



Date: 14th February 2022
SEA Gateway
Scottish Government
Area 2 H (South)
Victoria Quay
Edinburgh
EH6 6QQ

PLACE, NEIGHBOURHOOD AND CORPORATE ASSETS
Land Planning and Development
Southbank House
Strathkelvin Place
Kirkintilloch
G66 1XQ
Telephone 0141 578 8600
Fax No: 0141 578 8575

Dear SEA Gateway and Consultation Authorities,

**SEA Screening Determination
Water Environment Planning Guidance**

I refer to your letter dated 3rd February 2022 outlining the responses from the Consultation Authorities to the Screening Report that was submitted on 6th January 2022 in relation to the proposed Water Environment Planning Guidance.

The Consultation Authorities are in agreement with the Council that the Planning Guidance is unlikely to have any significant environmental effects. On 11th February 2022 East Dunbartonshire Council made a determination under Section 8(1) of the Environmental Assessment (Scotland) Act 2005 that the Planning Guidance is unlikely to have any significant environmental effects. Therefore, the Planning Guidance will not be subject to a full Strategic Environmental Assessment and an Environmental Report will not be prepared alongside the document.

In accordance with Section 10(1) of the Act, a copy of the screening determination along with the Screening Report and Consultation Authority responses will be made available on request as well as on the Council website at www.eastdunbarton.gov.uk/S-E-A. An advert will also be placed in the Kirkintilloch Herald and Milngavie and Bearsden Herald to publicise the screening determination.

If you have any further queries, please don't hesitate to contact Neil Samson (SEA Technical Officer) on 0141 578 8615.

Yours faithfully,

Neil Samson
Strategic Environmental Assessment Technical Officer

SCREENING REPORT

STEP 1 – DETAILS OF THE PLAN

Responsible Authority:

East Dunbartonshire Council

Title of the plan:

Water Environment Planning Guidance

What prompted the plan:

(e.g. a legislative, regulatory or administrative provision)

To incorporate new priorities and emerging best practice on water environment issues at a broader national level. Feedback from internal services for enhanced guidance, to help create a more effective development management process. Finally, SEPA no longer wish to be consulted on certain types of development, where surface water flooding is the only source of risk, regardless of the complexity. This further increases the importance of having enhanced guidance in place.

Plan subject:

(e.g. transport)

Land use planning: water environment.

Screening is required by the Environmental Assessment (Scotland) Act 2005.

Based on Boxes 3 and 4, our view is that:

An SEA is required, as the environmental effects are likely to be significant: Please indicate below what Section of the 2005 Act this plan falls within

Section 5(3)

Section 5(4)

An SEA is not required, as the environmental effects are unlikely to be significant: Please indicate below what Section of the 2005 Act this plan falls within

Section 5(3)

Section 5(4)

Contact details:

Neil Samson

Tel: 0141 578 8615

Email: Neil.Samson@eastdunbarton.gov.uk

Place, Neighbourhood & Corporate Assets Directorate

East Dunbartonshire Council

Southbank House

Strathkelvin Place

Kirkintilloch

G66 1XQ

Date:

6th January 2022

STEP 2 – CONTEXT AND DESCRIPTION OF THE PLAN

Context of the Plan:

Since the current Local Development Plan (LDP) was adopted in 2017, monitoring and user feedback has identified a number of issues that need to be addressed. Furthermore the Council has since approved and consulted on a replacement Local Development Plan 2 (LDP2), which the updated guidance will have to align with. In addition, there have been a number of key changes at the national level relating to the Planning (Scotland) Act 2019 that the Council must address. The guidance will help to support the Council's emerging Climate Action Plan, which aims to tackle climate change through area-wide mitigation and adaptation measures and ensure that land required for adaptation is suitably protected. This Planning Guidance (PG) will sit alongside the Council's proposed LDP2 and will provide detailed requirements and guidance relating to the water environment to support the principles set out within proposed Policy 18.

Description of the Plan:

The guidance will support the principles set out in Local Development Plan 2: Policy 18 Water Environment and Flood Risk. The Policy and new Guidance will ensure new development protects and enhances the quality of watercourses on or related to the site, avoids flood risk on site, reduces flood risk off site and includes appropriate sustainable drainage systems with multifunctional benefits.

The Guidance will provide applicants with guidance and information on managing and enhancing the water environment to inform the siting, layout and design of development in East Dunbartonshire. It sets out the Council's responsibilities in relation to flood risk and the water environment, and will bring together existing Council guidance on Flooding & Drainage and River Basin Management. The guidance provides advice on how flood risk can be avoided or addressed through design, and sets out the procedures for submitting a planning application. This guidance will support Local Development Plan 2 Policy 18: Water Environment and Flood Risk and will be a material consideration in the assessment of planning applications.

Note that this guidance will form non-statutory PG in support of the LDP (and LDP2). This means that the guidance will not form part of the development plan, however it will be a material consideration in the Development Management decision-making processes. This also means that the PG may be updated quickly as required, should any further issues arise during the lifecycle of the Plan. It will not be subject to scrutiny by Scottish Ministers.

The guidance will form part of the evidence base for the next LDP3. Any proposed changes to the water environment designations will be considered through the LDP3 process.

What are the key components of the plan?

At this early stage, the components for the proposed PG are the following draft objectives:

1. To provide technical information and guidance for applicants which supports the LDP2 Policy 18: Water Environment and Flood Risk.
2. To promote national, strategic and local strategy and policy on flood risk and surface water management, to inform the planning application process.

3. To ensure that new development improves water quality and biodiversity, on or related to the site
4. To promote best practice in relation to water management, including existing Council approved technical guidance on Flooding and Drainage
5. To outline a clear requirement for above ground SuDS
6. To describe what level of supporting information is required for different scales of development
7. To set out requirements for the treatment of existing water bodies on development sites
8. To provide clear policy guidance on the creation of multifunctional green and blue networks
9. To highlight emerging policy and information on climate change adaption, to inform the planning application process.

Have any of the components of the plan been considered in previous SEA work?

The intended outcomes of the proposed PG will be directly related to the proposed LDP2 (Policy 18: Water Environment and Flood Risk, which has been subject to the full SEA process.

In terms of your response to Boxes 7 and 8 above, set out those components of the plan that are likely to require screening:

At this stage, the components known are the proposed objectives. The proposed objectives are likely to require screening at this stage, as they will be the strategic direction for the proposed PG. The proposed draft objectives are stated above.

**STEP 3 – IDENTIFYING INTERACTIONS OF THE PLAN WITH THE ENVIRONMENT AND
CONSIDERING THE LIKELY SIGNIFICANCE OF ANY INTERACTIONS (Error! Reference source not found.)**

Plan Components	Environmental Topic Areas										Explanation of Potential Environmental Effects	Explanation of Significance
	Biodiversity, flora and fauna	Population and human health	Soil	Water	Air	Climatic factors	Material assets	Cultural heritage	Landscape	Inter-relationship issues		
Objective 1 To provide technical information and guidance for applicants which supports the LDP2 Policy 18: Water Environment and Flood Risk.	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	The proposed PG is likely to provide benefits to the environment in relation to the majority of environmental topics, primarily water environment, flood risk through climatic factors and population and human health to some extent. However, the PG will not set a framework for development. Instead, it will essentially be a procedural document to aid decision makers to implement the set policy framework of the proposed LDP2 in order to support and integrate water environment, flood risk and drainage principles. The likely impacts will be in line with those already identified through the SEA of the corresponding subject and community policies and land allocation assessments. The proposed PG will also be in line with or developed to compliment the policy and strategic framework provided by the Councils Sustainability and Climate Change Framework, emerging Climate Action Plan, Open Space Strategy and emerging Greenspace Strategy, which have each been subject to or are in the process of undertaking a full and integrated SEA. The guidance will assist members of the public, community groups, developers and council officers to consider the water environment and flood risks early in the preparation of a	
Objective 2 To promote national, strategic and local strategy and policy on flood risk and surface water management, to inform the planning application process.	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓		
Objective 3 To ensure that new development improves water quality and biodiversity, on or related to the site	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓		
Objective 4 To promote best practice in relation to water management, including existing Council approved technical guidance on Flooding and Drainage	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓		
Objective 5 To outline a clear requirement for above ground SuDS	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓		

<p>Objective 6 To describe what level of supporting information is required for different scales of development</p>	✓	✓	✓	✓	x	✓	✓	✓	✓	✓	<p>development proposal, during pre-application discussions or in advance of a planning application. It will help with identification of issues and risks relating to the water environment on and adjacent to a proposal site.</p>	
<p>Objective 7 To set out requirements for the treatment of existing water bodies on development sites</p>	✓	✓	x	✓	x	✓	x	x	✓	✓		
<p>Objective 8 To provide clear policy guidance on the creation of multifunctional green and blue networks</p>	✓	✓	✓	✓	x	✓	✓	✓	✓	✓		
<p>Objective 9 To highlight emerging policy and information on climate change adaptation, to inform the planning application process.</p>	✓	✓	✓	✓	x	✓	✓	✓	✓	✓		

STEP 4 – STATEMENT OF THE FINDINGS OF THE SCREENING

Summary of interactions with the environment and statement of the findings of the Screening:

(Including an outline of the likely significance of any interactions, positive or negative, and explanation of conclusion of the screening exercise.)

The proposed PG is likely to provide benefits to the environment in relation to **the majority of environmental topics** to some extent. However, the PG will not set a framework for development. Instead, it will essentially be a procedural document to aid decision makers to implement the set policy framework of the proposed LDP2 in order to support and integrate water environment and flood risk principles.

The PG will be directed by and influenced by the full policy framework and corresponding assessments through the LDP2 and SEA. It will also align with wider Council policy and strategic documents, which have all been subject to or are in the process of undertaking a full and integrated SEA.

Whilst it is anticipated that the PG will have a positive impact, to an extent, the overall environmental impacts of the PG itself are unlikely to be significant. Therefore, it has been determined that, under Section 5(3) of the Environmental Assessment (Scotland) Act 2005, a full SEA is not required.

When completed send to: SEA.gateway@scotland.gsi.gov.uk or to the SEA Gateway, Scottish Government, Area 2H (South), Victoria Quay, Edinburgh, EH6 6QQ.



T: 07501497462
E: SEA.Gateway@gov.scot

Neil Samson,
Strategic Environmental Assessment Technical
Officer,
Sustainability Policy Team,
East Dunbartonshire Council

01700 - Screening - East Dunbartonshire Council - Water Environment Planning Guidance

3rd February 2022

Dear Neil,

With reference to the Screening document you submitted on 6th January 2022.

The Consultation Authorities have now considered your screening request as per **Section 9(3)** of the **Environmental Assessment (Scotland) Act 2005**. I have attached the individual letters from the Consultation Authorities, outlining their views and opinions.

Please note, these are the views and opinions of the Consultation Authorities on the likelihood of significant environmental effects arising from the plan or programme and not a judgement on whether an SEA is required. It is therefore for the Responsible Authority to determine whether an SEA is required in the circumstances. Where possible the Consultation Authorities may have offered supplementary information and/or advice for you to consider, which you should find helpful.

As the Consultation Authorities have now notified you of their views, you should now refer to the 2005 Act to consider your next step. You should of course take into account the advice offered by the Consultation Authorities.

You should note, as per Section 10 of the 2005 Act, that within 28 days of your determination about whether an SEA is required or not, a copy of the determination and any related statement of reasons must be passed to the Consultation Authorities. This may be done via the SEA Gateway.

If you have any queries or would like me to clarify any points, please call me on 07501497462.

Kind regards,

Clare Donnelly
SEA Gateway Administrator



By email to: sea_gateway@gov.scot

Neil Samson
Sustainability Policy Team
East Dunbartonshire Council
Place, Neighbourhood and Corporate Assets
Southbank House
Strathkelvin Place
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Longmore House
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Enquiry Line: 0131-668-8716
Switchboard: 0131 668 8600
HMConsultations@hes.scot

Our case ID: 300055912
Your ref: 01700
02 February 2022

Dear Neil Samson

[Environmental Assessment \(Scotland\) Act 2005](#)
[Screening - East Dunbartonshire Council - Water Environment Planning Guidance](#)
Screening Report

Thank you for your consultation which we received on 06 January 2022 about the above screening report. We have reviewed this report in our role as a Consultation Authority under the above Act, in accordance with the requirements of Section 9(3). In doing so we have used the criteria set out in Schedule 2 for determining the likely significance of the effects on the environment.

Historic Environment Scotland's view

In light of the information and reasoning set out within the screening report, we **agree** with your view that there are **unlikely to be significant environmental effects for the historic environment**.

Historic Environment Scotland's comments

We understand this guidance will offer technical advice and detailed requirements to support the implementation of Policy 18: Water Environment and Flood Risk from the proposed Local Development Plan 2. We note that you consider that, as the policy framework has been subject to full environmental assessment through the SEA of the LDP, no significant environmental effects from the guidance itself are likely. We agree with this view and consider that significant effects on the historic environment are unlikely.

Next steps

The Environmental Assessment (Scotland) Act 2005 requires you as the Responsible Authority to determine whether an environmental assessment is required. You must then notify the Consultation Authorities within 28 days of making this determination. This may be done via the SEA Gateway (sea_gateway@gov.scot).

We hope our advice is helpful to you in making this determination. Please feel welcome to contact us if you have any questions about this response. The officer managing this case is Andrew Stevenson who can be contacted by phone on 0131 668 8960 or by email on andrew.stevenson2@hes.scot.

Yours sincerely

Historic Environment Scotland

Neil Samson
Place, Neighbourhood & Corporate Assets Directorate
East Dunbartonshire Council
Southbank House
Strathkelvin Place
Kirkintilloch
G66 1XQ

19 January 2022

Our ref: CEA165541

Sent by email via: sea.gateway@gov.scot

Dear Neil

ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005: WATER ENVIRONMENT PLANNING GUIDANCE - SCREENING DETERMINATION

Thank you for your screening report submitted on 6 January 2022 via the Scottish Government SEA Gateway in respect of the above plan. In accordance with Section 9 (3) of the Environmental Assessment (Scotland) Act 2005, we have considered your screening report using the criteria set out in Schedule 2 of the Environmental Assessment (Scotland) Act 2005, for determining the likely significance of effects on the environment.

We understand that the above guidance will provide further detail in support of Local Development Plan 2 (LDP2), specifically Policy 18: Water Environment and Flood Risk. We note that it focuses on procedural matters and does not set a framework for development. On this basis, we agree that it is not likely to have significant environmental effects.

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. Should you wish to discuss this screening determination, please do not hesitate to contact me via NatureScot's SEA Gateway at sea_gateway@nature.scot.

Yours sincerely,

Ann Marie Quinn
Planning Adviser
Supporting Good Development Team

Environmental Assessment (Scotland) Act 2005

01700 – East Dunbartonshire Council – Water Environment Planning Guidance

Screening report

Thank you for consulting SEPA on this Screening Report by way of your email of 06 January 2022.

In accordance with Section 9(3) of the Environmental Assessment (Scotland) Act 2005 we have reviewed the screening report using the criteria set out in Schedule 2 of the Act. In regard to our main areas of interest (air, water, soil, human health, material assets and climatic factors) **we agree with the conclusions of the screening report** that the proposed PPS is **unlikely to have** significant environmental effect. We note that Local Development Plan 2, Policy 18 - Water Environment and Flood Risk has been subject to SEA.

Although we are of the view that significant environmental effects are unlikely, it is for the Responsible Authority to make a formal determination taking into account the consultation responses received.

If you would like to discuss this consultation response please do not hesitate to contact me by email or via our SEA Gateway at sea.gateway@sepa.org.uk.

Yours sincerely

Jonathan Werritty

Cc:

sea_gateway@nature.scot

sea.gateway@hes.scot

sea.gateway@sepa.org.uk