

Interim Environmental Report

APPENDIX 2:

Key Plan's, Programmes and Strategies which inform the
development of LDP2

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.	LDP 2 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.

	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 MIR and this Interim 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.

National		
National Planning Framework 3	The framework sets the context for development in Scotland and provides a framework for the spatial development of Scotland as a whole. It sets out the Scottish Government's development priorities over the next 20-30 years and identifies Scotland's national developments, which support the development strategy.	LDP2 should contribute to the development priorities and the Scottish Government's policy commitments.
Scottish Planning Policy	SPP sets out the national planning policies, which reflect Scottish Ministers' priorities for the operation of the planning system and for the development and use of land.	LDP2 should take account of the core principles of SPP and Scottish Government's policy to achieve sustainable economic growth as well as the thematic policy topics.
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.
Land Reform (Scotland) Act 2003	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.	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>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 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>LDP2 should seek to contribute to reducing greenhouse gas emissions.</p>

Water Environment and Water Services (Scotland) Act 2003	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.	LDP2 must take into account the potential effect of its implementation on the ecological status of the water environment.
The Management of Extractive Waste (Scotland) Regulations 2010	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.	LDP2 should take into consideration the provisions of the Regulations.
Historic Environment Policy for Scotland (2019)	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.	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.
Managing Change in the Historic Environment	It sets out a series of guidance notes intended to translate policies into everyday context and language.	LDP2 should take into consideration the Managing Change guidance notes.
The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997	The Act details the approach to be taken by planning for listed buildings, conservation areas and gardens and designed landscapes.	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.
Ancient Monuments and Archaeological Act 1979	The Act gives legal protection to scheduled monuments and important archaeological areas.	LDP2 should ensure that scheduled monuments and archaeological areas are protected and not adversely affected by new development.
The Future of Energy in Scotland: Scottish Energy Strategy (2017)	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.	LDP2 should ensure take into account the Scottish Government's targets for energy.

The Scottish Soil Framework (2009)	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.	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.
National Transport Strategy (2020)	The Strategy aims to reduce inequalities, take climate action, deliver inclusive economic growth and improve health and wellbeing. This Strategy advocates a vision for Scotland's transport system that will help to create great places which are: sustainable, inclusive, safe, accessible, healthier and fairer. A full review of the NTS may be done in parallel with work to review the National Planning Framework.	LDP2 should require, where possible, that new development is suitably located and designed to aid accessibility to public transport.
Scotland's Economic Strategy (2015)	The strategy sets out the Scottish Government's ambition to create a more cohesive and resilient economy that improves the opportunities, life chances and wellbeing of every citizen in Scotland.	LDP2 should take account the aims of the strategy during its development.
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.
PAN 69: Online Planning Advice on Flood Risk	The PAN provides advice on the sources of flood risk, its impacts and in relation to various aspects of flood risk management, for example, flood risk management plans/assessment.	LDP2 will seek to provide a policy framework in relation to sources and impacts of floor risk and the management of flood risk.
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.
Cleaner Air for Scotland – The Road to a Healthier Future (2015)	<p>This report provides a vision for Scotland's air quality in order to protect and enhance health, well-being, environment and sustainable economic growth.</p> <p>The Independent Review (2019) outlines relevant major events which have</p>	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.

Associated Cleaner Air for Scotland: Independent Review (2019)	occurred since 2015. The aim of this report sets out the status of CAFS now; why it is important to continue to act; present and analysis the current air pollution drivers, state and apparent trajectories; considered the causative components and issues identified and then sets out actions and how to address them.	
Scotland's Zero Waste Plan (2010)	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.	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).
Environmental Assessment (Scotland) Act 2005	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.	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 MIR/LDP2 should take into account the content and procedures contained within the Act.
Our Place in Time: The Historic Environment Strategy for Scotland (2014)	The Strategy outlines the values and benefits that the historic environment brings to places. The Strategy provides a vision as well as a series of principles, priorities and outcomes. In order to ensure that the cultural, social, environmental and economic value of Scotland's heritage makes a strong contribution to the wellbeing of Scotland and its people. The Strategy has three key aims: to understand the historic environment by investigating and recording it, caring and protecting the historic environment and sharing and celebrating its richness.	LDP2 should take account the aims of the strategy during its development.

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.
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	The Strategy provides a co-ordinated approach to the provision of protected open space, development of local green	LDP2 should take into consideration the strategy's strategic vision and seek to

Infrastructure Strategy	space initiatives and the core path plan. It provides the strategic vision for open space in East Ayrshire.	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.
Energy Strategy and Carbon Management Programme (2014)	The programme outlines the Council's objectives for reducing energy usage and how this will be achieved.	LDP2 will reflect the aims and actions set out in the strategy.
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.