

FALKIRK

Local Development Plan**2**

Main Issues Report

Environmental Report

Appendix 4: Record of Scoping Comments

February 2017



Falkirk Council

Consultation Authority	Comment	Response
Historic Environment Scotland (HES)	Consultation Period for the Environmental Report - While Section 11: Next Steps of the Scoping Report sets out that the consultation on the Environmental Report will be undertaken at the same time as the LDP2 Main Issues Report, it does not indicate the length of the consultation period. I recommend a minimum consultation period of six weeks. Please note that, for administrative purposes, Historic Environment Scotland consider that the consultation period commences on receipt of the relevant documents by the SEA Gateway.	Comment noted. A 12 week consultation process is proposed.
HES	General Comments - We welcome the acknowledgement that the implementation of the Local Development Plan 2 has the potential to have significant environmental effects and the scoping-in of the historic environment (under cultural heritage) as an SEA assessment topic.	Comment noted.
HES	General Comments - We understand that the initial SEA will be structured around the Main Issues Report for the Local Development Plan 2. It is envisaged that the Main Issues Report will comprise of an over-arching vision statement, with alternatives, and a number of subsequent themed chapters. Each themed chapter will present a number of issues and sub-issues for which a preferred option, and reasonable alternatives, will be provided. We understand that each element of the Main Issues Report, as described above, will be subject to the SEA process and we support this approach.	Comment noted.
HES	General Comments - We also understand that proposed development sites, both committed sites that are carried forward and proposed new sites, will be subject to environmental assessment. We also support this approach.	Comment noted.
HES	Method - We understand that SEA objectives will be used as an assessment tool and welcome this. Reviewing each alternative against a set of SEA objectives presents a robust and transparent framework for carrying out and documenting the assessment.	Comment noted.

Consultation Authority	Comment	Response
	We therefore welcome the provision of the sample summary matrix set out at Table 1 of the SEA Scoping Report. This table presents an effective means of summarising the potential environmental effects of an alternative or site.	
HES	Cultural Heritage - We note that the historic environment has been greater consideration as an environmental topic within chapter 9 (Cultural Heritage) of the SEA Scoping Report.	Comment noted.
HES	<p>Cultural Heritage - We welcome the review of plans, programmes and strategies used to inform the creation of SEA objectives in this area, however would wish to highlight that the following documents have been superseded by the publication of the Scottish Historic Environment Policy (SHEP) 2011:</p> <ul style="list-style-type: none"> • Passed to the Future: Historic Scotland’s policy for the sustainable management of the historic environment, 2005 • Scottish Historic Environment Policy (SHEP) 2001 • SHEP No. 1 The Historic Environment • SHEP No. 2 Scheduled Ancient Monuments • SHEP No. 3 Gardens and Designed Landscapes 	Comment noted. References have been updated in the in the Environmental Baseline Report.
HES	<p>Cultural Heritage - Review of Existing Environmental Data - We also welcome the review of existing environmental data in relation to the historic environment set out within Table 23 of the Scoping Report. This uses environmental indicators to analyse existing environmental characteristics and issues, and we consider that the information contained within this table can be used as a basis for the environmental assessment and as a future monitoring tool. We support the indicators selected as part of this table as these provide a broad overview of activity in relation to historic environment assets within the Council area.</p> <p>This table highlights the opportunity presented by LDP2 to review the status</p>	Comment noted.

Consultation Authority	Comment	Response
	<p>of existing conservation areas and areas of townscape value. There are also opportunities to embed environmental enhancements set out within Conservation Area Management Plans within LDP2. It also highlights the role of LDP2 in preventing the emergence of ad hoc development proposals with the potential to adversely affect historic environment assets.</p> <p>This table also highlights the effectiveness of the current LDP policies in relation to the historic environment. In light of this, we would recommend that no substantial revisions should be made to these policies for inclusion within Local Development Plan 2.</p> <p>We note that this table also highlights the opportunity provided through LDP2 to promote the re-use of buildings on the Buildings At Risk Register, however notice that this sentence is incomplete and that more information could be added.</p>	
HES	<p>Cultural Heritage – Scoping - We welcome the identification of different heritage-asset types to be considered as sub-issues within the Environmental Report. While we consider that this provides a broad overview of heritage asset types within the Council area, we recommend that ‘sites of archaeological interest’ should be broken up into topic areas including ‘World Heritage Sites’, ‘Scheduled Monuments’ and ‘Inventory Battlefields’. This would allow for greater consideration of the differences between these different asset types and their relative importance.</p>	<p>Comment noted. These have been broken up into sub-topics as requested.</p>
HES	<p>Cultural Heritage - Draft SEA Objectives and Assessment Questions - While we are in broad agreement with the SEA Objectives and Assessment Questions as set out within Table 25, we would again recommend considering ‘Sites of Archaeological Interest’ as ‘World Heritage Sites’,</p>	<p>Comment noted. These have been broken up into sub-topics as requested.</p> <p>The first question on historic gardens</p>

Consultation Authority	Comment	Response
	<p>‘Scheduled Monuments’ and ‘Inventory Battlefields’. This would ensure that appropriate consideration of each asset type is undertaken as part of the assessment.</p> <p>We note that some of the draft assessment questions relating to Conservation Areas make reference to scheduled monuments and locally important archaeological sites. We wondered whether these questions were intended for inclusion here.</p> <p>We would also recommend re-phrasing the first ‘Historic Gardens and Designed Landscapes’ question as follows: ‘Will an Inventory Garden and Designed Landscape or its setting be adversely impacted?’</p>	<p>and designed landscapes has also been rephrased.</p>
<p>Scottish Environmental Protection Agency (SEPA)</p>	<p>General - Generally, we are satisfied that the scoping report for the new Falkirk Local Development Plan (FLDP) provides sufficient information on the proposed scope and level of detail for the assessment.</p> <p>We welcome early engagement and therefore we thank you for meeting us, together with your planning department colleagues, on the 2 September 2015 to discuss the requirements of the new FLDP. We would encourage you to consider SEPA’s letter of the 14 September 2015 (our ref: PCS/142306) that was sent to the Falkirk Council LDP lead, where we explain the main requirements for SEPA from both a plan and SEA point of view.</p> <p>We note that there have been some changes in the wording of the objectives from the LDP1 and we would welcome discussing our comments in a meeting/phonecall post-SEA consultation in January 2016.</p>	<p>Comment noted. We met with SEPA to discuss these issues on the 12th of January 2016.</p>

Consultation Authority	Comment	Response
	<p>Please note that, while we are generally content with the information provided and the proposed presentation in the ER, for the purpose of proportionality and brevity we have focussed our response mainly on issues which require action.</p>	
SEPA	<p>Relationship with other Plans, Policies and Strategies - Some of the PPS included have themselves been subject to SEA. Where this is the case you may find it useful to prepare a summary of the key SEA findings that may be relevant to the FLDP. This may assist you with data sources and environmental baseline information and also ensure the current SEA picks up environmental issues or mitigation actions which may have been identified elsewhere.</p>	<p>Due to the breadth of other plans, policies and strategies referenced as having a relationship with our LDP, and our other on-going workload commitments, we did not have sufficient resources available to comprehensively review the findings of the SEA of other PPS.</p>
SEPA	<p>Relationship with other Plans, Policies and Strategies - In Section 3.1 there is the reference to PAN63 Waste Management Planning. Please note that this has now been superseded by the publication of the updated Planning and Waste Management Advice in the Scottish Government website. The main focus of the new guidance seeks to ensure the provision of a 'circular economy' to achieve the Zero Waste Plan objectives; providing advice in relation to the consideration of waste during the Development Plan and Development Management processes; and providing links to various sources of waste information i.e. licensed waste infrastructure/waste capacity etc.</p>	<p>Comment noted. This reference has been updated in the Environmental Baseline Report.</p>
SEPA	<p>Relationship with other Plans, Policies and Strategies - In Section 5, in the list of National PPS, we note that there is reference only to the 2009 River Basin Management Plan (RBMP). We however welcome the reference to the second RBMP which is due to be published on the 22 December 2015.</p>	<p>Comment noted. This reference has been updated in the Environmental Baseline Report.</p>
SEPA	<p>Baseline information and environmental problems - SEPA holds significant</p>	<p>Comment noted.</p>

Consultation Authority	Comment	Response
	<p>amounts of environmental data which may be of interest to you in preparing the environmental baseline, identifying environmental problems, and summarising the likely changes to the environment in the absence of the PPS, all of which are required for the assessment. Many of these data are now readily available on SEPA's website.</p> <p>Additional local information may also be available from our Access to Information unit at our Corporate Office (Telephone 01786 457700 or email dataenquiries@sepa.org.uk).</p> <p>Other sources of data for issues that fall within SEPA's remit are referenced in our Standing Advice for Responsible Authorities on Strategic Environmental Assessment (SEA) Scoping Consultations.</p> <p>Where there are data gaps that can be filled in due course, we would encourage the Council to update the baseline information as part of the preparation of the Environmental Report.</p>	
SEPA	Water – Table 11 - In the existing environmental issues column the text states that 'culverting poses a threat to water quality'. We recommend changing this statement to: 'culverting due to development poses a threat to ecological quality and can, in some cases, increase flood risk'.	Comment noted. This reference has been updated in the Environmental Baseline Report.
SEPA	Water – Table 11 - Is the Mains Burn in Falkirk Council area? There is a Mains Burn in Linlithgow.	Comment noted. Error corrected
SEPA	Water – Table 11 - The following issues are also relevant for the existing environmental issues section: abandoned mine discharges impact on the Rowantree, Carmuir and Milnquarter Burns; urban runoff impacts on various watercourses including the Bonny Water. In relation to abstractions,	Comment noted. This reference has been updated in the Environmental Baseline Report.

Consultation Authority	Comment	Response
	<p>please note that the the Slarfarquhar Intake is in North Lanarkshire Council area. Please contact the SEPA Local Regulatory Team at 01786 457700 for further details.</p>	
SEPA	<p>Water – Table 11 - Likely Future Change - This column could mention missed opportunities for river restoration and deculverting associated with new developments. Also it could say that the FLDP will ensure that developments do not threaten the water environment by affecting a) water quality due to the discharge of contaminated surface water runoff or sewage, b) morphology due to inappropriate engineering works or c) hydrology due to inappropriate abstractions.</p>	<p>Comment noted. Text has been added to the Environmental Baseline Report.</p>
SEPA	<p>Water – Table 11 - This highlights the requirement for a review of the LDP as necessary to embed the proposed future Flood Risk Management measures, as set out within the Local Flood Risk Management Plans (LFRMP), within the development plan. We support this link to the LFRMP.</p>	<p>Comment noted. No further flood risk management measures have been identified within the Forth Estuary Flood Risk Management Plan which need to be identified within the Main Issues Report. It is noted that several new flood studies referred to in the Forth Estuary Flood Risk Management Plan may spawn future flood prevention measures which could benefit from being highlighted within the LDP. We will review the situation again at Proposed Plan stage.</p>
SEPA	<p>Water – Table 11 - The table also includes references to development proposals at risk of fluvial and coastal flooding. We would recommend that other sources of flood risk, such as pluvial, is included within the baseline assessment. Also we are unlikely to support new development within the functional floodplain as outlined in Scottish Planning Policy unless we are</p>	<p>Comment noted. Other sources of flooding including pluvial and canal related flooding have been identified within the Environmental Baseline Report.</p>

Consultation Authority	Comment	Response
	satisfied it is an exemption or flood risk is adequately mitigated as part of brownfield development where there is no increase in sensitivity.	
SEPA	Water – Table 11 - As discussed at the September meeting, please remember that SEPA published new Flood Risk Maps in January 2014, based on new information available, and therefore the flood risk for the area may have changed from LDPI.	Comment noted.
SEPA	Material Assets – Table 20 - Please note that there is at least 1 hydropower scheme in the area (Carrongrove housing development, Denny).	Comment noted.
SEPA	Material Assets – Table 20 - In terms of Material Assets, retrofitting SUDS is an opportunity to improve the amenity of existing developments while potentially reducing flooding and improving water quality downstream. New SUDS should be encouraged by planners to maximise multiple benefits such as placemaking, amenity and biodiversity as well as water quality and quantity. SUDS should be an asset to the community.	Comment noted.
SEPA	Alternatives - We note that alternatives are still being considered. Any reasonable alternatives identified during the preparation of the plan should be assessed as part of the SEA process and the findings of the assessment should inform the choice of the preferred option. This should be documented in the Environmental Report.	Comment noted. All alternatives have been subject to environmental assessment as required.
SEPA	Scoping in / out of environmental topics - We agree that in this instance all environmental topics should be scoped into the assessment.	Support welcomed.
SEPA	Scoping in / out of environmental topics - We note that waste has been considered under the SEA Topic of Population and Human Health rather than the more commonly used Material Assets. We are content with this decision.	Support welcomed.
SEPA	Scoping in / out of environmental topics - We are generally content with the proposed SEA objectives to be used in the assessment and note that most objectives are the same as the ones used in LDP1. We do however have	Comment noted.

Consultation Authority	Comment	Response
	some comments to make on some of the changes which we would be happy to discuss with you in January 2016.	
SEPA	Scoping in / out of environmental topics – Table 7 - The SEA objective for noise refers to odour.	
SEPA	Scoping in / out of environmental topics – Table 7 - The geodiversity objective is missing some text ‘Ensure that Local Geodiversity Sites are afforded a protected.....what?’	The sentence was meant to read. “Ensure that Local Geodiversity Sites are afforded a protected status.” This has been changed.
SEPA	Scoping in / out of environmental topics – Table 13 - Flooding section - outlines objectives to reduce overall flood risk and to avoid areas of flood risk and safeguard the functional floodplain. Whilst we support this statement we would recommend it is extended to include mention of future flood risk and the impacts of climate change.	Noise and odour have been separated into separate sub topics.
SEPA	Scoping in / out of environmental topics – Table 13 - The LDP1 objectives included one for SUDS which has not been replicated in LDP2	The LDP1 SUDS objective was to maximise the potential of SUDS to ameliorate pluvial flood risk. The provision of SUDS in new development is a legal requirement so it is considered that this objective is obsolete.
SEPA	Scoping in / out of environmental topics – Table 13 - We note that the Water objective has been changed from the wording of LDP1 which read: ‘prevent deterioration and enhance the status of the water environment’. Whilst we are content with the split of the objective to cover the ecological status of the waterbodies and groundwater bodies, we would seek clarification on whether the waterbodies only refer to the baseline waterbodies which SEPA monitors or they refer also to non-baseline waterbodies. This may be particularly important for the site assessment and therefore we suggest that we discuss	Comments noted. The SEA objectives and related assessment questions have been modified.

Consultation Authority	Comment	Response
	this issue with a post- scoping consultation meeting/phonecall in January 2016.	
SEPA	Methodology for assessing environmental effects - We are content with the proposed methodology for assessing the environmental effects.	Comment noted.
SEPA	Methodology for assessing environmental effects - Including a commentary section within the matrices in order to state, where necessary, the reasons for the effects cited and the score given helps to fully explain the rationale behind the assessment results. This allows the Responsible Authority to be transparent and also allows the reader to understand the rationale behind the scores given.	Comment noted.
SEPA	Methodology for assessing environmental effects - Where it is expected that other plans, programmes or strategies are better placed to undertake more detailed assessment of environmental effects this should be clearly set out in the Environmental Report.	Comment noted.
SEPA	Methodology for assessing environmental effects - We would expect all aspects of the PPS which could have significant effects to be assessed.	Comment noted.
SEPA	Methodology for assessing environmental effects - We support the use of SEA objectives as assessment tools as they allow a systematic, rigorous and consistent framework with which to assess environmental effects.	Support welcomed.
SEPA	Methodology for assessing environmental effects - When it comes to setting out the results of the assessment in the Environmental Report please provide enough information to clearly justify the reasons for each of the assessments presented. It would also be helpful to set out assumptions that are made during the assessment and difficulties and limitations encountered.	Comment noted.
SEPA	Methodology for assessing environmental effects - We are content with the proposed detailed assessment matrix and particularly welcome the commentary box to fully explain the rationale behind the assessment results.	Comment noted.

Consultation Authority	Comment	Response
SEPA	Methodology for assessing environmental effects - We note that it is proposed to mark the scoring for both neutral and unknown effects with a '?'. In order to avoid confusion and misinterpretation of the results, we recommend that neutral effects are represented with a '0' or a 'N' (as it was done for LDP1). This is in order to differentiate the scoring from genuine unknown effects and in order to provide the results with as much certainty as possible.	This was a typographical error and has been remedied.
SEPA	Methodology for assessing environmental effects - In relation to the sites, we would draw your attention to the joint SEA and development plan site assessment proforma which sets out the issues which we require to be addressed in more detail.	Comment noted. We have developed our own site assessment pro-forma.
SEPA	Methodology for assessing environmental effects - We welcome the intention to assess all the sites, including the ones carried forward from the Adopted Plan (as stated in paragraph 1.4.5 of the scoping report). This is in line with paragraph 4.21 of the PAN1/2010 SEA of Development Plans which requires for all sites to be assessed.	Comment noted.
SEPA	Methodology for assessing environmental effects - As discussed at the September meeting, please remember that SEPA published new Flood Risk Maps in January 2014, based on new information available, and therefore the flood risk for the area may have changed from the LDP1. In light of this, the significant effects of the sites carried forward from LDP1 may have changed, and therefore these need to be re-assessed as part of the Environmental Report. SEPA will provide flood risk comments as part of the call for sites/ MIR consultation (which should include the sites carried forward) and therefore we would expect our comments to inform the assessment. Effective sharing of information (including shapes files as explained in our pre-MIR notification letter of the 14 September 2015) and timing with your planning	Comment noted.

Consultation Authority	Comment	Response
	<p>colleagues would help in the early consideration of flood risk as part of the assessment.</p> <p>The same applies for changes due to the RBMP information and other changes which may lead to significant environmental effects for carried forward sites.</p>	
SEPA	Mitigation and enhancement - We would encourage you to use the assessment as a way to improve the environmental performance of individual aspects of the final option; hence we support proposals for enhancement of positive effects as well as mitigation of negative effects.	Comment noted. Both mitigation and enhancement measures have been identified.
SEPA	Mitigation and enhancement - It is useful to show the link between potential effects and proposed mitigation / enhancement measures in the assessment framework.	<p>Comment noted. For the purposes of the environmental assessment of the Main Issues Report a best case/worst case scenario methodology has been used i.e. significant negative environmental effect are still noted as significant even if mitigation is possible in an effort to encourage mitigation within the Proposed Plan. For example if a site could have an impact on protected species effects are noted as significant and negative. These effects can be reduced to non-significant if appropriate mitigation is included at Proposed Plan stage.</p> <p>Equally significant positive effects are</p>

Consultation Authority	Comment	Response
		noted as significant even if enhancement measures are required at Proposed Plan stage to make them significant. For example if a site could link up significant habitat networks through incorporation of on-site woodland planting effects are noted as significant and positive. These effects can be reduced to non-significant if appropriate enhancement measures are not included at Proposed Plan stage.
SEPA	Mitigation and enhancement - We would encourage you to be very clear in the Environmental Report about mitigation measures which are proposed as a result of the assessment. These should follow the mitigation hierarchy (avoid, reduce, remedy or compensate).	Comment noted.
SEPA	Mitigation and enhancement - One of the most important ways to mitigate significant environmental effects identified through the assessment is to make changes to the plan itself so that significant effects are avoided. The Environmental Report should therefore identify any changes made to the plan as a result of the SEA. We therefore welcome the heading 'proposed changes to the PPS or proposed mitigation' in the assessment matrix. We would however recommend adding 'enhancement' to the heading.	Comment noted.
SEPA	Mitigation and enhancement - Where the mitigation proposed does not relate to modification to the plan itself then it would be extremely helpful to set out the proposed mitigation measures in a way that clearly identifies: (1) the measures required, (2) when they would be required and (3) who will be	The majority of mitigation measures are likely to be incorporated into site schedules within the LDP2 Proposed Plan. This kind of table may work better

Consultation Authority	Comment	Response								
	<p>required to implement them. The inclusion of a summary table in the Environmental Report such as that presented below will help to track progress on mitigation through the monitoring process.</p> <table border="1" data-bbox="495 464 1494 651"> <thead> <tr> <th data-bbox="495 464 745 539">Issue / Impact Identified in ER</th> <th data-bbox="745 464 996 539">Mitigation Measure</th> <th data-bbox="996 464 1247 539">Lead Authority</th> <th data-bbox="1247 464 1494 539">Proposed Timescale</th> </tr> </thead> <tbody> <tr> <td data-bbox="495 539 745 651">Insert effect recorded in ER</td> <td data-bbox="745 539 996 651">Insert mitigation measure to address effect</td> <td data-bbox="996 539 1247 651">Insert as appropriate</td> <td data-bbox="1247 539 1494 651">Insert as appropriate</td> </tr> </tbody> </table>	Issue / Impact Identified in ER	Mitigation Measure	Lead Authority	Proposed Timescale	Insert effect recorded in ER	Insert mitigation measure to address effect	Insert as appropriate	Insert as appropriate	<p>within the revised environmental report.</p>
Issue / Impact Identified in ER	Mitigation Measure	Lead Authority	Proposed Timescale							
Insert effect recorded in ER	Insert mitigation measure to address effect	Insert as appropriate	Insert as appropriate							
SEPA	<p>Monitoring - Although not specifically required at this stage, monitoring is a requirement of the Act and early consideration should be given to a monitoring approach particularly in the choice of indicators. It would be helpful if the Environmental Report included a description of the measures envisaged to monitor the significant environmental effects of the plan.</p>	<p>This has been included at appendix 3 of the Environmental Report.</p>								
SEPA	<p>Consultation period - It is not clear from the scoping report the specific time period proposed for consultation on the Environmental Report. This period should be agreed with the Consultation Authorities at the scoping stage. Accordingly, we would welcome further dialogue with you in order to agree an appropriate timeframe. Typical consultation periods range from 6-12 weeks depending on the content and nature of the plan. The consultation period must offer the Consultation Authorities and the public an early and effective opportunity to express their views and opinions.</p>	<p>A 12 week consultation is proposed.</p>								
SEPA	<p>Outcomes of the Scoping exercise - We would find it helpful if the Environmental Report included a summary of the scoping outcomes and how comments from the Consultation Authorities were taken into account.</p> <p>We welcome proposals for the inclusion of a summary of how the comments</p>	<p>Noted. This document is the summary of scoping outcomes and how they are taken into account.</p>								

Consultation Authority	Comment	Response
	provided by the Consultation Authorities at the Scoping stage have been taken into account in the preparation of the Environmental Report.	
Scottish Natural Heritage (SNH)	Context - Summary of the proposed level of detail - We welcome the clear commitment to assessing all committed sites which are being carried forward. Paragraph 1.4.5 ends by noting that this will “allow the cumulative effects of development sites within each LDP sub area to be presented”. At this stage, without detail of where additional preferred or alternative sites are likely to be proposed, we highlight the potential for some cumulative effects to require assessment over a wider extent than LDP sub areas.	Comment noted.
SNH	Context - Assessment method summary - Paragraph 1.4.7 of the scoping report states that the approach to assessment will be based on asking questions of main and sub issue alternatives. This appears to be an approach which would support better integration of environmental assessment and MIR. It is not clear whether questions will be linked in the MIR as well and we encourage you to consider how this might be achieved. We would be happy to discuss approaches to linking SEA and MIR if you would find that useful.	Main issue alternatives in the MIR mirror the reasonable alternatives considered in the Environmental.
	The sample summary matrix set out in Table 1 provides a good read across from the SEA of LDP1. However, the colouring of ‘significant negative’ effects is somewhat confusing and we suggest that presenting this as red or a darker variant of the orange used for ‘negative’ would align with the progression from ‘significant positive’ through to ‘significant negative’.	The acid yellow colour previously chosen to denote significant negative effects was chosen to signify something poisonous, radioactive and painful to look at. We accept that it may be in everyone’s best interests to choose a less migraine provoking colour and your suggestion of red seems appropriate

Consultation Authority	Comment	Response
SNH	<p>Biodiversity, Flora and Fauna - Current environmental protection objectives - The list of national plans, programmes and strategies set out under paragraph 2.1.1 should be updated at ‘Scotland’s Biodiversity: It’s In Your Hands’.</p> <p>Together with the ‘2020 Challenge for Scotland’s Biodiversity’ this document comprises the Scottish Biodiversity Strategy, as set out on Scottish Government’s website¹. While ‘PAN 60: Planning for Natural Heritage’ remains extant and available on Scottish Government’s website, it is now around 10 years old and many topics covered in it have been reviewed and revised in other guidance, including Principal and Subject policies in SPP.</p>	<p>Comment noted. This reference has been amended within the Environmental Baseline Report.</p>
SNH	<p>Biodiversity, Flora and Fauna - Review of existing environmental data - Table 2 includes a request to us under “The effectiveness of mitigation measures put in place to reduce the impact on protected species” indicator. This request relates to the effectiveness of policy ‘GN03 Biodiversity and Geodiversity’, which sets out general policy protection for protected species. In reference to our checklist on ‘How and When to Consult SNH’², development affecting protected species (unless subject to EIA) is treated as discretionary and we therefore do not have sufficient information to allow us to comment on how effective policy GN03 has been to date. However, as set out in our representation to the Proposed Plan, we consider that policy GN03 comprehensively presents the circumstances in which development would be permitted and the information to accompany applications to demonstrate that biodiversity and geodiversity will not be adversely impacted by proposals. We continue to support the policy approach and we are currently unaware of any indication that it has failed to achieve the required level of protection.</p>	<p>Comment noted.</p>
SNH	<p>Biodiversity, Flora and Fauna - Draft SEA objectives and assessment questions - Table 4 includes the objective “Avoid adverse effects on the integrity of Natura 2000 sites”, with the accompanying question “Will the</p>	<p>Comment noted. The assessment question has been re-framed to state: “Will the option have a likely significant</p>

Consultation Authority	Comment	Response
	<p>option have a likely significant effect on any Natura 2000 site and if it does, can that effect be mitigated so as to avoid an adverse effect on site integrity?" We suggest that the assessment question is either reframed or that the indicator is dropped, with the assessment question then falling under the "Protect and enhance sites which have been designated due to their biodiversity and nature conservation value" indicator.</p>	<p>effect on any Natura 2000 site."</p>
SNH	<p>Population and human health - Current environmental protection objectives - Designing Places' is included in the list of plans, programmes and strategies under paragraph 3.1.1. Our understanding is that the guidance formerly set out in this document has now been subsumed into the Principal Policy on Placemaking set out in SPP3 and in Scottish Government's 'Creating Places'⁴ policy statement.</p> <p>Section 3 of the scoping report includes access and recreation and we therefore suggest that the following are added to the list of national plans, programmes and strategies:</p> <ul style="list-style-type: none"> • Let's Get Scotland Walking – The National Walking Strategy • Cycling Action Plan for Scotland 2013 • A Long-Term Vision for Active Travel in Scotland 2030 	<p>Comment noted. These references have been changed within the Environmental Baseline Report.</p>
SNH	<p>Population and human health - Review of existing environmental information - The environmental indicator for "Participation in outdoor recreation" in Table 5 includes reference to surveys of open space use which included reasons for not visiting parks and open spaces more often. This included a reason that "There's too many bikes on the paths". It is not clear whether the source information differentiated between shared paths and bike use on pavements. Given the likely use of this information to support requirements</p>	<p>The survey referred to did not differentiate between bike use of shared paths and bike use on pavements. The survey asked those who didn't use parks and open space to identify the main reason why not. A large number of respondents identified that there were</p>

Consultation Authority	Comment	Response
	for infrastructure in LDP2 and its related documents, it would be useful to differentiate between these issues. National strategy and policy directs towards supporting and delivering modal shift for transport and a more nuanced assessment would support Falkirk Council's work on delivering this locally.	too many bikes on the paths.
SNH	Population and human health - Draft SEA objectives and assessment questions - We recommend that the assessment questions under the "Access to open space, recreation and countryside" objective in Table 7 are reviewed to include active travel.	The active travel network is dealt as a sub topic of material assets.
	The open space assessment questions in Table 7 both query 'acceptable amount' of open space. This appears to be a typo as objectives relate to both amount and quality.	The Open Space Strategy has reconfirmed that an "acceptable" amount of open space is defined as 5ha/1000 people. This objective has been therefore been reframed as: <i>"Ensure that all settlements 5ha/1000 people of open space."</i>
SNH	Climatic factors - Review of existing environmental data - Indicators for "Number of new housing units approved within reasonable walking distance (1600m) of local facilities" and "Number of houses in new developments within 400m of a bus stop" are noted as not routinely collected in Table 17. In reference to our comments above on information collection and evidence in support of infrastructure for modal shift, it is possible that these indicators could be assessed through information for the Population and Human Health topic.	Comment noted.

Consultation Authority	Comment	Response
SNH	Material assets - Current environmental protection objectives - As discussed above in our comments on the Biodiversity, Flora and Fauna topic, 'Designing Places' has been superseded by other policy, including the Principal Policy on Placemaking in SPP 2014. It should therefore be removed from the list of national policy under paragraph 8.1.1.	Comment noted. This reference has been altered within the Environmental Baseline Report.
SNH	Material assets - Review of existing environmental data - Discussion of the extent of maintained paths in Table 20 describes the growth in total length as positive but questions the likelihood of this expanded network being maintained in the long term. It is notable that the discussion of environmental issues relating to vehicular traffic in this table omits this type of query. If LDP2 is to support modal shift through maintenance and delivery of infrastructure, we suggest that the assessment should establish a more equitable basis for evaluating issues.	Comment noted. It should be recognised however that once a road is adopted, the Council has a legal duty to ensure that it is maintained. With core paths we have a legal duty only to keep them open and free from obstruction.
SNH	The renewable energy indicator in Table 20 is discussed in reference to the potential impact of renewable energy projects in the coastal zone on the Firth of Forth Special Protection Area (SPA). While there are robust measures in place for Slamannan Plateau SPA, we suggest that this issue is also relevant to that site.	Comment noted. This will be addressed in the Environmental Baseline Report.
SNH	Material assets - Draft SEA objectives and assessment questions - The indicator and assessment question dealing with potential for destruction of the core path network in Table 22 should also consider the potential for obstruction. While this is likely to be temporary, the obstruction of the network during a long-running construction project could have significant impacts on active travel, recreation and tourist uses.	Noted and changed.
SNH	Landscape - Draft SEA objectives and assessment questions - The assessment questions for the green belt focus on its role in supporting spatial strategies in protecting and providing access to open space. As the objective also includes	Noted. The flowing assessment questions have been added under the greenbelt sub-topic:

Consultation Authority	Comment	Response
	<p>the green belt roles of maintaining identity and setting of settlements the assessment questions should also support exploration of whether options will achieve these aspects of the objective or not.</p>	<ul style="list-style-type: none"> • Does the option maintain the separate identity and visual separation of settlements? • Does the option protect the landscape setting of settlements? • Does the option protect the greenbelts recreational value and maintain access to it?

