone.	Checklists could have been provided on request. Checklists will linked better to SEA in future.	No change.
	<p>Welcome Table 4 detailing further changes arising from SEA and evaluation of site/policies between MIR and Proposed Plan stages. Query if it reflects all changes made as a result of the assessments. Note changes arising from the SEA process are limited as most changes have come from the site checklist.</p> <p>Assessments have informed appropriate</p>	<p>Very few changes arose from the SEA process itself. Other changes have arisen from further discussion, assessment and consultation on a range of policy and site matters.</p> <p>The tables reflect the limited outputs from SEA, reflecting the Council's view that many of the environmental checks introduced in SEA already exist in the local development plan process.</p>	No change.

	mitigation measures which are referenced in the ER with intention of bringing forward into the Plan and could have been referenced here.		
	Appendix 6: Site Assessments, previously recommended that an additional column be added for scoring post mitigation and note in a response from Appendix 7 that an extra column would be added. This does not appear to have been done.		
	Scoping Supplementary Guidance, Table 7 details the Scoping Supplementary Guidance however it does not include Kinloss Golf Course Masterplan which is included on the bulleted list of page 4 of the proposed plan.	The Kinloss Golf Course Masterplan has previously been screened out from SEA.	No change.