



EAST AYRSHIRE COUNCIL

Local Development Plan 2

Environmental Report

2024

Plan, Programme or Strategy	Main/Key issues of the Document	Implications for LDP2
International		
The Kyoto Protocol 1997	The Kyoto Protocol aims to limit, as well as reduce emissions of greenhouse gases. The Protocol places a limit on anthropogenic greenhouse gas emissions with a view to reduce overall emissions by a minimum of 5% and ideally below 8% by 2012, when the commitment period expires.	LDP2 has a role in contributing to these objectives through integrating and promoting sustainable transport networks within the context of land use planning in order to help reduce emissions into the atmosphere.
The Rio declaration on Environment and Development	The declaration set the founding principles on sustainable development that were adopted by the international community.	LDP2 has a duty to contribute to sustainable development.
European		
Habitats Directive	The Directive requires the protection of species and habitats listed in the Annex's to the Directive by the identification and classification of Special Areas of Conservation (SACs).	LDP2 is required to protect and preserve designated areas from loss or damage by development.
Water Framework Directive	The Directive safeguards the sustainable use of water and supports the status of aquatic systems, addresses issues relating to pollution, flooding, droughts and river basin management planning.	LDP2 should ensure that there is no degradation of water bodies, no adverse impacts on the water environment and support sustainable water management practices.
Thematic Strategy for Soil (2012)	The Strategy protects soils from further degradation and the preservation of soil functions.	LDP2 is required to protect carbon rich soils and prime agricultural land.
Environmental Noise Directive	The Directive relates to the assessment and management of environmental noise and aims to focus on the determination of exposure to environmental noise. The	LDP2 should minimise environmental noise through minerals extraction.

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	Directive ensures that information on environmental noise and its effects is made available to the public, and prevents and reduces environmental noise where necessary and preserving noise quality where it is good.	
Air Quality Directive	The Directive provides basic principles as to how air quality should be assessed and managed. It also lists the pollutants for which air quality standards and objectives will be developed and specified in legislation.	LDP2 will seek to manage air quality standards and minimise development that will exacerbate emissions that contribute to poor air quality.
European Climate Change Programme (ECCP)	The Programme seeks to identify and develop all the necessary elements of an EU strategy to implement the Kyoto Protocol. The second ECCP was launched in 2005.	LDP2 should seek to contribute to reducing greenhouse gas emissions.
The Birds Directive (2009)	The Directive protects all wild birds, their nests, eggs and habitats within the EU and also provides the basis to classify Special Protection Areas (SPA).	LDP2 is required to protect designated sites, such as SPAs and SACs from loss or damage as a result of development.
Landfill Directive (1999)	The Directive sets a reduction target of 75% of the 1995 levels and 35% of the 1995 levels of waste sent to landfill by 2013 and 2020 respectively.	LDP2 should contribute to the targets set by the Directive in the context of land use planning.
The European Landscape Convention (2000)	The European Landscape Convention of the Council of Europe promotes the protection, management and planning of the landscapes and organises international co-operation on landscape issues. This includes natural, managed, urban and peri-urban areas, as well as both special landscape areas and degraded landscapes.	The LDP2 and this Environmental Report considers potential significant impacts on the landscape through Stage 1 and Stage 2 SEA assessments. LDP2 will set policies which protect the landscape quality of East Ayrshire. These policies will be directly informed by the objectives of the European Landscape Convention (2000) and other PPSs such as the Ayrshire Landscape Character Assessment, Ayrshire and Arran Forestry and Woodland Strategy (2014) etc.

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National		
National Planning Framework 4 (NPF4)	The NPF4 framework sets the context for development in Scotland and provides a framework for the spatial development Scotland as a whole. It sets out the Scottish Government's development priorities and key national developments alongside a set of universal policies centred around four key themes (sustainable places, liveable places, productive places and distinctive places) which support the development strategy.	LDP2 should contribute to the strategic objectives and development priorities of the Scottish Government's policy commitments.
The Planning (Scotland) Act 2019	The Act sets out the statutory requirements for Development Planning in terms of local development plans, key agencies and delivery programmes. It supports the creation and inclusion of local place plans. This also legislates for children's play.	LDP2 is required to take into account the provisions of the Act. LDP2 has incorporated a policy which supports the creation of local place plans.
Town and Country Planning (Local Place Plans) (Scotland) Regulations 2021	The Regulations set out a number of matters relating to the preparation, submission and registration of Local Place Plans (LPPs).	LDP2 takes into account the provisions of the Regulations and contains policies in relation to LPPs.
Environmental Protection Act 1990: Part II Contaminated Land and Contaminated Land (Scotland) Regulations 2000 (SI 2000/178)	This provides a regulatory regime for the identification and remediation of contaminated land and is subject to the 2000 Regulations and Statutory Guidance.	LDP2 is required to take into account the provisions of the Act and the Regulations.
Nature Conservation (Scotland) Act 2004	The Act imposes a wide-ranging duty on Scotland's public sector to conserve biodiversity and protect natural heritage.	LDP2 is required to protect biodiversity in accordance with the requirements of the Act including the avoidance of adverse impacts on sites, habitats and species of value as defined within the Scottish Biodiversity Strategy and associated priority list.

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<p>Land Reform (Scotland) Act 2003</p>	<p>Part 1 of the Act establishes statutory public rights of access to land and inland water for recreational and other purposes and for crossing land and extends some of these provisions to rights of way.</p>	<p>LDP2 should reflect and protect the Core Paths as identified in the East Ayrshire Core Path Plan. In addition, LDP2 should consider land access issues in relation to areas that area or have been subject to minerals extraction and restoration projects.</p>
<p>Flood Risk Management (Scotland) Act 2009</p>	<p>The act takes a proactive approach to flood risk management (FRM). Specific measures within the Act include:</p> <ul style="list-style-type: none"> • a framework for a co-ordinated approach to flood management; • an assessment of FRM plans; • a revised, streamlined process for flood protection schemes; • a new methods to enable stakeholders and the public to contribute to manage flood risk and; • a single enforcement authority for the safe operation of Scotland’s reservoirs. 	<p>LDP2 will take into account the provisions of the Act, in particular the assessment of flood risk and the preparation of flood risk management plans.</p>
<p>River Basin Management Plan for the Scotland River Basin District (2015-2027)</p>	<p>The RBMP sets out a series of objectives for the 12 year period from 2015-2027 and outlines a programme of measure which will help to achieve these objectives:</p> <ul style="list-style-type: none"> • Tackling pressures on the water environment <ul style="list-style-type: none"> ○ Water quality ○ Restricting fish migration ○ Water flows and levels ○ Spread of non-native invasive species <p>The RBMP aims to safeguard the quality of drinking water sources, bathing water, shellfish waters and water bodies that are protected areas for conservation.</p>	<p>LDP2 will take into consideration the objectives of the RBMP, with a particular focus on protecting, preserving and enhancing water quality.</p>
<p>Climate Change (Scotland) Act 2009 and 2019</p>	<p>The Climate Change (Scotland) Act 2009, and the amendments to the act (2019), have implications for how the council tackles and promotes climate change. The act creates a statutory</p>	<p>LDP2 should seek to contribute to reducing greenhouse gas emissions.</p>

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	<p>framework for greenhouse gas emissions reductions in Scotland.</p> <p>The Scottish Government responded by declaring a “Climate Emergency” and amendments were lodged to the Bill to set a target date of 2045 for reaching “net-zero” emissions (5 years before the UK Government’s target).</p>	
<p>Water Environment and Water Services (Scotland) Act 2003</p>	<p>The Act sets out the arrangements for the protection of the water environment. The aim of the Act is to protect and improve the ecological status of the water environment whilst also protecting the social and economic interests of those who depend on the water environment.</p>	<p>LDP2 must take into account the potential effect of its implementation on the ecological status of the water environment.</p>
<p>The Management of Extractive Waste (Scotland) Regulations 2010</p>	<p>The regulations regulate the natural minerals, which need to be disturbed and separated at mines and quarries in order to process minerals for sale. The Regulations transpose the EC Mining Waste Directive (MWD) through the planning system.</p>	<p>LDP2 should take into consideration the provisions of the Regulations.</p>
<p>Historic Environment Policy for Scotland (2019)</p>	<p>The statement directs decision making that affects the historic environment. It sets out 6 policies for the recognition, care and sustainable management of the historic environment.</p>	<p>LDP2 should take into consideration the 6 policies for managing the historic environment for the conservation of East Ayrshire’s historic environment and cultural heritage.</p>
<p>Managing Change in the Historic Environment</p>	<p>It sets out a series of guidance notes intended to translate policies into everyday context and language.</p>	<p>LDP2 should take into consideration the Managing Change guidance notes.</p>
<p>The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997</p>	<p>The Act details the approach to be taken by planning for listed buildings, conservation areas and gardens and designed landscapes.</p>	<p>LDP2 should ensure that listed buildings, conservation areas and gardens and designed landscapes and their settings are protected and not adversely impacted by new development.</p>

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<p>Ancient Monuments and Archaeological Act 1979</p>	<p>The Act gives legal protection to scheduled monuments and important archaeological areas.</p>	<p>LDP2 should ensure that scheduled monuments and archaeological areas are protected and not adversely affected by new development.</p>
<p>The Future of Energy in Scotland: Scottish Energy Strategy (2017)</p>	<p>The Strategy sets out the Scottish Government’s 2050 vision for energy in Scotland including a target of the equivalent of 50% of the energy for Scotland’s heat, transport and electricity consumption to be supplied by renewable sources. A draft energy strategy and transition plan was published in January 2023.</p>	<p>LDP2 should ensure take into account the Scottish Government’s targets for energy.</p>
<p>The Scottish Soil Framework (2009)</p>	<p>The Framework’s main aim is to promote the sustainable management and protection of soils consistent with the economic, social and environmental needs of Scotland.</p>	<p>LDP2 should ensure that any development in the area does not degrade the soil quality of the area and is sensitively sited and designed in accordance with the framework.</p>
<p>National Transport Strategy 2</p>	<p>The strategy sets out Transport Scotland’s ambition for Scotland’s transport system for the next 20 years. The strategy has four key priorities: reduce inequalities, take climate action, help deliver inclusive growth and improve health and wellbeing.</p>	<p>LDP2 should ensure that it takes into account the four key priorities of NTS2.</p>
<p>Scotland’s National Strategy for Economic Transformation (2022)</p>	<p>The Strategy sets out the priorities for Scotland’s economy as well as the actions needed to maximise the opportunities of the next decade to achieve our vision of a wellbeing economy. It outlines five policy programmes of action:</p> <ul style="list-style-type: none"> • Establish Scotland as a world-class entrepreneurial nation; • Strengthen Scotland’s position in new markets and industries; • Make Scotland’s businesses, industries, regions, communities and public services more productive; 	<p>LDP2 should seek to align with the five programmes of action, by supporting entrepreneurship, industry and business development, and skills training, in a fair manner throughout the geography of East Ayrshire.</p>

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	<ul style="list-style-type: none"> • Ensure people have the skills they need and that employers invest in the skilled employees they need; • Reorient our economy towards wellbeing and fair work. 	
PAN 50: Controlling the Environmental Effects of Surface Mineral Workings	The PAN provide advice on the more significant environmental effects arising from mineral working operations.	LDP2 should take into consideration the advice given when preparing the Plan's minerals policy framework.
Flood Risk Planning Advice (2015) Scottish Government	This document supports The Flood Risk Management (Scotland) Act 2009 and provides advice on flood risk including site specific considerations, the risk assessment process and items for consideration in the formulation of Local Development Plans.	LDP2 contains policies which set out the Planning Authority's approach to flood risk mitigation, based on the principle of flood accordance. LDP2 also considers and ensures the effectiveness of sites, taking flood risk into account.
PAN 64: Reclamation of Surface Minerals Workings	The PAN provides advice on how mineral operators and planning authorities can ensure that mineral workings are reclaimed to a high standard as soon as possible after working has ceased.	LDP2 will seek to update the policy framework for the effective restoration of land previously subject to surface minerals workings from the MLDP.
PAN 65: Planning and Open Space	The PAN provides advice on the role of the planning system in protecting and enhancing existing open spaces and providing high quality new spaces.	LDP2 will seek to protect certain existing open spaces and the creation of spaces in new development.
Cleaner Air for Scotland 2 – Towards a Better Place for Everyone (2021)	This strategy replaces Cleaner Air for Scotland – A Road to a Healthier Future. It sets out the Scottish Government's air quality policy framework for the next five years and a series of actions to deliver further air quality improvements.	LDP2 will seek to provide a policy framework in relation to minimising air pollution through the promotion of active travel and ensuring that significant developments are located in close proximity to transport hubs.

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<p>Scotland's Zero Waste Plan (2010)</p>	<p>The Zero Waste Plan sets a target of 70% recycling and a maximum of 5% of waste going to landfill by 2025 across Scotland. The ZWP provides a vision, mission, actions and strategic directions in order to achieve this goal. The Planning System must proactively contribute to waste management in order to identify land allocations for more sustainable waste management infrastructure.</p>	<p>Under SPP, LDP2 must identify appropriate locations for all waste management facilities and support their development. LDP2 will seek to meet the requirements laid out in SPP and Scotland's Zero Waste Plan (2010).</p>
<p>Environmental Assessment (Scotland) Act 2005</p>	<p>The Environmental Assessment (Scotland) Act 2005, outlines the requirement for environmental assessments to be undertaken and the responsible authorities. The Act sets out how to prepare the environmental report, what could be contained within it, the consultation processes as well as post-adoption procedures. Within Schedule 2, the Act provides criteria for determining the likely significance of effects on the environment.</p>	<p>As the Environmental Assessment (Scotland) Act 2005 outlines the requirement, process and procedures for undertaking a SEA, it is integral to the preparation process. The preparation of the LDP2 should take into account the content and procedures contained within the Act.</p>
<p>Our Past, Our Future: The for Scotland's Historic Environment (2023)</p>	<p>The Strategy outlines the values and benefits that the historic environment brings to places. The Strategy provides a mission as well as a series of priorities to sustain and enhance the benefits of Scotland's historic environment, for people and communities now and into the future.</p>	<p>LDP2 should take account the aims of the strategy during its development.</p>
<p>Scottish Biodiversity List</p>	<p>The Scottish Biodiversity List is a list of animals, plants and habitats that Scottish Ministers consider to be of principle importance for biodiversity conservation in Scotland.</p>	<p>LDP2 will take into consideration the Scottish Biodiversity List, in terms of it's Spatial Strategy and policies relevant to biodiversity conservation.</p>
<p>Scottish Biodiversity Strategy post-2020: Statement of Intent</p>	<p>This statement sets the direction for a new biodiversity strategy which will respond to the increased urgency for action to tackle the twin challenged of biodiversity loss and climate change.</p>	<p>LDP2 will take into consideration the Scottish Biodiversity Strategy, in terms of it's Spatial Strategy and policies relevant to biodiversity loss and climate change.</p>

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Regional		
Ayrshire Local Biodiversity Action Plan	The Plan identifies priority habitats and species which require attention and set out a shared agenda for conservation action by identifying priorities required by joint action. It comprises of the three Ayrshire authorities- East, North and South.	LDP2 will seek to ensure the conservation and management of priority habitats and species in East Ayrshire.
Ayrshire and Arran Forestry and Woodland Strategy (2014)	The strategy seeks to guide the development and management of woodland to support the local economy, contribute to community well-being and promote environmental excellence.	LDP2 should protect woodland and promote community woodlands in line with the strategy.
Ayrshire Landscape Character Assessment	The assessment provides information about landscape character for use by planning authorities in the preparation and review of their development plans and in the scoping and production of environmental assessments.	LDP2 should protect the landscape character types within East Ayrshire.
Ayrshire Landscape Wind Capacity Study (2018)	This document forms Non-Statutory Planning Guidance. The study considers the landscape and visual sensitivity of 12 landscape character types in East Ayrshire to wind turbine developments.	LDP2 should protect the landscapes which are sensitive to wind related developments, further safeguarding landscape character.
Ayrshire Flood Risk Management Strategy: Ayrshire Local Plan District	Ayrshire Flood Risk Management Strategy provides an approach to manage flooding. The AFRMS identifies priority areas which are vulnerable (Potentially Vulnerable Areas) with cause and consequence descriptions. The AFRMS also outlines objectives for tackling flood risk.	LDP2 should reflect the strategy's data and objectives in terms of planning flood risk mitigation.
Ayrshire Regional Economic Strategy (2023)	The strategy focuses on a series of strategic priorities where Ayrshire has a sectoral, infrastructural or locational competitive advantage, which makes it well placed to capitalise on sector growth and seeks to explain the strategy for growth. It also identifies how Ayrshire can maximise the impact of the building blocks of the Ayrshire economy. The intent of the strategy is to ensure that by 2030, Ayrshire is innovative, productive, inclusive, operates on international scale, and is sustainable, by taking a strategic action-based	LDP2 will take the Strategy into account, in terms of its priorities.

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	approach to the themes identified.	
Ayrshire Indicative Regional Spatial Strategy (2020) (iRSS)	The Ayrshire iRSS sets out the indicative key development priorities and principles for Ayrshire.	LDP2 will take the iRSS into account, in terms of its Spatial Strategy and policy framework.
Local		
East Ayrshire Council Community Plan (2015-2030)	The Plan sets out a structured way to plan, provide for and promote services in the community and to improve in all aspects of life in East Ayrshire through a partnership approach involving a range of public partners.	LDP2 should reflect the community plan's policy framework with regards to planning.
East Ayrshire Sustainable Development Strategy	The strategy takes forward the Council's work to achieve a sustainable community in East Ayrshire and develops the strategic guidelines established in the Community Plan.	LDP2 should reflect the strategy's framework and objectives in terms of planning.
East Ayrshire Green Infrastructure Strategy (2015)	The Strategy provides a co-ordinated approach to the provision of protected open space, development of local green space initiatives and the core path plan. It provides the strategic vision for open space in East Ayrshire.	LDP2 should take into consideration the strategy's strategic vision and seek to safeguard protected open space and core path network. LDP2 should ensure a new policy framework is developed to protect green and blue networks.
Community Led Action Plans (CLAPs)	The plans set out the key actions required to enhance local communities over a five year period. They set out the delivery of local programmes, services and facilities, which will aid the delivery of each plan.	LDP2 will take into consideration the objectives, priorities and actions set out in community led action plans.
Climate Change Strategy (2022)	The strategy sets out the Council's objectives for tackling the challenges of global warming. It sets out how this will be achieved, in terms of energy, transport, waste and the natural environment.	LDP2 will reflect the aims and actions set out in the strategy.

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Local Transport Strategy	The strategy sets out the aims and actions for the development of East Ayrshire's transport system.	LDP2 will reflect the aims and actions set out in the strategy.
Economic Development Strategy (2014-2025)	The strategy sets out the ambitions of East Ayrshire for transforming the local economy.	LDP2 will reflect the aims and vision of the strategy.
Clean Green East Ayrshire Climate Change Strategy (2021)	The strategy outlines the Council's objectives for tackling the climate crisis in order to create a clean, green future. This strategy directly links to the objectives and vision of LDP2.	LDP2 supports and reflects the objectives of the Strategy by incorporating policies around electric vehicle charging, LEES etc, supports the Infinity Loop within the Spatial Strategy etc.
Local Housing Strategy (2019-2024)	Prepared in accordance with The Housing (Scotland) Act 2001, this strategy sets the Council's vision for the future of housing and housing related services over a 5 year period.	LDP2 supports and reflects the objectives of the Strategy through its housing development opportunity sites and taking cognisance of SHIP.
Local Studies & Background Papers		
Irvine Valley Flood Study (RPS)	Study to identify the flood risk associated with the River Irvine, Glen Water, Back Burn, Caffle Burn, Burn Anne, Cessnock Water, Simons Burn and Kilmarnock Water in the Irvine Valley upstream from Kilmarnock and assess options (including economic viability) for the alleviation of future flooding. The flood extents from this study have been adopted by SEPA into the next generation of flood maps. All options for achieving a 0.5%CC AEP Standard of Protection failed to provide a Benefit Cost Ratio above 1, but a preferred option consisting of Direct Defences throughout the study area was identified that provides a 1% AEP SoP with a BCR above 1.	LDP2 will take into account the flood extents from this study when assessing flood risk. LDP2 will express support for actions that alleviate future flooding within the Irvine Valley catchment area.
Land at Bellfield Flood Mitigation Options Appraisal Technical Note (Waterman)	Flood and access review for the development of land east of the Bellfield Interchange in Kilmarnock. As part of the assessment, an Options Appraisal was required to determine how the site could	LDP2 will take the outcomes of the appraisal into account in its the Spatial Strategy and policy framework.

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	be developed given the existing flood risk and drainage constraints in the area.	
Bellfield Interchange, Kilmarnock Development Options Stage 1 Assessment (Graham+Sibbald)	The study identifies logically prioritised options that can take advantage of the development potential at Bellfield Interchange. The Stage 1 Assessment identifies site constraints and mitigation measures required to support development and to identify development options that would support economic growth and job creation within East Ayrshire within the context of the Ayrshire Growth Deal (AGD).	LDP2 will take into account the outcomes of the stage 1 assessment in its Spatial Strategy and policy framework.
Local Landscape Area (LDA Design)	This study reviewed the extents and qualities of the Sensitive Landscape Area as identified within EALDP1 (2017), now referred to as the Local Landscape Area. The study ultimately suggested amendments to the boundaries of the LLAs and developed a framework for different areas.	LDP2 has taken this study into account. The LLA extents as illustrated within LDP2 have been amended. LDP2 also contains a policy framework which supports these locally important landscapes with the intention of safeguarding landscape character from further erosion. This study will be used to inform more detailed Supplementary Guidance for LLAs.
Development Framework for Kilmarnock Town centre and South Central Kilmarnock (Ryden and Austin Smith Lord)	The Framework relates to the regeneration of Kilmarnock Town Centre and areas lying adjacent to the town centre, known as South Central Kilmarnock. It: <ul style="list-style-type: none"> • understands what the local community’s aspirations are for the area; • develops the evidence base to support proposals; • understands the potential for and the communities ambitions for redeveloping vacant and derelict land; • identifies solutions to flood risk through creative problem solving 	LDP2 will take into account the content of the Framework in its Spatial Strategy and policy framework.

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	and bring these into wider placemaking discussions.	
Development Framework for Stewarton (Ryden and Austin Smith Lord)	The Stewarton Development Strategy is a long term development framework which focuses initially on how existing services and facilities that serve the needs of the town can be improved to meet existing needs and those of the immediate future. In addition, it sets out how the town can be sustainably managed over the medium to longer term to accommodate any future growth that may be identified through the background work for LDP2	LDP2 will take into account the content of the Strategy in its Spatial Strategy and policy framework.
Kilmarnock North Feasibility Study (Graham+Sibbald)	The Study sets out the feasibility of the area north of Kilmarnock/Meiklewood for economic development. It explores various subjects, including land constraints and access.	LDP2 will take into account the content of the Strategy in its Spatial Strategy and policy framework.
Business and Industrial Land Review Study	This report provides an assessment of the business and industrial land supply within East Ayrshire as allocated for the East Ayrshire Local Development Plan (EALDP) and provides key findings and recommendations for the developments of subsequent development plans.	The report will inform industrial and business land policy and the identification of sites safeguarded for such uses and development opportunity sites.
Transport Appraisal Report	The appraisal considers cumulative impacts of potential development opportunity sites for inclusion in LDP2 along with the effects of legacy sites contained in LDP1 on the trunk and primary road network within East Ayrshire.	The appraisal will inform LDP2 policy and the inclusion of development opportunity sites.
Entec Landscape Assessment of Potential Development Areas Phase 1, 2 and 3	The assessment documents the landscape assessment of potential development areas within the urban fringes and rural landscapes close to the existing settlements of Kilmarnock, Hurlford, Crookedholm, Crosshouse, Fenwick and Kilmaurs.	The appraisal will inform LDP2 policy and the inclusion of development opportunity sites.



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