

Name of Responsible Authority	Shetland Islands Council
Title of Plan, Programme or Strategy	Shetland Local Development Plan 2014
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Date	10 th November 2014

Responsible Authority	Shetland Islands Council
Title of PPS	Shetland Local Development Plan 2014
Purpose of PPS	<p>The purpose of the Local Development Plan is to set out a vision, objectives, spatial strategy and planning policies for growth and development across Shetland.</p> <p>The Local Development Plan is part of a statutory process and this is review every 5 years.</p>
What promoted the PPS	Statutory governmental obligation
Subject	The Local Development is a land use planning policy document in which the contents will be used to determine planning applications across the Islands.
Period covered by the PPS	The Local Development spatial framework is designed to last for between 15-20 years, but it is recommended that the contents be monitored and, if necessary, be reviewed every 5 years.
Area covered by the PPS	Whole of the Shetland Islands administrative area
Date Adopted	26 th September 2014

1. Introduction

This document (the post-adoption statement) has been prepared in accordance with Section 20 of the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2005.

The Shetland Local Development Plan, hereafter referred to as the “LDP” has been subject to a Strategic Environmental Assessment, as required under The Environmental Assessment of Plans and Programmes (Scotland) Regulations 2005. This has included the following activities:

- Taking account of the views of the Scottish Environment Protection Agency, Scottish Natural Heritage and Historic Scotland with regard to the scope and level of detail appropriate for the Environmental Report.

Preparing an Environmental Report on the likely significant effects on the environment of the Development Framework, this included consideration of the following:

- the baseline data relating to the current state of the environment;
- links between the LDP and other relevant plans, programmes and environmental objectives;
- existing environmental problems affecting the plan or programme;
- the LDP’s likely significant effects (including cumulative effects) on the environment, both positive and negative;
- the mitigation measures envisaged for the protection, reduction and offsetting of any significant adverse effects;
- an outline of the approach taken to dealing with alternatives;
- Monitoring measures to ensure 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 preparing the LDP; and
- Committing to monitor the significant environmental effects of the implementation of the LDP, identify any unforeseen significant environmental effects and to take appropriate remedial action or enhancement.

The LDP together with the Environmental Report and Post-Adoption Statement can be inspected free of charge during normal opening hours at:

Shetland Islands Council
8 North Ness
Lerwick
Shetland

Or on the web: www.shetland.gov.uk/ldp

2. Consultation comments and how they have been taken into account

The tables below provide a summary of the comments received from the Consultation Authorities and from other organisations and individuals on the LDP, and summarises how those comments have been taken into account in the Finalised LDP.

Consultation Responses on Environmental Report

Page	Consultation Authority	How have the comments been taken into account
	Scottish Natural Heritage	
Appendix 9 - Testing LDP Objectives against SEA Objectives - Table 2	No LDP objective fully compatible with the SEA objective of protecting Shetland's soil and peat resource. Strengthen the LDP re: soil and peat conservation.	Noted. This will be included within Supplementary Guidance – Minerals.
Appendix 11 - LDP Policy/SEA Objective Screening Assessment Matrix - Table 3	Policy M1 (Minerals) in itself provides no protection for biodiversity or landscape and so at best would be neutral with respect to these SEA objectives. The forthcoming Supplementary Guidance may include mitigation which might merit a positive score, but the key principles of the Minerals SG are not articulated in the policy so it is not possible to test them at this stage in the SEA process.	Assessment showed as strongly positive. Similar representation made by SNH on the LDP policy itself so coordinate the response between SEA and LDP.
SEA ER - Table 2 SEA Objectives, Criteria and Indicators	Add consideration of impacts on SSSIs, Local Nature Conservation Sites and Local Landscape Areas to Table 2 in appropriate areas; under human health, add consideration of access to open space and opportunities for active travel.	Noted and reflected within the relevant policies.
Appendix 3 - Plans	Table would be more	Noted.

Programmes and Strategies Review	helpful if it had shown how these were plans were taken into account.	
Assessment of Sites with Development Potential.	SEA does not include an assessment against SEA objectives and criteria of sites received under the Call for Sites. Site assessment sheets cover some of the criteria but not all of the issues that should have been covered by the SEA.	Noted.
Assessment of Sites with Development Potential	Assessment should consider not just if a site is within an SSSI but whether its development could affect an SSSI, SAC, SPA or Ramsar site. Assessment should also consider potential wider countryside impacts, including effects on protected species, UKBAP priority habitats and species and species on the Scottish Biodiversity List.	Site with Development potential not individually assessed.
Assessment of Sites with Development Potential	Assessment of sites should show (for all sites, including those rejected) significant environmental effects, proposed mitigation measures as development requirements and reasons for rejection of sites not selected.	Site with Development potential not individually assessed.
Appendix 8 - Internal Compatibility between SEA Objectives	Peat/ other carbon-rich soils are important in sequestering carbon dioxide so not clear why table shows no obvious relationship between the objectives for soil and climatic factors. Protection of Shetland's soil and peat resource will prevent the	Noted.

	release of stored carbon, so these objectives are at least partly compatible	
Appendix 11 - LDP Policy/SEA Objective Screening Assessment Matrix - Table 3	Policy NH1 (International and National Designations) would have a positive effect on landscape as well as biodiversity since it includes protection of NSA.	Noted and changed.
Appendix 11 - LDP Policy/SEA Objective Screening Assessment Matrix - Table 3	Policy NH2 (Protected Species) is absent but would be strongly positive for biodiversity.	Noted.
Appendix 11 - LDP Policy/SEA Objective Screening Assessment Matrix - Table 3	Policy NH3 (Local Designations) is numbered NH4 in LDP but would have a positive effect on landscape as well as biodiversity since it includes protection of Local Landscape Areas.	Noted and changed.
Appendix 11 - LDP Policy/SEA Objective Screening Assessment Matrix - Table 3	Policy NH4 (Soils) is numbered NH5 in LDP. Should have been positive for Climatic Factors.	Noted and changed.
Appendix 11 - LDP Policy/SEA Objective Screening Assessment Matrix - Table 3	Policy NH6 (Water Environment) is numbered NH7 in LDP. Might be scored positive for biodiversity due to requirement to avoid deterioration of ecological status.	Noted and changed.
Appendix 11 - LDP Policy/SEA Objective Screening Assessment Matrix - Table 3	Policy HE5 (Gardens and Designed Landscapes) will also have a positive effect on the landscape.	Noted and changed.

Appendix 11 - LDP Policy/SEA Objective Screening Assessment Matrix - Table 3	H2 (Areas of Best Fit) should be beneficial for human health (by facilitating active travel), water and landscape.	Noted and changed.
Appendix 11 - LDP Policy/SEA Objective Screening Assessment Matrix - Table 3	Policy H8 (Uninhabited Islands) will provide some benefits for biodiversity and landscape.	Noted and changed.
Appendix 11 - LDP Policy/SEA Objective Screening Assessment Matrix - Table 3	Policy RE1 (Renewable Energy) requires that developments have no unacceptable impact on the natural environment, water and landscape but would not rule out all impacts nor provide direct biodiversity benefits. A neutral score for biodiversity, soils and landscape would therefore appear more appropriate.	Noted. Assessment showed as strongly positive.
Appendix 11 - LDP Policy/SEA Objective Screening Assessment Matrix - Table 3	Policy WD3 (SuDS) should be scored positive for biodiversity.	Noted and changed.
Appendix 11 - LDP Policy/SEA Objective Screening Assessment Matrix - Table 3	Policy CF2 (Open Space) should be scored positive for landscape.	Noted and changed.
Appendix 11 - LDP Policy/SEA Objective Screening Assessment Matrix - Table 3	Numbering of natural heritage policies does not match that in the published plan and the policy on protected species is missing.	Noted and changed.
Appendix 5 - Environmental	Update list of National Nature Reserves to delete	Noted and changed.

Baseline	Keen of Hamar	
Appendix 5 - Environmental Baseline	Update Table 5 to reflect recent changes in designated sites - see letter for details.	Noted.
Appendix 5 - Environmental Baseline	Correct Latin name for Norwegian sandwort.	Noted.
Appendix 5 - Environmental Baseline	Refer to Core Paths and Open Space under Population and Human Health; Access issues could then follow in Appendix 6, Current Environmental Issues.	Noted.
Appendix 5 - Environmental Baseline	The Special Qualities Report for the Shetland NSA should be referred to under Landscape.	Comment clarified and noted.
Appendix 13 - Monitoring Statement	<p>Suggested indicators for monitoring the effects of the plan:</p> <p>Biodiversity:</p> <ul style="list-style-type: none"> • Number of planning applications affecting designated areas. • Number of planning applications affecting protected species where either mitigation was necessary to avoid the need for a licence, or a licence was required. • Number of planning applications affecting BAP priority habitats and species. <p>Human Health:</p> <ul style="list-style-type: none"> • Relative access to open space, footpaths and cycle routes. <p>Soil:</p> <ul style="list-style-type: none"> • Number of planning applications on areas of 	Noted. The monitoring framework has been developed further and some of these points have been considered within the Action Programme.

	<p>deep peat. Landscape:</p> <ul style="list-style-type: none"> • Number of planning applications with adverse effect on NSA or LLAs. • Any reduction in the extent of area identified on the Wildness Map as having the strongest qualities of wildness. 	
Environmental Assessment (Scotland) Act 2005	Schedule 3 wrongly referred to as Schedule 2 on p17 (para 1) and p19 (para 4).	Noted. Error corrected.
Current Environmental Issues and Problems affecting Shetland	Table referred to cannot be located.	Noted. This was moved to Appendix 6 - current Environmental Issues and Problems affecting Shetland.
Appendix 3 - Plans Programmes and Strategies Review	Scotland's Biodiversity, it's in Your Hands is National, not International.	Noted. Reference updated.
Appendix 3 - Plans Programmes and Strategies Review	Suggest additional PPS should be considered and listed.	Noted.
Appendix 7 - Evolution of the Environment without the LDP	Summary could usefully have been included in the ER at pp17-18 to augment reference to appendices.	Noted.
Appendix 3 - Plans Programmes and Strategies Review	Divide "National, Regional and Local" list into UK, Scottish and Local PPS.	Noted.
Historic Scotland		
General	Lack of information/assessment	Noted.
General	Lack of assessment of potential significant effects of the spatial strategy on Historic Environment	Noted.
General	SEA doesn't demonstrate how impact of spatial	Previously advised in Scoping and Interim ER

	strategy on historic environment has influenced preparation of LDP.	stage. Assessment of Sites with development potential was not undertaken.
Spatial Strategy	Insufficient evidence to demonstrate that potential significant effects of the spatial strategy on Historic Environment have been assessed and taken into account in identification of land allocations and reasonable alternatives. ER should demonstrate how SEA objectives have been taken into account in development of Spatial Strategy.	Noted. Disagree. The baseline information for Shetland has included relevant information on the historic environment and this has been assessed through the SEA process.
Appendix 10a, 10b, re: Site Allocations	Actual alternative sites in the spatial strategy not assessed. This is a key purpose of the SEA.	Noted.
Appendix 12 - Cumulative Effects	Assessment of potential cumulative effects of spatial strategy allocations not undertaken.	Noted.
Mitigation (Appendix 6)	Limited evidence of mitigation applied, post ER and, hence, no evidence of the plan having been modified in response.	Noted.
Mitigation (Appendix 6)	Policies may be unable to appropriately mitigate against impacts on the historic environment.	Noted. Further information and guidance will be provided within the emerging Historic Environment SG.
Mitigation (Appendix 6)	Mitigation measures are limited in detail and high level. They may be difficult to monitor.	Noted. Monitoring framework has been changed accordingly.
Assessment of Sites with Development Potential	ER lacks details of the 94 non-preferred sites and why they were rejected.	Noted. Details of this are available.

Assessment of Sites with Development Potential	Basic appraisal only, no analysis of how the information has influenced the site allocation process.	Noted.
Assessment of Sites with Development Potential	Basic appraisal of direct impacts only, no acknowledgement of potential for direct impacts.	Noted.
Appendix 16 LDP Site Assessment Form	Establishes basic facts (e.g. proximity to historic environment assets) but doesn't refer to potential for impacts on setting.	Noted.
GP2 General Requirements for All Development - Appendix 11, Table 3 Policy Assessment Matrix	Likely to have "minor positive" impact on cultural heritage.	Noted.
H2 Areas of Best Fit - Appendix 11, Table 3 Policy Assessment Matrix	Scoring questioned because no assessment of effects on historic environment for these areas in ER - "Uncertain effect" more likely.	Noted.
Appendix 5 - Environmental Baseline	Listed buildings should be mapped, as well as other historic assets.	Noted. This will be undertaken within the emerging Historic Environment SG.
Appendix 5 - Environmental Baseline	Cultural Heritage section refers to map D2 (supposed to show Scheduled Monuments) but it's not included.	Noted. Maps of historic areas and assets are available.
Appendix 13 - Monitoring Statement	All cultural heritage indicators are quantitative; suggest that some qualitative indicators are also included, e.g. "number of planning consents granted where significant effects predicted on historic assets".	Noted. This will be included within an updated monitoring framework for the LDP.

	Scottish Environmental Protection Agency (SEPA)	
LDP policies - SE Assessment, mitigation and amendment.	SEA doesn't state when this stage took place and whether the amendments were significant; if they were the policies should have been re-assessed.	Noted.
Appendix 11, Table 3 - Policy Assessment Matrix	Comments section - no explanation of how the assessment was undertaken and no justification for results given so unclear why some assessments recorded in the way they are.	Noted.
Sites with Development Potential	ER doesn't record the assessment of environmental effects of Sites with Development Potential; it should have demonstrated how it considered all the SEA issues and set out related mitigation.	Noted.
Assessment of Sites with Development Potential	Probably the most important and useful element of the SEA; PAN 1/2010 states that SEA should assess all the sites in the Plan for their significant environmental effects.	Noted.
Assessment of Sites with Development Potential	The site information sheets for development sites do not cover all SEA topics required, e.g. air quality or waste management; no explanation given why this is and they are not scoped out.	Noted.
Assessment of Sites with Development	The SEA does not record why sites were included or why sites were excluded	Noted. Sites were appraised as part of the LDP process where a criteria was

Potential	from the LDP, even though we are aware (for areas within SEPA's remit) that these decisions were based upon positive or negative effects and that mitigation was considered. This should all have been recorded.	produced to screen sites for their development potential.
Appendix 13 - Monitoring Statement	Considerable change since previous ER but no explanation given as to why.	Noted. This will be updated as part of the adoption and monitoring of the LDP policies.
Appendix 5 - Environmental Baseline	Waste management - important baseline information requested at the MIR SEA has still not been provided. This should have been available for assessment of the MIR and also for the Proposed Plan so that the Council can make appropriate waste management policy and programme decisions.	Noted. Baseline information provided.
Appendix 13 - Monitoring Statement	Ask for an indicator relating to number of permissions granted on peat deposits because peatland is an important carbon sink and many are wetlands protected by the Water Framework Directive.	Noted. Peatland extraction will be included within Supplementary Guidance – Minerals.
Appendix 13 - Monitoring Statement	Prioritise monitoring commitment to concentrate on (1) aspects the plan could have significant effects (2) known environmental problems and (3) gaps in environmental baseline.	Noted.
LDP policies	Referencing anomalies - order changed.	Noted.
Appendix 9, Table	Commentary to explain	Noted.

2 Compatibility of the Local Plan Objectives and SEA Objectives	reasoning would have been helpful.	
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3. Reasons for choosing the Shetland Local Development Plan (LDP) as adopted, in the light of other reasonable alternatives

The production of the LDP is a legislative requirement of the Planning etc. (Scotland) Act 2006; therefore there is no alternative to producing the plan. The LDP will have an overall positive impact on the environment as it contains policies and proposals requiring environmental considerations to be taken into account, when making decisions on planning applications. The plan sets the spatial context for sustainable growth within Shetland, steering development to appropriate locations.

Through its development, the LDP has been subject to detailed environmental assessment and has drawn on extensive consultations with the general public and stakeholders at different stages.

Reasonable alternatives have been considered, including those for housing land, economic developments, rural developments, employment land and infrastructure. The approach selected for the LDP balances the needs of the environment with competing social and economic needs (although beyond the remit of the SEA). Supplementary guidance, masterplans, Environmental Impact Assessments etc. will consider particular environmental matters in more detail than the LDP and provide opportunities to further embed the principles of sustainability at site-specific scale. While satisfying the requirements of the Planning etc. (Scotland) Act 2006, the Plan has been subject to rigorous environmental assessment and consideration of alternatives during its completion, leading to the adopted plan.

4. Measures that are to be taken to monitor significant environmental effects of the implementation of the plan

The monitoring of the LDP is undertaken by Shetland Islands Council and by other agencies. An action programme has been prepared, listing actions required to deliver specific proposals and policies, and the names of agencies required to implement these. Implementation of the actions will be monitored regularly by the Council through updates to the action programme. The environmental effects of the LDP will be monitored through planning application decisions as well as technical assessments and statutory consultee comments, informing these decisions.

In addition to these means, the Council will prepare a monitoring statement, examining significant changes in the principal environmental characteristics of the area and the impacts of the policies and proposals of the LDP. This will be consistent with the requirements of the Planning Etc. (Scotland) Act 2006.