

Interim Supplementary Guidance:  
Open Space in New Residential Developments

Post Adoption  
Strategic Environmental  
Assessment

PLANNING and DEVELOPMENT SERVICE

An Dèidh Gabhail Rithe  
Measadh Àrainneachd  
Ro-innleachdail



The Highland  
Council  
Comhairle na  
Gàidhealtachd

An t-Òg mhios 2009  
June 2009

## POST-ADOPTION SEA STATEMENT – COVER NOTE

### PART 1

To: [SEA.gateway@scotland.gsi.gov.uk](mailto:SEA.gateway@scotland.gsi.gov.uk)

or

SEA Gateway  
Scottish Executive  
Area 1 H (Bridge)  
Victoria Quay  
Edinburgh EH6 6QQ

### PART 2

A post-adoption SEA statement is attached for the PPS entitled:

Open Space in New Residential Development: Supplementary Guidance

The Responsible Authority is:

The Highland Council

### PART 3

**Contact name**

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**Job Title**

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**Signature & date**



27<sup>th</sup> May 2009

## POST - ADOPTION SEA STATEMENT

### Post-adoption SEA statement for:

Open Space in New Residential Development: Supplementary Guidance

### Adopted on:

20<sup>th</sup> March 2009 - The Highland Council Planning, Environment and Development Committee

### Responsible Authority:

The Highland Council

## POST-ADOPTION SEA STATEMENT INTRODUCTION

This document (referred to here as the post-adoption SEA statement) has been prepared in accordance with Section 18 of the Environmental Assessment (Scotland) Act 2005.

## POST-ADOPTION SEA STATEMENT AVAILABILITY OF DOCUMENTS

### **WEBSITE**

The full PPS as adopted, along with the Environmental Report and post-adoption SEA Statement are available on the Responsible Authority's website at:

<http://www.highland.gov.uk/yourenvironment/planning/developmentplans/osspg.htm> or  
<http://www.highland.gov.uk/yourenvironment/sustainabledevelopment/sea/>

### **OFFICE ADDRESS**

The PPS, as adopted, along with the Environmental Report and post-adoption SEA Statement may also be inspected free of charge (or a copy obtained for a reasonable charge) at the principal office of the Responsible Authority:

### **Contact name, address and telephone number**

Simon Hindson  
Council Headquarters  
Glenurquhart Road  
Inverness  
IV3 5NX

### **Times at which the documents may be inspected or a copy obtained:**

Monday to Friday (0900-1700)

**POST-ADOPTION SEA STATEMENT  
KEY FACTS**

<b>Name of Responsible Authority</b>	The Highland Council
<b>Title of PPS</b>	Open Space in New Residential Development: Supplementary Guidance
<b>Purpose of PPS</b>	The purpose of the supplementary guidance is to set out in detail the approach which Highland Council expect developers and house builders to follow in providing, maintaining and managing open space in
<b>What prompted the PPS</b> (e.g. a legislative, regulatory or administrative provision)	A lack of detailed guidance exists within the local plans.
<b>Subject (e.g. transport)</b>	Town Planning
<b>Period covered</b>	Dependant of time cycle for review of are local development plans.
<b>Frequency of updates</b>	Dependant of time cycle for review of are local development plans. However it will be updated every 5 years
<b>Area of PPS</b> (e.g. geographical area)	Relevant to the whole of Highland except that covered by the Cairngorms National Park Authority
<b>Summary of nature/content of PPS</b>	

The purpose of the SPG is to set out in detail the approach which Highland Council expect developers and house builders to follow in providing, maintaining and managing open space provision in new residential development.

Open Space is increasingly seen as a very important part of our built up environment, providing a variety of benefits to the residents living nearby. Guidelines are needed to ensure a consistent approach to the planning of open space, enabling the development process to achieve the right type, quantity and quality of open space in the Highlands.

The focus will be on securing the right amount and type of open space in places which provide most benefit to the population it serves. Criteria for achieving higher quality and more accessible sites will also be set out, as well as identifying the circumstances where enhancing existing sites is more appropriate. Arrangements for management and maintenance will be clarified.

This SPG will be used alongside the existing Highland Structure plan, existing and emerging local plans, as well as the new Highland-wide local development plan and 3 area local development plans.

The objectives of the PPS are as follows;

- To enhance the quality and maintenance of existing open spaces to maximise benefits for health, well being and biodiversity
- To provide new open spaces that are maintained to a high quality and that are fit for purpose

<b>Date adopted</b>	20 <sup>th</sup> May 2009
<b>Contact name &amp; job title</b> <b>Address, email, telephone number</b>	Simon Hindson Graduate Planner Council Offices Glenurquhart Road Inverness IV3 5NX  Telephone: (01463) 702261 E-mail: <a href="mailto:simon.hindson@highland.gov.uk">simon.hindson@highland.gov.uk</a>
<b>Date</b>	1 <sup>st</sup> June 2009

## **Post-Adoption SEA Statement**

### **Strategic Environmental Assessment Process**

The Open Space in New Residential Development: Supplementary Guidance has been subject to a process of Strategic Environmental Assessment (SEA), as required under the Environmental Assessment (Scotland) Act 2005. This has included the following activities:

- Taking into account the views of the Scottish Environment Protection Agency, Scottish Natural Heritage and the Scottish Ministers (Historic Scotland) regarding the scope and level of detail that was appropriate for the Environmental Report
- Preparing an Environmental Report on the likely significant effects on the environment of the draft PPS which included consideration of:
  - the baseline data relating to the current state of the environment;
  - links between the PPS and other relevant strategies, policies, plans, programmes and environmental protection objectives;
  - existing environmental problems affecting the PPS;
  - the plan's likely significant effects on the environment (positive and negative);
  - measures envisaged for the prevention, reduction and offsetting of any significant adverse effects;
  - an outline of the reasons for selecting the alternatives chosen;
  - monitoring measures to ensue that any unforeseen environmental effects will be identified allowing for appropriate remedial action to be taken.
- Consulting on the Environmental Report
- Taking into account the Environmental Report and the results of consultation in making final decisions regarding the PPS
- Committing to monitoring the significant environmental effects of the implementation of the PPS. This will also identify any unforeseen adverse significant environmental effects and to enable taking appropriate remedial action.

## **How environmental considerations have been integrated into the guidance and how the environmental report has been taken into account**

The table below sets out:

- environmental problems identified in the Environmental Report and explain how these have been taken into account in the preparation of the adopted version of the guidance;
- significant negative effects identified in the Environmental Report and whether / how these have been dealt with in the adopted version of the guidance;
- measures for prevention, reduction and offsetting of significant adverse effects identified in the Environmental Report plus any revised measures considered later and explain how these have been integrated into the adopted version of the guidance; and
- significant positive effects identified in the Environment Report and whether/how these have been integrated into the adopted version of the guidance.



<b>ENVIRONMENTAL CONSIDERATIONS AND FINDINGS FROM ENVIRONMENTAL REPORT</b>	<b>INTEGRATED INTO PLAN (YES/NO)</b>	<b>HOW INTEGRATED/TAKEN INTO ACCOUNT OR REASON FOR NOT BEING TAKEN INTO ACCOUNT</b>
Fragmented Wildlife Habitats within urban and semi-urban residential developments	YES	The guidance promotes the creation of green networks and green corridors which may be used to un-fragment wildlife habitats
Ageing Population	YES	This guidance promotes open space for physical activity and exercise and links to the emerging, Highland Physical Activity and Sport Strategy.
Scotland Wide Health Issues	YES	This guidance promotes open space for physical activity and exercise and links to the emerging, Highland Physical Activity and Sport Strategy.
Maintaining the current soil quality	NO	While the area in which the open space will sit will reduce soil compaction and discourages construction waste being buried on site, soil improvement on a wider scale is outwith the scope of this supplementary guidance.
Localised landscape/townscape issues	YES	Open space can have a significant impact on the landscape/townscape character of an area. This guidance actively encourages good quality design of open space to ensure it can contribute to a better quality townscape.

### **List of Significantly Negative effects identified in the Environmental Report**

None Identified	N/A	N/A
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### **Measures for prevention, reduction and offsetting of significant adverse effects identified in the Environmental Report plus any revised measures considered**

**As there were no significant adverse effects identified this section is not applicable**

### **List of Significantly Positive effects identified in the Environmental Report**

Protect and Enhance Human Health - Long term	YES	The link to the Highland Physical Activity and Sport Strategy included in the guidance has led to an increased benefit to the protection and enhancement of health in the long term. The guidance can be seen as giving a spatial element, when used in conjunction with the Highland Sports Facility Planning Model, to the Physical activity and sport strategy.
Improve biodiversity avoiding irreversible losses	YES	Specific mention of the importance of green networks have been added to the guidance to encourage developers to take the biodiversity on the site into greater account. Links have also been made using this document to the Local Biodiversity Action

		Plans.
Reduce the vulnerability of the effects of climate change such as flooding	YES	The document now has a dedicated section on SUDS to partially tackle the issue of flooding. In addition the document actively encourages the use of semi-permeable material where hard landscaping is required. In addition given that this guidance requires developers to take better account of the size and type of open space that is delivered the guidance helps to reduce soil sealing.
Retain and Improve quality and quantity of publicly accessible open space	YES	The guidance sets out the Council's vision for open space which will be delivered through the provision standards. This vision will lead to the long term retention and improvement of high quality, accessible and fit for purpose public open spaces.
<b>Measures for prevention, reduction and offsetting of significant adverse effects identified in the Environmental Report plus any revised measures considered</b>		
<b>As there were no significant adverse effects identified this section is not applicable</b>		

## How opinions expressed during the consultation have been taken into account

### POST-ADOPTION SEA STATEMENT TEMPLATE - GUIDANCE NOTE 2

- 1 The Responsible Authority must set out how the opinions expressed during the consultation procedures at Section 16 of the Act have been taken into account. All consultation responses must be covered.
- 2 The Responsible Authority must also set out how the results of any relevant consultations under Regulation 14 of the Environmental Assessment of Plans and Programmes Regulations 2004 (The UK Regulations) i.e. consultations with other EU Member States.
- 3 Before disclosing consultees' details or opinions remember to ensure that you have complied with relevant legislation such as The Data Protection Act, The Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004.

**TABLE 2 –LISTS CONSULTATION RESPONSES AND SETS OUT HOW THEY HAVE BEEN TAKEN INTO ACCOUNT**

CONSULTEE / RESPONDENT (ALPHA ORDER BEGINNING WITH THE CONSULTATION AUTHORITIES)	SUMMARY OF COMMENTS	HOW THE COMMENT WAS TAKEN INTO ACCOUNT IN MAKING THE DECISION TO ADOPT THE FINAL PPS
Scottish Environment Protection Agency	SEPA made separate response to the consultation on the supplementary guidance itself	Noted
	<b>Implications of flood risk</b> linking of open space to the protection of functional flood plain ensuring new development does not result in additional flood risk elsewhere	Guidance modified to take this into consideration.
	<b>explanation of why SEA topic used to assess cumulative effects rather than SEA Objectives</b> Required explanation on why this had been done as it was unusual.	The revised environmental report made clear why this method of assessment was chosen.
	<b>modification of section 3 to ensure a positive effect in relation to the water receptor</b> This was a comment directed toward an improvement which could be made to ensure a more positive impact of this section of the guidance	The final version of the document was modified to demonstrate this point.

	<p><b>Notes that guidance may have significant positive impact on Climate Change however lack of information in the final version of the guidance.</b> This was a comment directed toward an improvement which could be made to ensure how this could be achieved through use of the guidance.</p>	Guidance has been modified to take this into consideration.
	<p><b>Effects on water could be seen as positive rather than neutral</b> comment recognised that there was no negative effect but the ER could have better demonstrated the positive effects of the guidance.</p>	Noted and will be taken into consideration for future SEA assessments.
The Scottish Ministers (Historic Scotland)	Historic Scotland had no comments on the ER as Historic Environment was Scoped Out	
Scottish Natural Heritage	<p><b>explanation of why SEA topic used to assess cumulative effects rather than SEA Objectives</b> Required explanation on why this had been done as it was unusual.</p>	The revised environmental report made clear why this method of assessment was chosen.
	<p><b>question based system for assessment</b> Clarification required on why a composite score given despite answering 4 separate questions</p>	The revised environmental report gave an explanation for this assessment methodology.
	<p><b>additional alternative in Option 3 not assessed</b> This questioned why the 3 separate option had not been assessed separately rather than all together.</p>	An explanation for this was given in the revised environmental report.
	A number of comments were made seeking clarity on sections of the draft ER.	Various revisions were made to reflect requests for further clarification.
	<p><b>New development gives opportunity to create less fragmented wildlife habitats - focus on positives.</b> SNH believed there should be more focus on the positive opportunities new open space in residential developments can offer.</p>	Revised guidance to reflect this.
	<p><b>More overarching objective to tackle landscape</b></p>	No change made as the objective had already been changed to reflect comments at scoping stage.
	<p><b>Different approach to assessment of cumulative effects suggested</b></p>	Noted and will be considered for future SEA work.

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	<p><b><i>explanation of why SEA topic used to assess cumulative effects rather than SEA Objectives</i></b>          Required explanation on why this had been done as it was unusual and caused overlap.</p>	<p>The revised environmental report made clear why this method of assessment was chosen.</p>
	<p><b><i>Biodiversity should score higher in allotments than outdoor sports facilities</i></b>          Questioned whether the policy needs to be made stronger in this respect</p>	<p>The guidance has been modified to encourage biodiversity in all open spaces however this is dependant on how the specific site is managed but its occupant.</p>
	<p><b><i>Impact of different types of open space on the landscape/townscape</i></b>          Rewording of assessment required to stress importance of fit of development into landscape.</p>	<p>Environmental report reworded following the suggestion of the consultation authority.</p>

**There were no comments on the Environmental Report other than those from the Consultation Authorities**

## **Reasons for choosing the guidance as adopted, in the light of other reasonable alternatives**

This alternative has the potential to have a significantly positive impact on the environment as it contains a number of measures which:

- have the potential to lead to significantly improved protection and enhancement of human health;
- long term improvement to biodiversity avoiding irreversible losses;
- significantly reduced vulnerability to the effects of climate change; and
- lead to a reduction and prevention of crime and the fear of crime.

Highland's open space comprises a wide variety of sites including amenity greenspace, equipped play areas for children and young people, natural greenspace, parks and gardens, outdoor sports facilities and other functional greenspaces such as allotments.

Given the importance of appropriate greenspace, sport and recreation provision, the Council's long term aim is for the Highland Council area to have sustainable networks of high quality, fit for purpose greenspaces and sports facilities that support and enhance biodiversity and the quality of life of residents and visitors

The main focus of this Strategic Environmental Assessment Environmental Report is on the future provision of open space. However, existing open spaces may also be improved through use of developer contributions.

A number of related plans policies and strategies were identified and have been used to better the content of the final version of the Supplementary Guidance.

## Measures that are to be taken to monitor significant environmental effects of the implementation of the Guidance

Monitoring of Supplementary Guidance: Open Space in New Residential Development will take place in order to aid in the identification of any unforeseen adverse effects and to take appropriate remedial action. This is inline with Section 19 of the Environmental Assessment (Scotland) Act 2005.

Monitoring will take place following the adoption of the Supplementary Guidance and will use the SEA indicators. In the monitoring of the supplementary guidance it may be appropriate to review the baseline data and the effectiveness of measures proposed for prevention, reduction, and offsetting of significant environmental effects. This will be done as part of the monitoring framework which will be set up for the Highland Wide Local Development Plan.

The monitoring of the SEA and the SG will be undertaken in house using information gathered from a range of sources including from SEPA, SNH and Historic Scotland. The baseline data against which the effectiveness of the guidance will be measured was outlined in the Environmental Report and is reproduced below for convenience.

It is intended that over time monitoring of the guidance may be built into the wider monitoring of the Highland Wide Local Development Plan.

SEA Topic	Indicator	Quantified Information	Comparators and Targets	Potential Issues/Constraints
Biodiversity, flora & fauna	LBAP targets % achieved	Dependent on area covered by LBAP	Targets are identified in the LBAP for each area	None
	Number of Visits to designated Sites	Visit to designated sites at a national level from 2007 Scottish Recreation Survey	Increase in visits	Availability of up to date data.
	Number of designated sites	Number of designated sites gathered from THC GIS	No target or trend identified. Hope for no decrease in number designated	None
	Distribution of protected species and native habitats	Location of all designated sites plotted on GIS	No trend available	None
	Native Species at Risk	List of native species at risk nationally and locally.	No trend available. Hope for a decrease in number of species at risk	Availability of data
	% of open space that links to create green corridors	Unknown in the Highlands as a whole	No trend available. Baseline will be established following completion of the Highland Green Space Audit.	Data is unavailable until completion of the Highland Green Space Audit.

SEA Topic	Indicator	Quantified Information	Comparators and Targets	Potential Issues/Constraints
Population	Scottish Multiple Indices of Deprivation	Deprivation statistics on health and SCROL figures on income and employment	Trend varies across indicators	None
	Crime Rates	Northern Constabulary. Deprivation statistics on crime	Trend varies across indicators.	Availability of data from Northern Constabulary
	Perception of safety	Northern Constabulary	No Trend Available	Inaccuracy of data if same sample of population is not used with each survey.
	Community involvement in the management of open space	None available. New indicator.	No Trend Available	Information dependent on outcomes of the public consultation into open space maintenance arrangements
	% of population within 200m of public open space in "good" condition	GreenInverness Audit has established location/distribution of open space in Inverness but information is yet to be established for the whole of the Highlands.	No Trend Available	Most data is unavailable until completion of the Highland Green Space Audit.
Human Health	General Health of Highland Population	SCROL figures on health. Working on more local figures with Highland Community Health Partnership	The trend figures are dependant on indicator	None
	Proportion of People taking exercise	Highland Community Health Partnership have information on this to a local level	Increased participation	None
	Life Expectancy	SCROL figures on life expectancy	Increase	None
Air, Water, Soil and Climatic Factors	Reduce the need to travel	Scottish Household survey asks specific questions on this indicator	Increase in those using sustainable transport, walking or cycling	None
	Flood Risk Probability	Map showing indicative fluvial and coastal flood risk probability	Limited increase	Frequency of updates to the Flood Risk mapping.
	River Water Quality	Map showing which rivers are of a good quality.	Increase in "good" quality river water	None



SEA Topic	Indicator	Quantified Information	Comparators and Targets	Potential Issues/Constraints
	Ground Water Quality	Ground water quality information is held by SEPA under the EC Water Directive	No decrease in quality	None
Cultural Heritage	Historic Parks and Gardens	Number of Historic Parks and gardens in Highland using the Inventory of Gardens and Designed Landscapes	No decrease	None
	Archaeological sites at risk	Number and location of sites have been established through use of the Historic Environment Record held by The Highland Council	No increase in sites at risk	None
Material Assets	Total area of open space (by type) in "good" condition	GreenInverness Audit has established amount of open space and quality of sites in Inverness but information is yet to be established for the whole of the Highlands.	No Trend Available	Most data is unavailable until completion of the Highland Green Space Audit.
	Total length of footpath/cycleway in "good" condition in an open space	No information currently available - new indicator	No Trend Available	Data is unavailable until completion of the Highland Green Space Audit.
	% of open space footpath/cycleway that links to a wider core path network	No information currently available - new indicator	No Trend Available	Data is unavailable until completion of the Highland Green Space Audit.
	Distribution of paths and cycle tracks in and around settlements	Information has mapped from the Core Path Plans	No Trend Available	None
	Protect and enhance access along rights of ways and core paths	No information available - new indicator	No Trend Available	None
Landscape	Distribution and nature of designated sites	Sites are mapped in THC GIS and are established in the local plan	No decrease in distribution and nature of designated sites	Frequency of data updates
	Retain and improve quality of publicly accessible open space	GreenInverness Audit has established quality of open space in Inverness but information is yet to be established for the whole of the Highlands.	No Trend Available. No fall in quality of publicly accessible open space	Data is unavailable until completion of the Highland Green Space Audit.

SEA Topic	Indicator	Quantified Information	Comparators and Targets	Potential Issues/Constraints
	Enhance landscape and townscape character	No information available - new indicator. Information will be sought during the Highland Greenspace Audit	No Trend Available. Increase in landscape and townscape character.	Data is unavailable until completion of the Highland Green Space Audit.

### Conclusion

It is considered the SEA process has added value to the adopted Open Space in New Residential Development: Supplementary Guidance. The guidance and its associated SEA documents will be made available online and at Highland Council Headquarters in due course.

## Seirbheis an Dealbhachaidh is Leasachaidh