



**East Dunbartonshire Council**

www.eastdunbarton.gov.uk

Date: 22nd October 2021  
SEA Gateway  
Scottish Government  
Area 2 H (South)  
Victoria Quay  
Edinburgh  
EH6 6QQ

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

Dear SEA Gateway and Consultation Authorities,

**SEA Screening Determination  
Brownfield Land Planning Guidance**

I refer to your letter dated 20<sup>th</sup> October 2021 outlining the responses from the Consultation Authorities to the Screening Report that was submitted on 28<sup>th</sup> September 2021 in relation to the proposed Brownfield Land Planning Guidance.

The Consultation Authorities are in agreement with the Council that the Planning Guidance is unlikely to have any significant environmental effects. On 22<sup>nd</sup> October 2021 East Dunbartonshire Council made a determination under Section 8(1) of the Environmental Assessment (Scotland) Act 2005 that the Planning Guidance is unlikely to have any significant environmental effects. Therefore, the Planning Guidance will not be subject to a full Strategic Environmental Assessment and an Environmental Report will not be prepared alongside the document.

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

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

Yours faithfully,

**Neil Samson**  
**Strategic Environmental Assessment Technical Officer**

# SCREENING REPORT

## STEP 1 – DETAILS OF THE PLAN

**Responsible Authority:**

East Dunbartonshire Council

**Title of the plan:**

Brownfield Land Planning Guidance

**What prompted the plan:**

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

An increased focus at national level (Scottish Government) on the re-use and redevelopment of brownfield land as a key resource.

The guidance is driven by contaminated land requirements set out in the Environmental Protection Act 1990 (Part IIA).

**Plan subject:**

(e.g. transport)

Land use planning

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

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

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

Section 5(3)

Section 5(4)

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

Section 5(3)

Section 5(4)

**Contact details:**

Neil Samson

**Tel:** 0141 578 8615

**Email:** [Neil.Samson@eastdunbarton.gov.uk](mailto:Neil.Samson@eastdunbarton.gov.uk)

Place, Neighbourhood & Corporate Assets Directorate

East Dunbartonshire Council

Southbank House

Strathkelvin Place

Kirkintilloch

G66 1XQ

**Date:**

27<sup>th</sup> September 2021

## STEP 2 – CONTEXT AND DESCRIPTION OF THE PLAN

### Context of the Plan:

This Planning Guidance (PG) supports the implementation of the Council's Local Development Plan 2 (LDP2). It also sits alongside other Supplementary and Planning Guidance.

This guidance provides planning agents, developers and applicants with details of the type and extent of investigations and decontamination schemes required by the Planning Authority for the development of brownfield sites. This includes guidance on dealing with non-native invasive species. It also provides details of vacant and derelict land within East Dunbartonshire.

### Description of the Plan:

The guidance is driven by contaminated land requirements set out in the Environmental Protection Act 1990 (Part IIA). It is also influenced by the objectives set out in the proposed LDP2.

The PG intends to work towards a reduction in the amount of brownfield vacant and derelict land throughout East Dunbartonshire and will set out appropriate management and remediation requirements for contaminated sites.

The proposed LDP2 Policy 1 – Development Strategy sets out the objective that development must support the redevelopment or reuse of brownfield land within sustainable locations in the urban area or brownfield land with acceptable green belt uses. This policy along with the whole policy framework and land allocations have been assessed through the SEA process for the development plan.

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

### What are the key components of the plan?

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

#### Aims

- To enable the speedy and efficient determination of planning applications, including the discharge of any conditions relating land contamination or non-native invasive species.
- To support the re-use of vacant and derelict land for productive and appropriate use.

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

The intended outcomes of the proposed PG will be directly related to the proposed Local Development Plan 2 in which the policy framework and land allocations have all been subject to SEA.

### In terms of your response to Boxes 7 and 8 above, set out those components of the plan

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

that are likely to require  
screening:

**STEP 3 – IDENTIFYING INTERACTIONS OF THE PLAN WITH THE ENVIRONMENT AND  
CONSIDERING THE LIKELY SIGNIFICANCE OF ANY INTERACTIONS**

Plan Components	Environmental Topic Areas										Explanation of Potential Environmental Effects	Explanation of Significance
	Biodiversity, flora and fauna	Population and human health	Soil	Water	Air	Climatic factors	Material assets	Cultural heritage	Landscape	Inter-relationship issues		
<p><b>Aim 1</b> To enable the speedy and efficient determination of planning applications, including the discharge of any conditions relating land contamination or non-native invasive species.</p>	✓	✗	✓	✓	✗	✓	✓	✗	✓	✗	<p>The anticipated impacts from the development and implementation of the proposed Brownfield Land PG are likely to be in line with those already identified through the assessment of the proposed LDP2 Policy 1 Development Strategy objectives, Community Policies and land allocations and assessments.</p> <p>The encouraged or prioritisation of the remediation of contaminated land and use of brownfield sites will relate to the long-term balance between development opportunities and enhanced protection and enhancements of the natural and built environment. This is likely to impact <b>biodiversity, soil, water quality, landscape, material assets and climatic factors</b>. However as stated above these impacts will be in line with and directed by the existing policy assessment through the SEA of the LDP2.</p> <p>The PG will not set a framework for development. Instead it will essentially be a procedural document to aid decision makers to determine the requirements for brownfield land remediation and development in line with national legislative requirements. It will aid the planning service and private developers to know the set requirements for contaminated and brownfield land.</p>	
<p><b>Aim 2</b> To support the re-use of vacant and derelict land for productive and appropriate use.</p>	✓	✗	✓	✓	✗	✓	✓	✗	✓	✗		

## STEP 4 – STATEMENT OF THE FINDINGS OF THE SCREENING

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

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

The proposed Brownfield Land PG will support the implementation of the proposed LDP2, while not forming statutory guidance. As outlined in the above initial components assessment, it is likely that the PG, through the LDP2 Policy 1, will provide benefits in relation to **biodiversity, soil, water quality, landscape, material assets and climatic factors** environmental topics. However, it is essentially a procedural document to ensure that all development proposals are reviewed and assessed appropriately at the project level to ensure the remediation of contaminated land and prioritisation of brownfield land for development opportunities in line with legislative requirements. It will aid the planning service and private developers to know the set requirements for all new developments within East Dunbartonshire and set out the Council's policy in ensuring there is no adverse impacts.

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

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







T: 0131-244 0078  
E: [SEA.Gateway@gov.scot](mailto:SEA.Gateway@gov.scot)

**Neil Samson,**  
SEA Technical Officer,  
Sustainability Policy Team,  
East Dunbartonshire Council,  
Broomhill Deport,  
Kilsyth Road,  
Kirkintilloch,  
G66 1TF

## 01672 - Screening - East Dunbartonshire Council - Brownfield Land Planning Guidance

20<sup>th</sup> October 2021

Dear Neil,

With reference to the Screening document you submitted on 28<sup>th</sup> September 2021.

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

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

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

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

If you have any queries or would like me to clarify any points, please call me on 0131 244 0078.

Kind regards,

Clare Donnelly  
SEA Gateway Administrator





By email to: [sea.gateway@gov.scot](mailto:sea.gateway@gov.scot)

Neil Samson  
Sustainability Policy Team  
East Dunbartonshire Council  
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EH9 1SH

Enquiry Line: 0131-668-8716  
Switchboard: 0131 668 8600  
[HMConsultations@hes.scot](mailto:HMConsultations@hes.scot)

Our case ID: 300020233  
Your ref: 01672  
06 October 2021

Dear Neil Samson

[Environmental Assessment \(Scotland\) Act 2005](#)  
[East Dunbartonshire Council - Brownfield Land Planning Guidance](#)

### Screening Report

Thank you for your consultation which we received on 28 September 2021 about the above screening report. We have reviewed this report in our role as a Consultation Authority under the above Act, in accordance with the requirements of Section 9(3). In doing so we have used the criteria set out in Schedule 2 for determining the likely significance of the effects on the environment.

### Historic Environment Scotland's view

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

### Historic Environment Scotland's comments

It is our understanding the Brownfield Land Planning Guidance will offer further detail and advice to support Local Development Plan 2 (LDP2) Policy 1 – Development Strategy. We note that you consider, as this policy has been assessed through the SEA of the LDP2, significant effects on the historic environment as a result of the guidance are unlikely and we are content to agree with this view.

### Next steps

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

We hope our advice is helpful to you in making this determination. Please feel welcome to contact us if you have any questions about this response. The officer managing this



HISTORIC  
ENVIRONMENT  
SCOTLAND

ÀRAINNEACHD  
EACHDRAIDHEIL  
ALBA

case is Andrew Stevenson who can be contacted by phone on 0131 668 8960 or by email on [andrew.stevenson2@hes.scot](mailto:andrew.stevenson2@hes.scot).

Yours sincerely

**Historic Environment Scotland**

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**

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

19 October 2021  
Our ref: CEA164609

Sent by email via: [sea.gateway@gov.scot](mailto:sea.gateway@gov.scot)

Dear Neil

**ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005: BROWNFIELD LAND PLANNING GUIDANCE – EAST DUNBARTONSHIRE COUNCIL - SCREENING REPORT**

Thank you for consulting us on the above screening report submitted on 28 September 2021 via the Scottish Government SEA Gateway. We have considered your screening report using the criteria set out in Schedule 2 of the Environmental Assessment (Scotland) Act 2005 for determining the likely significance of effects on the environment.

We understand that the Planning Guidance focuses on procedural matters and does not set a framework for development, but will support the implementation of the proposed Local Development Plan 2 (LDP2). As the relevant policies and site allocations of LDP2 have been subject to the full SEA process, we agree that in terms of our remit, the Planning Guidance is not likely to have significant environmental effects.

Please note that this consultation response provides a view solely on the potential for the plan or programme to have significant environmental effects. We cannot comment on whether or not the plan or programme meets other criteria determining the need for SEA as set out in the Act. Should you wish to discuss this screening determination, please do not hesitate to contact me on 0131 314 6751, or via NatureScot's SEA Gateway at [sea.gateway@nature.scot](mailto:sea.gateway@nature.scot).

Yours sincerely,

Alison Shand  
Planning Adviser  
Supporting Good Development Team

**Environmental Assessment (Scotland) Act 2005**

**01672 Brownfield Land Planning Guidance - East Dunbartonshire Council**

**Screening report**

Thank you for consulting SEPA on this Screening Report by way of your email of 28 September 2021. In accordance with Section 9(3) of the Environmental Assessment (Scotland) Act 2005 we have reviewed the screening report using the criteria set out in Schedule 2 of the Act. In regard to our main areas of interest (air, water, soil, human health, material assets and climatic factors) **we agree with the conclusions of the screening report** that the proposed PPS is **unlikely to have** significant environmental effects as it is essentially a procedural document.

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

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

Yours sincerely

Nicki Dunn

Cc:

[sea\\_gateway@nature.scot](mailto:sea_gateway@nature.scot)

[sea.gateway@hes.scot](mailto:sea.gateway@hes.scot)

[sea.gateway@sepa.org.uk](mailto:sea.gateway@sepa.org.uk)

Nicki Dunn

Senior Planning Officer

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