

## **20 Policies and Plans**

This chapter presents a review and assessment of national, regional and local planning policies, guidance and strategies as they relate to the potential impacts of the proposed scheme. It also identifies those projects or proposals identified within the vicinity of the proposed scheme that have the potential to impact or be impacted by the proposed scheme. It draws out the relevant measures and responses to the objectives of policy and describes their potential influence if the proposed scheme were to be constructed.

The assessment has determined that the proposed scheme is largely compliant with national, regional and local planning policy. The principle of development of the proposed scheme is established and generally supported in national, regional and local planning policy. Additionally, National Planning Framework 2 identifies the proposed scheme as a national development as it is seen as a key economic driver. The proposed scheme is also identified within regional policy objectives and complies with objectives to improve access to the Edinburgh, West Lothian, and Fife areas and assists in connectivity throughout Scotland.

The assessment has also identified where environmental impacts associated with the proposed scheme raise issues of compliance with policies on the Green Belt and cultural heritage. The mitigation measures proposed to address these impacts have been identified in the specialist assessment chapters i.e. chapters 7-19.

The above issues of non-compliance with local and structure plan policies are limited to specific geographical areas or locations. They should be considered within the context of the mitigation measures designed to address them and the imperative economic reason of overriding public interest.

### **20.1 Introduction**

20.1.1 This chapter presents the assessment of the proposed scheme in terms of compliance with plans and policies. The chapter is supported by the following appendix, which is cross-referenced in the text where relevant:

- Appendix A20.1: Assessment of Development Plan Policy Compliance.

20.1.2 The 'Town and Country Planning (Scotland) Act 1997' ('the 1997 Act') (as amended by the Planning etc. (Scotland) Act 2006) ["the 2006 Act"] provides the framework for land use planning and the development of planning policy in Scotland. The 'Planning etc. (Scotland) Act 2006' is an enabling Act. Its purpose is to amend existing planning legislation and provide a mechanism for the delivery of a modernised planning system.

20.1.3 A key feature of the 2006 Act is the statutory role and application of the National Planning Framework. The National Planning Framework 2 (NPF2) contains a statement of priorities and a strategy for the long term spatial development of Scotland. The approved NPF2 was published by the Scottish Government in June 2009 and identifies national developments including major strategic transport proposals such as the Forth Replacement Crossing. It also requires Scottish Ministers to include a statement of their reasons for considering a need for such developments.

20.1.4 The Scottish Government influence on the planning system also extends to the production of Scottish Planning Policies (SPPs), National Planning Policy Guidelines (NPPGs), Circulars, Planning Advice Notes (PANs), and approval of strategic planning documents. Each of these policy documents is material to the development of local and regional policy and provides thematic guidance on planning for a broad range of land uses and developments.

20.1.5 In December 2008 the Scottish Government announced that the SPP and NPPG series will be consolidated into a single document. Much of the policy content of the original series of national policy will continue to have relevance to decision making. However the expectation is that a single consolidated SPP policy statement will present a single source of thematic policies on planning structured around both the contribution to the Scottish Government's central purpose and a concise expression of policy.

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- 20.1.6 Under the 1997 Act, each planning authority in Scotland has a responsibility to publish a Development Plan, the content of which is informed by national policy. The Development Plan for an area comprises a Structure Plan and a Local Plan. The Structure Plan sets out strategic policy requirements and broad spatial guidance which inform the detailed policies and proposals of the Local Plan.
- 20.1.7 Under the 2006 Act, the Development Plan system will change. Four City Regions have been established, with each preparing a Strategic Development Plan. Local Planning Authorities will prepare a Local Development Plan. For those authorities outside the City Regions, the Local Development Plan will set the strategic priorities for its area. Some authorities have commenced preparation of plans under this new system but until these are published and adopted, the existing Development Plans remain in force.
- 20.1.8 The Development Plans and their emerging replacements are material to decisions about development and future land uses, including major infrastructure works such as the proposed scheme.
- 20.1.9 It is the intention of the Scottish Government to promote the proposed scheme as a Hybrid Bill in the Scottish Parliament, and therefore it will not be subject to the need for planning permission under the Town and Country Planning Act 1997 (as amended). However, the relevant national, strategic and local policies will be material to the decision-making process on the Bill and therefore it is pertinent to address them in this ES.
- 20.1.10 The route of the proposed scheme lies within the boundaries of three local authorities, namely Fife Council, City of Edinburgh Council and West Lothian Council. The relevant Development Plans are listed in Table 20.1 below.

**Table 20.1: Development Plan Documents**

Document	Title	Status
Structure Plans	Edinburgh and the Lothians Structure Plan (ELSP) 2015	Approved June 2004
	Fife Structure Plan (FSP) 2006 - 2026	Approved May 2009
Local Plans	Rural West Edinburgh Local Plan (RWELP)	Adopted June 2006
	West Lothian Local Plan (WLLP)	Adopted January 2009
	Dunfermline and the Coast Local Plan (DCLP)	Adopted April 2002
	Dunfermline and West Fife Local Plan Issues and Options (DWFLP)	Consultation Paper May 2008
Development Framework	West Edinburgh Development Framework (WEDF)	Published May 2008
Development Briefs	Port Edgar	Approved September 2008
	North Kirkliston	Approved October 2006

## 20.2 Approach and Methods

- 20.2.1 The desktop assessment was undertaken in accordance with DMRB (Volume 11, Section 3, Part 12: Impact of Road Schemes on Policies and Plans). It consists of three elements which:
- describe the existing and, where appropriate, emerging planning policy guidance framework as applicable to the proposed scheme;
  - describe the existing, and where appropriate, emerging Development Plan framework as applicable to the proposed scheme; and
  - consider the likely conflicts or compliance of the proposed scheme with key strategic and local planning policy objectives.

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- 20.2.2 A full assessment of potential impacts on identified development land (based on Development Plan allocations, proposals and current planning consents) is provided in Chapter 7 (Land Use).
- 20.2.3 The project team (including traffic and roads teams) and Transport Scotland have held meetings with the three relevant councils (City of Edinburgh, Fife and West Lothian) to obtain views on the potential impact of the scheme on local development policies and these have been taken into account as appropriate.
- 20.2.4 Planning and Highways officers from Fife Council were consulted in a meeting held on 15 January 2009. Fife Council is preparing a new style Local Development Plan for the Dunfermline and West Fife area. In May 2008, an Issues and Options document was published. Officers advised at the time that the consultation responses received would be reported to the Council by June 2009. To date (August 2009) this document has not progressed from this stage. Officers stressed that it is important that access be maintained to the employment areas at Rosyth, Inverkeithing and North Queensferry.
- 20.2.5 A meeting with officers from City of Edinburgh Council was held on 05 February 2009. Officers pointed out that the key developments are located at: Port Edgar, mixed use development; Kirkliston North, planning permissions for 610 residential units; Newbridge, planning permission for business development to the west of the M9 south of Newliston; and the council is minded to approve a planning application for the development of 500 residential units at the former Continental site just south of the A89.
- 20.2.6 Planning officers from West Lothian Council were consulted on 27 January 2009. Officers explained that the mixed use development planned at Winchburgh is still progressing and the Council aims to determine the outline planning application later this year. Officers stated that the proposed scheme does not impact on the development strategy set out in the WLLP and the proposed works at M9 Junction 1A do not prohibit the development at Winchburgh, which also includes the development of an additional motorway junction at Duntarvie Castle.

#### Limitations to the assessment

- 20.2.7 Section 3, Part 12 of the DMRB which relates to the assessment of Policies and Plans has not been updated for the past 14 years. Since then, major changes have occurred to the Scottish planning system with the introduction of the 2006 Act and the introduction of NPF and NPF2. Therefore references to certain documents and/or organisations in the DMRB are no longer applicable.

## 20.3 Summary of Plans and Policies

- 20.3.1 An assessment was undertaken of policies and plans at national, regional and local level. A summary of the theme and objectives of each relevant policy is presented in Appendix A20.1. In addition, an analysis of relevant land use allocations and the precise locations of planned developments adjacent to or within the vicinity of the proposed scheme was also completed. Figure 7.2 shows relevant land use allocations and planned developments.

### **National Strategies**

#### National Planning Framework 2 (NPF2)

- 20.3.2 The Scottish Government published the second National Planning Framework (NPF2) in June 2009. The NPF2 is a statutory document and a material consideration in planning decisions.
- 20.3.3 The framework guides Scotland's spatial development to 2030, setting out strategic development priorities to support the Scottish Government's central purpose - to promote sustainable economic growth. The main elements of the spatial strategy to 2030 are to:

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- support strong, sustainable growth for the benefit of all parts of Scotland;
- promote development which helps to reduce Scotland's carbon footprint and facilitates adaptation to climate change;
- promote development which helps to improve health, regenerate communities and enable disadvantaged communities to access opportunities;
- promote more sustainable patterns of transport and land use; and
- deliver strategic improvements in internal connectivity.

20.3.4 NPF2 states that there will be a need to accommodate a substantial growth in the number of households in the Edinburgh City region and the Upper Forth area over the next 25 years. Investment will be needed in transport and environmental infrastructure to support planned development to the east of the city. Priority is being given to developing the complementary locations which make up the Lothian Science Zone and improving the connectivity of the gateway facilities at Edinburgh Airport, Grangemouth and Rosyth.

20.3.5 NPF2 also identifies major transport, energy and environmental infrastructure projects that are of national significance. Designation in NPF2 is the mechanism for establishing the need for these developments within the national interest. The developments which the Scottish Ministers have designated as national developments are considered to be essential to the delivery of the spatial strategy set out in NPF2. They are considered to assist in contributing to the Scottish Government's objective of building a Scotland that is wealthier and fairer; greener; safer and stronger; smarter and healthier.

20.3.6 The following projects have been identified as national developments:

**Table 20.2: National Developments**

NPF Ref. No.	National Development
1	Replacement Forth Crossing (i.e. the proposed scheme)
2	West of Scotland strategic rail enhancements
3	High-speed rail link to London
4	Strategic airport enhancements
5	Grangemouth Freight Hub
6	Additional Container Freight Capacity on the Forth
7	Port developments on Loch Ryan
8	Scapa Flow Container Transshipment Facility
9	New power station and transshipment hub at Hunterston
10	New non-nuclear baseload capacity at other existing power station sites
11	Electricity grid reinforcements
12	Central Scotland Green Network
13	Metropolitan Glasgow Strategic Drainage Scheme
14	2014 Commonwealth Games facilities

20.3.7 The proposed scheme has been identified as the Replacement Forth Crossing (NPF2 Ref. 1) and is considered by the Scottish Government as a key element of Scotland's national transport infrastructure. NPF2 describes the existing Forth Road Bridge as '*...an essential part of the national road infrastructure for over 40 years. It is vital to the economy of Fife, an essential link for the East Coast Corridor and crucial to the connectivity of Perth and the Highlands and Islands. The main suspension cables of the bridge are showing significant signs of deterioration as a result of corrosion. While a programme of works has been identified to dry out the cables and thus prolong the life of the bridge, there is a considerable risk that this work will not be successful. If that proves to be the case, restrictions to heavy goods vehicles may be needed as early as 2013, with the*

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*bridge closing to all traffic by 2019. Complete loss of the road crossing would have very significant adverse economic impacts, both nationally and regionally'. Therefore the proposed scheme is identified as 'an essential element of national infrastructure'.*

- 20.3.8 Statements of need in respect of each of the national developments listed in Table 20.2 have been included in the Annex of NPF2. The Annex notes that the Scottish Government expects their design to be of a high quality as these are developments of national importance and for the design to minimise carbon impacts in line with the Government's climate change targets. Additional care is also required to avoid damage to the integrity of sites protected under the EU Habitats Directive (92/43/EC) and mitigation or compensation measures may be needed to counteract any adverse effects on emissions or Natura 2000 sites.
- 20.3.9 The Statement of Need for the Forth Road Crossing notes the following matters that need to be addressed when consent is sought: design, alignment, visual and noise impacts; construction methods; effects on communities; measures to minimise traffic impacts; carbon impact; effects on the natural environment, including the Firth of Forth Special Protection Area (SPA), the Forth Islands SPA, the Firth of Forth Ramsar Site, the River Teith Special Area of Conservation (SAC) and St. Margaret's Marsh Site of Special Scientific Interest (SSSI); effects on the historic environment and cultural heritage; and any measures necessary to minimise, mitigate or compensate for adverse effects on the environment or communities.
- 20.3.10 The Statement notes that the development will require an EIA. The crossing has been subject to strategic environmental assessment and appropriate assessment under the Habitats Directive. Further consideration of potential effects in combination with developments at Rosyth (NPF2 Ref. 6) and Grangemouth (NPF2 Ref. 5) will be required as these projects are developed. Lastly, any measures necessary to compensate for effects on the Firth of Forth SPA should be co-ordinated strategically over the area of the SPA.
- 20.3.11 Statements of need are material considerations in the determination of planning applications. Any subsequent examination of the detailed planning implications, whether by a session of a public inquiry or a hearing, will therefore be concerned with matters such as siting, design and the mitigation of environmental impacts, rather than the principle of the development.

#### The Government Economic Strategy

- 20.3.12 The Scottish Government published The Government Economic Strategy in November 2007 (Scottish Government, 2007) with the purpose of creating a more successful country, through increasing sustainable economic growth. The strategy identifies five Strategic Priorities that are most critical to economic growth:
- Learning, Skills and Well-being.
  - Supportive Business Environment.
  - Infrastructure Development and Place.
  - Effective Government.
  - Equity.
- 20.3.13 The key strategic approaches that will be pursued in relation to the Infrastructure Development and Place strategic priority include:
- to focus investment on making connections across and with Scotland better, improving reliability and journey times, seeking to maximise the opportunities for employment, business, leisure and tourism;
  - to provide sustainable, integrated and cost-effective public transport alternatives to the car, connecting people, places and work across Scotland; and



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- a planning and development regime which is joined up, and combines greater certainty and speed of decision making within a framework geared towards achieving good quality sustainable places and sustainable economic growth.

20.3.14 The strategy is based on the principle that an efficient transport system is one of the key enablers for enhancing productivity and delivering faster, more sustainable growth (Department for Transport, 2006). Enhancing transport infrastructure and services can open up new markets, increase access to employment and help to build a critical mass of businesses that drive up competitiveness and deliver growth (Department for Transport, 2004).

20.3.15 The strategy also acknowledges the importance of Scotland's cities as centres of growth and prosperity. It states that *'for Scotland's cities to realise their full potential, they need to better reach out to, and benefit from, the workforce and other assets in urban and rural areas in and around them'*. To enhance the opportunities for businesses, the strategy seeks to improve connections between Scotland's cities, and simplifying access to investment and skilled labour which would reduce business costs and increase competitiveness.

20.3.16 The implementation of the strategy will be driven across the public sector and supported by the new arrangements within the Scottish Government to provide a clear focus on delivery. Financial and other resources will be aligned to ensure that policy development and spending programmes are sharply focused on the delivery of the strategy's purpose which is *'to focus the Government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth.'*

#### Scotland's Transport Future

20.3.17 The White Paper, 'Scotland's Transport Future' (Scottish Executive, 2004) outlines the policy framework for transport in Scotland with an overall aim to *'promote economic growth, social inclusion, health and protection of our environment through a safe, integrated, effective and efficient transport system'*.

20.3.18 Paragraph 71 of the White Paper states that *'in order to enhance Scotland's global competitiveness and to enable Scotland's economy to maximise its productivity, Scotland needs to ensure that it has a well-connected, sustainable transport network. Transport needs to support major Scottish industries. Transport can help unlock the economic and regeneration potential of particular places. It can also ensure connections for people who live and work in more remote and rural areas'*.

#### National Transport Strategy (NTS)

20.3.19 The National Transport Strategy (NTS) (Scottish Executive, December 2006) considers Scotland's transport needs over the medium to long-term and sets the framework for the Strategic Transport Project Review (STPR). Three key strategic objectives identified within the NTS are:

- improve journey times and connections, to tackle congestion and the lack of integration and connections in transport which impact on high level objectives for economic growth, social inclusion, integration and safety;
- reduce emissions, to tackle the issues of climate change, air quality and health improvement which impact on high-level objectives for protecting the environment and improving health; and
- improve quality, accessibility, and affordability, giving people a choice of public transport where availability means better quality services and value for money, providing an alternative to the car.

#### **National Planning Policy**

20.3.20 An overview of national planning policy and guidance is provided in Table 20.3.

**Table 20.3: Relevant National Planning Guidance**

Policy	Title	Description
SHEP	Scotland's Historic Environment Policy - (July 2009)	This new document has consolidated the previous SHEP series into one policy document. The SHEP sets out Scottish Ministers' policies for the historic environment, provides greater policy direction for Historic Scotland and provides a framework that informs the day-to-day work of a range of organisations that have a role and interest in managing the historic environment. The SHEP complements and has the same authority as the Scottish Planning Policy series and other relevant Ministerial policy documents, and is a material document in the statutory planning, EIA and Strategic Environmental Assessment (SEA) processes. It has been prepared and is published in parallel with SPP23 on the Historic Environment.
SPP	Consolidated Scottish Planning Policy - Part One and Two (October 2008)	Parts 1 and 2 of this updated planning policy document supersede SPP1: The Planning System (2002). Parts 1 and 2 lay down a brief statement of Scottish Government policy on land use planning. It repeats SPP1 in stating that planning should be carried out on a predominantly local level through Development Plans, and every such plan should contribute to sustainable development.
SPP2	Economic Development (November 2002)	Sets out how the planning system can provide support for economic development in line with the Government's vision set out in the Framework for Economic Development in Scotland (Scottish Executive, 2004), that ' <i>economic development should raise the quality of life of the Scottish people through increasing economic opportunities for all, on a socially and environmentally sustainable basis</i> '. The planning system should provide strong support for economic development, both new and expanding businesses, where it is consistent with other national and local policies, in particular the promotion of social justice and sustainable development.
SPP7	Planning and Flooding (February 2004)	Sets out the Government's planning policy on new development and flooding, to prevent further development which would have a significant probability of being affected by flooding or which would increase the probability of flooding elsewhere.
SPP11	Open Space and Physical Activity (November 2007)	Emphasises the importance of quality open spaces and sets out national planning policy on the provision and protection of open space within and on the edges of settlements, and on sports and recreational facilities in urban and rural settings.
NPPG13	Coastal Planning (August 1997)	Sets out how planning can contribute to achieving sustainable development and also maintaining and enhancing biodiversity on the coast, highlights the need to distinguish between policies for the developed, undeveloped and isolated coast and indicates how planning authorities should respond to the risk of erosion and flooding in the coastal zone. It also outlines policy guidance for developments which may require a coastal location and identifies the action to be taken by planning authorities in Development Plans and in development control decisions.
NPPG14	Natural Heritage (January 1999)	Indicates how the Government's policies for the conservation and enhancement of natural heritage should be reflected in land use planning. Information is also provided regarding international, national, regional and local designations and the legislative mechanisms that enable their protection.
SPP17	Planning for Transport (August 2005)	Promotes an integrated approach to land use planning, economic development, transport and the environment. Provides support for sustainable economic development within a pattern of land use and integrated transport.
SPP20	Role of Architecture and Design Scotland (February 2005)	Draws together and reinforces the Government's published design policy commitments and sets out the role of Architecture and Design Scotland.
SPP21	Green Belts (April 2006)	Sets out the objectives of Green Belt planning policy and the way in which it should be used and enforced. The SPP states that Green Belt policy should be used as a long-term land use planning tool to provide clarity and certainty on where development can take place and that there should continue to be a strong presumption against inappropriate development in Green Belts. Where considered necessary, the proposed release of green belt land should be taken forward as part of a long-term settlement strategy in the Development Plan.  As stated in SPP21 the key objectives of green belt policy are: to direct planned growth to the most appropriate locations and support regeneration; to protect and enhance the character, landscape setting and identity of towns and cities; and to protect and give access to open space within and around towns and cities, as part of the wider structure of green space.
SPP23	Planning and the Historic Environment (October 2008)	SPP23 supersedes and consolidates NPPG 18: Planning and the Historic Environment and NPPG 5: Archaeology and Planning. It sets out the national planning policy for the historic environment and indicates how the planning system should contribute towards the delivery of Scottish Ministers' policies as set out in the current Scottish Historic Environment Policy (SHEP), produced by Historic Scotland.

20.3.21 In addition, Planning Advice Notes (PANs) support respective NPPGs and SPPs and provide advice on good practice and other relevant information to planning authorities. An overview and summary of PANs is shown in Table 20.4. Table 20.5 contains relevant Planning Circulars which provide statements of Scottish Government policy and guidance on implementation and/or procedural change.

**Table 20.4: Relevant Planning Advice Notes**

PAN	Title	Description
PAN 33	Development of Contaminated Land (2000)	Provides advice on the implications of the contaminated land regime for the planning system; and the development of, and approach to, contaminated land in development plans. It also contains guidance on the determination of planning applications when the site is, or may be, contaminated.
PAN 42	Archaeology- the Planning Process and Scheduled Monument Procedures (1994)	Provides best practice advice on the handling of archaeological matters within the planning process and on the separate controls over scheduled monuments under the Ancient Monuments and Archaeological Areas Act 1979. It supports the guidelines outlined in NPPG 5 Archaeology and Planning.
PAN 51	Planning, Environmental Protection and Regulation (Revised 2006)	Supports the existing policy on the role of the planning system in relation to the environmental protection regimes. This PAN also summarises the statutory responsibilities of the environmental protection bodies, as well as informing these bodies about the planning system.
PAN 53	Classifying the Coast for Planning (1998)	Sets out the criteria which planning authorities should use in deciding whether the coast should be regarded as developed, undeveloped or remote and guidelines on how to treat each designation.
PAN 56	Planning and Noise (1999)	Indicates how noise issues should be handled in Development Plans and development control, outlines ways of mitigating the adverse impact of noise and provides specific guidance on noisy and noise-sensitive development. It also introduces the use of noise exposure categories and gives guidance on the use of planning conditions relating to noise.
PAN 58	Environmental Impact Assessment (1999)	Provides information and advice on the legislative background to EIA, EIAs in Scotland and the process of environmental impact assessment. It also provides best practice advice on environmental studies and statements, the evaluation of environmental information by the planning authority and its implementation through the planning decision.
PAN 60	Planning for Natural Heritage (2000)	Provides advice on how development and the planning system can contribute to the conservation, enhancement, enjoyment and understanding of Scotland's natural environment and encourages developers and planning authorities to be positive and creative in addressing natural heritage issues. It complements the NPPG on Natural Heritage (NPPG 14), with examples of good planning practice in relation to natural heritage drawn from across Scotland highlighted in a number of case studies.
PAN 61	Planning and Sustainable Urban Drainage Systems (2001)	Provides good practice advice for planners and the development industry on the implementation of Sustainable Urban Drainage Systems (SUDS) (now referred to as Sustainable Drainage Systems in latest guidance) to aid the introduction of more sustainable developments.
PAN 65	Planning and Open Space (2008)	Provides advice on the role of the planning system in protecting and enhancing existing open spaces and providing high quality new spaces. It supports SPP11 (Open Space and Physical Activity). The advice relates to open space in settlements: villages, towns and major urban areas.
PAN 68	Design Statements (2003)	Explains what design statements are, when they are required and how they should be prepared and presented. It also seeks to ensure that local authorities and applicants are clear about the role and usefulness of design statements within the application process.
PAN 69	Planning and Building Standards Advice on Flooding (2004)	Provides background information and best practice advice in support of SPP7 (Planning and Flooding), and the Technical Handbooks published by the Scottish Building Standards Agency that provide guidance for the Building (Scotland) Regulations 2004. This Advice Note focuses on the responsibilities of local authorities and developers in ensuring that future built development is not located in areas with a significant risk of flooding, including functional flood plains.
PAN 71	Conservation Area Management (2004)	Complements existing national policy and provides further advice on the management of conservation areas. It identifies good practice for managing change, sets out a checklist for appraising conservation areas and provides advice on funding and implementation.



PAN	Title	Description
PAN 75	Planning for Transport (2005)	Aims to create greater awareness of how linkages between planning and transport can be managed. It highlights the roles of different bodies and professions in the process and points to other sources of information on the overlap of the two sectors.
PAN 78	Inclusive Design (2006)	Supports the government's aim of promoting more equality in the areas where we live and work. The PAN aims to explain the importance of inclusive design, identify the nature of the problems experienced in designing inclusive environments and describe the legislative context. It also outlines the roles of the different stakeholders in delivering inclusive design and identifies the particular challenges of applying inclusive design to the historic environment.
PAN 79	Water and Drainage (2006)	Clarifies the role of the planning authority in setting the direction of development to inform the planning and delivery of new water infrastructure in a coordinated way. It explains the roles of Scottish Water and SEPA and encourages joint working in order to ensure a common understanding of capacity constraints and agreement on the means of their removal. It advises on the appropriateness of private schemes and the handling of Scottish Water developments.
PAN 81	Community Engagement (2007)	Shows how everyone can take part in shaping the future of their area, providing information and advice on how best to listen, engage and understand what people want for their area. The key aim of this PAN is to provide advice on making the planning system more inclusive and accessible to all.
PAN 84	Reducing Carbon in New Development (2008)	Provides information and guidance on implementing the target in SPP6: Renewable Energy which states that all future applications proposing development with a total cumulative floorspace of 500 square metres or more should incorporate on-site zero and low carbon equipment contributing at least an extra 15% reduction in CO2 emissions beyond the 2007 building regulations carbon dioxide emissions standard.

**Table 20.5 Planning Circulars**

Circular	Title	Description
8/2002	Control of Development in Airport Public Safety Zones	States that the basic policy objective governing the restriction on development near civil airports is that there should be no increase in the number of people living, working or congregating in Public Safety Zones (PSZs) and that, over time, the number should be reduced as circumstances allow
2/2003	Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas (Scotland)	Revised direction and guidance to reflect the transfer of responsibility for the official safeguarding of civil aerodromes and technical sites by CAA to the operators of aerodromes and technical sites.
1/2001	The Town and Country Planning (Demolition which is not Development) (Scotland) Direction 2001	A Direction from Scottish Ministers reintroducing a requirement that the demolition of the whole or any part of any gate, fence, wall or other means of enclosure in a conservation area is development.
8/2007	The Environmental Impact Assessment (Scotland) Regulations 1999	This Circular provides guidance on the Environmental Impact Assessment (Scotland) Regulations 1999.
17/1997	Environmentally Sensitive Areas.	The purpose of this Circular is to clarify the status of Environmentally Sensitive Areas in planning policy and, specifically, to differentiate them from statutory national and international heritage designations such as National Scenic Areas, and Sites of Special Scientific Interest and related international designations.
10/1999	Planning and Noise	This Circular sets out Government policy on the role of the planning system in controlling noise. It is accompanied by Planning Advice Note 56: Planning and Noise. The PAN sets out advice and best practice on the range of issues of which planning authorities should be aware in formulating development plans, making decisions on planning applications and in taking enforcement action to maintain and enhance environmental quality.

### **Development Plan**

- 20.3.22 As stated in paragraph 20.1.5, the Development Plan, as required under the 1997 Act, comprises Structure and Local Plans issued by each planning authority.
- 20.3.23 In April 2009, the revisions of the Development Planning Regulations that followed the provisions of the 2006 Act have resulted in changes to the Development Plan System which include the creation of four City Regions in Scotland comprising Glasgow, Edinburgh, Dundee and Aberdeen. The City Regions encompass a number of local authority areas surrounding the main cities. The proposed scheme lies within the Edinburgh City Region which encompasses six local authorities (Fife, West Lothian, East Lothian, City of Edinburgh and Midlothian and Scottish Borders). The new Edinburgh City Region is required to prepare a Strategic Development Plan. Like Structure Plans, these are expected to set out the strategic policies as well as description of major proposals for the development and use of land in the region. The plans are also expected to incorporate the principles of European and UK legislation and provide a clear link between these obligations and national policies, all within the context of the shared objectives of the City Region. In addition to the Strategic Development Plan, each planning authority is required to prepare a Local Development Plan to replace the current system of Local Plans.
- 20.3.24 Some planning authorities have begun preparations for the new style plans required under the 2006 Act. Therefore, the currently approved Development Plan will remain the basis for planning decisions until the new style plans have been prepared and formally adopted. A brief overview of the relevant Development Plans for the proposed scheme is described in the sections below.

### **Regional Planning Policy**

#### Fife Structure Plan 2006-2026 (FSP)

- 20.3.25 The FSP, recently approved by Scottish Ministers in May 2009, establishes a framework with the aim of diversifying and growing the local economy, increasing the population of Fife and introducing well designed affordable housing. It prioritises the introduction of more sustainable transport choices within its boundaries while focusing on the protection of the local environment to ensure Fife is an attractive and appealing place to live and visit.

#### Edinburgh and the Lothians Structure Plan 2015 (ELSP)

- 20.3.26 The ELSP was approved by Scottish Ministers in June 2004 and its main objectives are to provide a strategic context for investment in the regeneration of disadvantaged urban areas, increase access to employment opportunities through a more balanced distribution of employment land and increase access to housing by enabling Local Plans, where appropriate, to require the provision of affordable housing. The plan also aims to increase access to shopping and leisure facilities by giving preference to locations for new development with easy access by foot, cycle and public transport and to protect and enhance the natural and built environment.

### **Local Planning Policy**

#### Dunfermline and the Coast Local Plan (DCLP)

- 20.3.27 The DCLP, adopted in April 2002, seeks to achieve high quality development which provides for economic growth and enhanced quality of life whilst protecting and diversifying the built and natural environment. The plan's objectives aim to ensure that all new development is in accordance with the principles of sustainability, achieves high standards of development and design whilst conserving the pattern of towns and villages, and promotes the redevelopment of identified brownfield sites. The plan seeks to protect and improve the local natural environment, identify sites for housing to meet Structure Plan objectives and to maximise employment opportunities within the locality.

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#### Dunfermline and West Fife Local Plan Issues and Options (DWFLP)

- 20.3.28 The DWFLP, published in May 2008, is a consultation paper that sets out the issues that will be considered in preparing the Dunfermline and West Fife Local Plan. The DWFLP identifies four main objectives for the plan; develop and maintain sustainable communities, develop the economy, safeguard and improve the environment; and develop the transport network. The DWFLP identifies that the plan will support the provision of the 'new Firth of Forth multi-modal bridge crossing' and states that the proposed scheme is a vital component of the development strategy. Key development proposals are for further housing development in Dunfermline and the development of the Rosyth Docks which will assist in supporting jobs in the area.

#### Rural West Edinburgh Local Plan (RWELP)

- 20.3.29 The RWELP was adopted in June 2006 and its aim is to implement the strategy of the ELSP, which seeks to restrain growth in Rural West Edinburgh and to protect and improve the Green Belt, whilst providing for Lothian's development needs in more sustainable locations elsewhere.
- 20.3.30 An alteration to this plan was drafted for consultation in October 2008 which, while relevant to the context of the proposed scheme, does not present any material changes in the assessment of compliance for this chapter.

#### West Lothian Local Plan 2009 (WLLP)

- 20.3.31 The WLLP was adopted in January 2009 and aims to accommodate development whilst protecting and enhancing the environment. The plan seeks to implement the requirements of the ELSP and maintain the development momentum that has revitalised West Lothian. It also plans to continue to attract high quality investment, including economic development, housing, retailing and other service and leisure-based activities, whilst promoting the principles of sustainable development. The plan seeks to secure the widest possible economic and employment base in West Lothian, provide a range of job opportunities, and avoid dependence on any one employment sector, while improving facilities and services to meet the needs of all the community, particularly from the Winchburgh/East Broxburn/Uphall Core Development Area (CDA) around the town of Winchburgh.

### **Development Frameworks**

#### West Edinburgh Planning Framework (WEPF)

- 20.3.32 The WEPF was published in 2003 by the Scottish Government, Scottish Enterprise and City of Edinburgh Council. It sets out a long term strategic vision for West Edinburgh as an area considered nationally important in terms of economic development, global connectivity, transport and the environment. It possesses the status of a Scottish Planning Policy and is a material consideration in development management decisions.

### **Development Briefs**

#### Port Edgar

- 20.3.33 The Port Edgar Development Brief is a Supplementary Planning Guidance (SPG) document for residential and business development associated with Port Edgar marina. Supplementary planning guidance is considered as a material consideration within the planning process. The development brief provides a land use and design framework to guide proposals for redevelopment of the Port Edgar site, identifying environmental and infrastructure considerations. The brief will be used to assist in assessing proposals for potential development and identifies that if construction works for the Port Edgar development and the proposed scheme occur at the same time, there may be implications in terms of cumulative impacts.

North Kirkliston

20.3.34 North Kirkliston Development Brief is also an SPG document and is therefore a material consideration in the planning process. The development brief sets out the main planning and urban design principles that need to be taken into account at the Greenfield housing release site to the north of Kirkliston. The main objective of the brief is to integrate development within the existing town in accordance with government aims. The brief identifies environmental and infrastructure considerations and identifies the development principles which include maximising views from the site, developing strong and safe linkages, and ensuring the development is sustainable.

**Transportation Policies**

20.3.35 There are a number of proposals relating to transportation included in various policy documents and government framework documents. The key documents are NPF2, Scotland’s National Transport Strategy and various transportation proposals contained within the Structure and Local Plans. A list of relevant documents is provided in Table 20.6.

**Table 20.6: Transport Policies and Strategies**

Document	Title	Published
National Policy	SPP17 Planning for Transport	2005
National Transport Strategies	Scotland’s Transport Future	2004
	Scotland’s National Transport Strategy	2006
	National Planning Framework 2	2008
Regional Transport Strategies	SEStran (South East Scotland Transport Partnership) Regional Transport Strategy 2008-2023	2005
Local Transport Strategies	Edinburgh Local Transport Policy 2007-2011	2007
	Fife West Area Transport Plan 2005 - 2010	2005
	Local Transport Strategy for Fife 2006-2026	2007
	West Lothian Local Transport Strategy	2000
	Forth Estuary Transport Authority (FETA) Local Transport Strategy	2005
Corporate Strategies	Edinburgh Airport Surface Access Strategy 2007-2011	2007

20.3.36 The proposed scheme is identified and supported by NPF2, Scotland’s National Transport Strategy, the SEStran Regional Transport Strategy and FETA Local Transport Strategy.

20.3.37 The key transportation proposals contained within the relevant documents, as listed in Table 20.6, and which require to be taken into account in this assessment include the following:

- Current transport proposals committed or under construction as noted in the SEStran Regional Transport Strategy include the A68 Dalkeith bypass, the A876 Upper Forth Crossing at Kincardine and schemes addressing problems on the A68, A7, A8 and M80.
- Park and Ride schemes at Halbeath and Rosyth. The site at Rosyth is currently subject to a planning application. A proposal to extend existing Park and Ride facilities west of the M90 at Ferrytoll (currently also used as an overflow car park for Deep Sea World) has been abandoned following the completion of the extension of the Ferrytoll facilities east of the M90 near Inverkeithing Station.
- Rosyth bypass: identified in the Fife Local Transport Strategy and the approved Fife Structure Plan.
- Edinburgh Tram Project: delivery of a tram project in two circuits in Edinburgh, linking the airport to the city centre and Leith.
- Edinburgh Airport Surface access: development of rail access to Edinburgh Airport through the introduction of the Dalmeny Chord and supported in the Regional Transport Strategy (RTS).

- M9 Junction at Winchburgh: significant investment in roads will be needed to support the Winchburgh CDA strategy. The key requirements anticipated are set out in the CDA Action Plan (Appendix 7.1 of the WLLP). Proposals include a new railway station at Winchburgh and associated Park and Ride with public transport interchange, new four-way junction on the M9 with associated Park and Ride and a new distributor road network linking new housing at Winchburgh with new housing at East Broxburn. Proposals are supported in the WLLP and RTS.

### 20.4 Assessment of Compliance

20.4.1 This section first establishes the principle of development and then goes on to assess compliance of the proposed scheme with the identified policies, plans and strategies described in Section 20.3 above. Key policies that may affect the development of the proposal are detailed within Appendix A20.1. Thereafter, national policies and plans relevant to the proposed scheme as a whole are discussed below. Development Plan policies and plans relevant specifically to the northern and southern parts of the study area (considered for this assessment to be midway from the Main Crossing and within Fife for the northern part and within West Lothian and Edinburgh for the southern part) are then considered in detail, including any policies within these respective documents relating to aspects of the Firth of Forth relevant to the Main Crossing. The study area is shown on Figure 7.1.

#### Principle of Development

- 20.4.2 The principle of the proposed scheme is essentially supported by national (NPF2) regional (FSP) and local (RWELP) planning policy and is recognised in emerging local policy (DWFLP). Additionally, the proposed scheme is supported in Scotland's National Transport Strategy and the regional transport strategies of SEStran and FETA.
- 20.4.3 Planning policy and transport policy have recognised the need for a new crossing over the Firth of Forth in the North/South Queensferry area, as the existing road bridge requires extensive repair and refurbishment as a result of increasing traffic and harsh climatic conditions. The existing road bridge is a key river crossing within Scotland, connecting not only the Edinburgh, West Lothian and Fife areas, but Scotland as a whole and is a key economic requirement. Continued maintenance of this vital crossing is noted in NPF 2 where the proposed scheme is identified as an '*essential element of national infrastructure*'. Additionally, the FSP supports the development of the proposed scheme and safeguards land (Policy T2) as it will enhance national and Edinburgh City Region economies. For Fife, the proposed scheme is considered vitally important in ensuring a viable economy; consequently the proposed managed crossing strategy incorporates the proposed scheme. The Rural West Edinburgh area is considered a key location in the transport network of east-central Scotland as a number of major roads and passenger railway lines cross the area. Therefore the possibility of a replacement bridge across the Firth of Forth has been identified as a project of national importance in local policy (RWELP).
- 20.4.4 Traffic is set to continue to increase in the future and any restrictions or closure of the existing road bridge would not only cause major congestion but could also stifle and even damage the Scottish economy. The proposed scheme includes a replacement crossing and the construction of connecting approach roads from the north and south, immediately west of the existing bridge and would allow for the utilisation of the existing bridge as a public transport corridor. The proposed scheme would therefore not only maintain connectivity but assist in improving it and promoting the use of multi modal transport.
- 20.4.5 Therefore it is considered that the proposed scheme is supported in principle by national, regional and local policy.



### **National Policy Assessment**

#### *Economic Development and Accessibility*

- 20.4.6 The proposed replacement bridge meets national planning objectives, and is compliant with national policy on economic development and maintaining and improving accessibility. The bridge would maintain the current trunk road network and improve the connectivity of gateway facilities at Edinburgh Airport, Grangemouth and Rosyth Docks as set out in NPF2. It also meets the Scottish Government's objectives for economic development and improvement to the national transport network.
- 20.4.7 In addition, the potential cumulative effects of developments at Rosyth and Grangemouth have been addressed in Chapter 21 (Cumulative Impact Assessment) and also in the Reports to Inform an Appropriate Assessment (RIAs). Therefore in line with the Statement of Need for the proposed scheme, the proposed scheme is considered compliant with the requirements of NPF2 and SPP2 Economic Development.

#### *Community Consultation*

- 20.4.8 Community consultation is regarded as an important element by Transport Scotland in the design and environmental process and has therefore been undertaken throughout the EIA and scheme development process. A range of measures have been used to engage the community and have included public exhibitions, held in January 2009. Further public consultation with local community groups was undertaken in June 2009 with Kirkliston Community Council, South Queensferry Residents, Linn Mill Residents Association, Queensferry and District Community Council, North Queensferry Community Council, Inverkeithing Community Council and Rosyth Community Council. Feedback on mitigation measures and construction activities was actively sought and has been used to inform the design and construction for the proposed scheme. Further details are provided in Chapter 6 (Scoping and Consultation).
- 20.4.9 The proposed scheme is therefore considered compliant with the requirements of PAN 78 Inclusive Design and PAN 81 Community Engagement.

#### *Sustainability*

- 20.4.10 Scotland signed up to the UK shared framework for Sustainable Development in March 2005. The framework sets out five key principles for delivering sustainable development in the UK:
- living within environmental limits;
  - ensuring a strong, healthy and just society;
  - achieving a sustainable economy;
  - promoting good governance; and
  - using sound science responsibly.
- 20.4.11 A Forth Replacement Crossing Sustainable Development Policy has been developed alongside these five key principles. The proposed scheme design has been, and will continue to be, developed and assessed in line with sustainable principles. In addition, as noted in Section 4.4 of Chapter 4 (The Proposed Scheme) Transport Scotland has developed a sustainable development policy published in January 2009 which outlines a vision for the proposed scheme.
- 20.4.12 Therefore it is concluded that the proposed scheme is compliant with the national sustainability requirements of the consolidated SPP.

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#### *Design*

- 20.4.13 Design has been incorporated throughout the EIA process via internal aesthetics workshops and regular consultation with Architecture & Design Scotland (A+DS), the Scottish Government's design advisors). The aesthetics workshops have included roads, structures and landscape representatives from the project team, Transport Scotland, Professor Andy MacMillan and Dissing and Weitling (external aesthetics advisors to the project team). Regular presentations have been conducted with A+DS who have advised throughout the EIA process. Additionally, an Aesthetics Memorandum is proposed as part of the Contract Documents and will be issued to the successful contractor. Land-based aesthetics are discussed further in Chapters 12 (Landscape), 13 (Visual) and 18 (Vehicle Travellers).
- 20.4.14 The proposed scheme is therefore considered compliant with SPP20 The Role of Architecture and Design Scotland and PAN 78 Inclusive Design. Although a separate Design Statement has not been produced for the proposed scheme, which is considered best practice under PAN 68 Design Statements, the recommendations of PAN 68 have been taken on board with design incorporated throughout the EIA process and therefore the Proposed Scheme is also considered compliant with PAN 68.

#### *Ecology and Nature Conservation*

- 20.4.15 Several internationally and nationally ecologically designated sites exist in the vicinity of the proposed scheme. These include: the Forth Islands Special Protection Area (SPA), River Teith Special Area of Conservation (SAC), the Firth of Forth SPA and the Imperial Dock Lock SPA.
- 20.4.16 Paragraph 42 of NPPG14 Natural Heritage states that a development which would have an adverse effect on the conservation interests for which a Natura 2000 area has been designated should only be permitted where there are imperative reasons of over-riding public interest, including those of a social or economic nature. NPF2 has established the economic imperative of the proposed scheme and requires that the combined effects of the proposed scheme and the developments at Rosyth and Grangemouth be considered under the terms of the Habitats Directive.
- 20.4.17 Besides assessment undertaken within Chapters 10 (Terrestrial and Freshwater Ecology) and 11 (Estuarine Ecology), Reports to Inform an Appropriate Assessment have been prepared for the Forth Islands SPA, River Teith SAC, the Firth of Forth SPA and the Imperial Dock Lock SPA. These reports conclude that, with the designed mitigation incorporated into the construction and operation of the FRC, there will be no implication upon site integrity or conservation objectives for the qualifying species of these sites. No other plans and projects were assessed as having a potential effect, in combination with the proposed scheme, on the conservation objectives or site integrity of these sites.

#### *Cultural Heritage*

- 20.4.18 The proposed scheme will have a number of potential direct and indirect adverse impacts on cultural heritage features, including St. Margaret's Hope (former Admiralty House), including Gatelodge, piers, boundary walls, walled garden and Archway (listed individually and as a group) and Port Edgar Harbour Barracks, all of which are classified as Category B listed structures. The proposed scheme will also adversely impact on the settings of Ferry Craig and Inchgarvie House, both Category C(s) listed buildings. Such impacts on listed buildings contradict Model Policy 1 within Annex A of SPP23 (Planning and the Historic Environment) which states that "*There is a presumption against demolition or other works that adversely affect the special interest of a listed building or its setting*". However, the policy determines that adverse impacts upon listed buildings will be accepted where the proposal is essential to the delivery of significant benefits to economic growth and/or the wider community and therefore the nature of the proposed scheme make it compliant with this policy. The proposed connecting road south of South Queensferry may have a direct impact on part of the Dundas and Newliston designed landscapes, in contradiction with

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Model Policy 4 of SPP23 Annex A, calling for the protection of such designations. Although these landscapes will be adversely affected, Chapter 14 (Cultural Heritage) notes that the areas in question are arable farmland and are adequately screened by substantial shelter belts, thus reducing the impacts of the proposed scheme on the wider settings of both the Dundas and Newliston Designed Landscapes.

- 20.4.19 The proposed scheme may result in potential impacts upon an area of archaeological sensitivity within which Roman artefacts and long cist graves were noted during the 19th Century to the immediate east of Inchgarvie House, a Category C(s) listed building. Development proposals that will result in adverse impacts upon archaeological remains are not permitted, as stated in Model Policy 3 of SPP23 Annex A. However, the policy states that the significance of the archaeological remains will be weighed against the wider merits of the development proposal, and where preservation is not possible, the developer will be required to undertake archaeological surveys, possibly leading to excavation and archiving prior to commencement of the development. The national and economic benefits of the proposed scheme have been established within NPF2 and therefore the proposed scheme is considered compliant with the model policies of SPP23. In addition, mitigation measures are proposed within Chapter 14 (Cultural Heritage) to minimise scheme impacts on existing and potential archaeological remains.
- 20.4.20 The proposed scheme will result in adverse impacts on the settings of both the North and South Queensferry Conservation Areas, as discussed in Chapter 14 (Cultural Heritage), yet this has been assessed as negligible due to the prominence of the existing bridges within the surrounding visual landscape. Additionally, Historic Scotland has particular responsibility to safeguard the cultural heritage resource in relation to development which includes major trunk road schemes and therefore Historic Scotland has been, and will continue to be, consulted closely in addressing potential impacts against the requirements of the designations and the policy that supports these designations. It is therefore considered that the proposed scheme is compliant with PAN 71 Conservation Area Management.

#### *Green Belt*

- 20.4.21 The proposed scheme may be contrary to three key objectives of SPP 21 which sets out national Green Belt policy. However, SPP 21 also identifies that *'where a proposed use would not normally be consistent with green belt designation, exceptionally it may still be considered appropriate, either as a national priority or to meet an established need, and only if no other suitable site is available.'*
- 20.4.22 Although the proposed scheme is generally non-compliant with the key objectives of SPP21, it is considered a national priority under NPF2 and is therefore an acceptable use within the Green Belt. Therefore, with the addition of landscape mitigation measures outlined in Chapter 12 (Landscape), it can be considered that the proposed scheme is compliant with SPP21 Green Belt.

#### *Consultation and Safety Zones*

- 20.4.23 There are safety zones, hazard consultation zones and consultation zones associated with Edinburgh Airport, the Naval Dockyard at Rosyth and the high pressure gas pipelines within the study area. These have been taken into consideration with siting and design of the proposed scheme. Therefore the proposed scheme is generally compliant with national policy on consultation zones.

#### *Contaminated Land*

- 20.4.24 There is very little contaminated land that will be affected or utilised by the proposed scheme. Small areas of land-take of contaminated land have been identified and suitable mitigation proposed within Chapters 7 (Land Use) and 8 (Geology Contaminated Land and Groundwater). Therefore it is considered that the proposed scheme is compliant with PAN 33 Development of Contaminated Land.

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#### *Water Resources and Sustainable Drainage Systems*

- 20.4.25 The protection of water resources has been identified and addressed within Chapter 9 (Water Environment). The incorporation of SUDS has been an integral part of the proposed scheme's design and therefore it is considered compliant with PAN 61: Planning and Sustainable Urban Drainage Systems.

#### **Northern Study Area**

- 20.4.26 This section deals with Fife Development Plan policies specific to the northern part of the study area and provides a detailed assessment of compliance for these policies. The northern study area is situated within the Fife Council boundary, and as such policies only relevant to this area are outlined below.

#### Regional Policy

- 20.4.27 The prime objective of the FSP is based on the need to grow Fife's population and economy, improve accessibility, and safeguard and improve Fife's environment. The FSP continues to develop the Rosyth waterfront as an international port, transport hub and growth area and directs major new employment-creating development to the main towns, particularly Mid Fife, South Fife/Rosyth and St. Andrews.

#### *Ecology and Nature Conservation*

- 20.4.28 FSP Policy ENV2 sets out to identify where development (either individually or in combination with other proposals) is likely to have a significant effect on designated or proposed Natura 2000 (SPAs/SACs) and/or Ramsar sites. It is a policy that requires appropriate assessment of the implications for the site's conservation objectives to be assessed to inform whether development can be permitted where the assessment concludes it will not adversely affect the integrity of the site; or, there are imperative reasons of overriding public interest, including those of a social or economic nature and there are not alternative solution locations. Where such a site hosts a priority habitat and/or priority species, as defined by the Habitats Directive (92/43/EC), the only overriding public interest must relate to human health, public safety or beneficial consequences of primary importance to the environment.
- 20.4.29 FSP Policy ENV3 highlights where development, which would affect a designated or proposed National Nature Reserve or a Site of Special Scientific Interest (SSSI) will only be permitted where ecological appraisals, and have demonstrated that the overall objectives of designation and the overall integrity of the designated area would not be compromised; or any adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.
- 20.4.30 FSP Policy ENV4 states that where development has the potential to impact on international, national, regional or locally important sites and species, applicants must submit an ecological appraisal of the proposal and consider impacts on nature conservation interests, taking appropriate measures to maintain and, where possible, enhance these interests.
- 20.4.31 Adverse impacts may occur at SSSIs at Ferry Hills and St. Margaret's Marsh, however, mitigation measures have been identified in Chapter 10 (Terrestrial and Freshwater Ecology). Additionally, ecological appraisal of all sensitive sites and species has been reported in Chapters 10 (Terrestrial and Freshwater Ecology) and 11 (Estuarine Ecology) of this ES. RIAAs have also been prepared for the Forth Islands SPA, River Teith SAC, the Firth of Forth SPA and the Imperial Dock Lock SPA. As stated in paragraph 20.4.17, these reports conclude that, with the designed mitigation incorporated into the construction and operation of the FRC, there will be no implication upon site integrity or conservation objectives for the qualifying species of these sites. No other plans and projects were assessed as having a potential effect, in combination with the proposed scheme, on the conservation objectives or site integrity of these sites

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- 20.4.32 Throughout the ecological assessment process, consultation with SNH has been maintained and their comments taken on board, therefore it is not envisaged that significant issues will emerge as a result of assessment findings. It is therefore considered that the proposed scheme is compliant with FSP ecology and nature conservation policies.

#### *Cultural Heritage*

- 20.4.33 The FSP underlines the importance of the preservation and enhancement of historic assets. Cultural heritage is given the protection of policy where it is of national and regional importance, and where it is assessed as being adversely affected by development. FSP Policy ENV5 requires that protection be given to the character, appearance and setting of cultural heritage sites from harmful development. Adverse impacts have been identified in Chapter 14 (Cultural Heritage) for St. Margaret's Hope (former Admiralty House) including Gatelodge, piers, boundary walls, walled garden and archway (all Category B listed and of regional importance). Therefore the proposed scheme is non-compliant with this policy with regard to these cultural heritage assets. However, non-compliance of this policy has been addressed through the identification of appropriate mitigation measures as detailed in Chapter 14.

#### *The Coast*

- 20.4.34 The FSP identifies that provisions will be made for development that requires a coastal location and contributes to the local economy. However the specific criteria for defining the developed and undeveloped coast and assessing development proposals against them are set out in Local Plans and the proposed scheme's compliance on coastal policies is discussed in paragraph 20.4.41 under Local Policy.

#### *Transport*

- 20.4.35 As stated in paragraph 20.4.3, FSP Policy T2 acknowledges the implications of the Forth Replacement Crossing and safeguards land for the implementation under Proposal PT1. For Fife, the proposed scheme is considered vitally important in ensuring a viable economy; consequently the proposed scheme is considered wholly compliant with FSP transport policy and, in turn is supported by the FSP.
- 20.4.36 Additionally, the proposed scheme would not impact upon the Port of Rosyth which has been identified as a multi-modal international freight distribution facility under Proposal PT2 of the FSP and is therefore considered to be compliant with this policy. Further details on development at Rosyth are provided in Chapter 21 (Cumulative Impact Assessment).
- 20.4.37 Policy T1 of the FSP states that transport development proposals must be acceptable in terms of air quality objectives. Air quality assessment for the proposed scheme (Chapter 15: Air Quality) indicates that adverse impacts on local air quality are likely to be small or negligible. Therefore the proposed scheme is compliant with the requirements of this policy.
- 20.4.38 FSP Policy ENV 7 states that new development that maintains and extends strategic long distance routes and local path networks (identified in the Council's Core paths Plans) and provides for pedestrians, cyclists, horse riders and those with special needs will be supported. The proposed scheme is compliant with this policy as the existing road bridge would be maintained as a multi-use crossing connecting to local and strategic paths.

#### Local Policy

- 20.4.39 The northern part of the proposed scheme study area lies within the Dunfermline and the Coast Local Plan, adopted 2002, and relevant policies are assessed below:



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#### *Ecology and Nature Conservation*

- 20.4.40 DCLP Policies COU8 and COU9 seek to protect internationally and nationally designated sites. Various SSSIs exist within the northern study area and include the area to the east of the Forth Road Bridge and North Queensferry. This area includes the Firth of Forth, Carlingnose and Long Craig Island, a section covered by policies related to the undeveloped coast (see paragraph 20.4.34) and is also a Natura 2000 site. The Firth of Forth is both a Ramsar site and an SPA (Policy COU8). Two further SSSIs are located at Ferry Hills (Policy COU9) and on a disused tip northeast of the woodland at Fairy Kirk (Policy COU9). Any potential adverse impacts have been assessed and appropriate mitigation measures to reduce the impact on these sites from the proposed scheme are described in Chapter 10 (Terrestrial and Freshwater Ecology) and Chapter 11 (Estuarine Ecology). Additionally, as mentioned in paragraph 20.4.17 and 20.4.31, RIAAs have been produced for the River Teith SAC and the Forth Islands, Leith Dock Lock and Firth of Forth SPAs. Along with the findings of the RIAAs and of this ES, and identification of the proposed scheme as a national development in NPF2 ensure that the proposed scheme is compliant with the DCLP ecology and nature conservation policies.
- 20.4.41 Policy COU11 of the DCLP outlines policy for the protection of wildlife habitats. Impacts upon terrestrial habitats within the study area such as St. Margaret's Wood and Castlandhill Wood have been assessed within Chapter 10 (Terrestrial and Freshwater Ecology). A small area of land would be annexed by the proposed scheme at St. Margaret's Wood, but this part of the designated SSSI has been assessed of being of low ecological value. Habitat management plans and other mitigation measures are proposed within Chapter 10 (Terrestrial and Freshwater Ecology) to reduce or avoid adverse effects on these sites. Such measures would also meet the protective tones of DCLP Policy COU15 which seeks to protect mature, semi-mature and rare species of trees from adverse development impacts. As discussed above, the estuarine habitat sites within the study area have been assessed (Chapter 11: Estuarine Ecology) and, supported by the RIAAs, which identify potential impacts of the proposed scheme and adequate mitigation measures to address any significant issues. The proposed scheme is therefore compliant with DCLP Policies COU11 and COU15.

#### *The Coast*

- 20.4.42 DCLP Policy COU17 includes a presumption against adverse impacts on the undeveloped coast. The proposed bridgehead is situated within an area identified as undeveloped coast. The DCLP states that there are only a few remaining stretches of undeveloped coast and this rarity provides the principal justification for protection of the undeveloped coast from further development. Policy COU17 therefore seeks to ensure that further development of the undeveloped coast must provide appropriate protection and enhancement of the amenity and ecology of coastal resources. Additionally, NPPG13, which provides the national context to this policy, states that major development may be considered within the undeveloped coast where the proposal can be considered to yield social and economic benefits which are sufficient enough to outweigh any potentially detrimental impact on the coastal environment. This ES has addressed the requirements of this policy and identified appropriate mitigation measures in Chapter 11 (Estuarine Ecology). The proposed scheme is identified as a national priority in NPF2, and it is considered that the proposed scheme is compliant with DCLP coastal policies.

#### *Cultural Heritage*

- 20.4.43 The DCLP highlights the important part that listed buildings play in the area's heritage and provides protection, under Policies BE10-12, against alteration, extension or development which would affect their character, setting or any features which have led to their designation. Only in very exceptional circumstances will the Council permit their demolition. Chapter 14 (Cultural Heritage) determines that the proposed scheme may have adverse effects upon the sites of and the setting of St. Margaret's Hope (former Admiralty House) including Gatelodge, piers, Boundary Walls, walled garden and archway (Category B listed) and Ferry Craig (Category C(s) listed) and would therefore be non-compliant with Policies BE10 and BE12. However, non-compliance of these

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policies has been addressed through the identification of mitigation measures such as the relocation of the St. Margaret's Archway to reduce impacts on affected listed structures, as described in Chapter 14 (Cultural Heritage). The proposed scheme would be compliant with Policy BE11 as no demolition of any historic buildings in any conservation area would take place.

- 20.4.44 DCLP Policy BE8 seeks to monitor development within Conservation Areas, ensuring aspects such as setting, design and density are not affected by development proposals. The proposed scheme would not physically impact upon the North Queensferry Conservation Area and would have negligible impacts on the setting of the village, as detailed in Chapter 14 (Cultural Heritage) and would therefore be compliant with this policy.
- 20.4.45 Additionally, the potential impact on the setting of cultural and built heritage sites has been reduced through landscape design measures, including the provision of false cuttings and/or vegetation planting (Chapter 14: Cultural Heritage) with further mitigation proposed in Chapter 12 (Landscape) and Chapter 13 (Visual) to avoid or reduce adverse visual impacts and to improve integration of the proposed scheme into the landscape.
- 20.4.46 Lastly, the northern study area has been assessed within Chapter 14 (Cultural Heritage) as being of low national and regional archaeological importance. If development of the proposed scheme uncovers unidentified remains, archaeological investigation and recording would occur, in line with Policies BE15 and BE17 of the DCLP which seek to secure that adequate provisions are made for such an occurrence. Therefore it is concluded that the proposed scheme is compliant with the majority of DCLP cultural heritage policies with the exception of DCLP Policies BE10 and BE12.

#### *Transport*

- 20.4.47 The DCLP identifies the Firth of Forth bridgehead as being located within one of the most important transport corridors in Scotland. The 'bridgehead' is where road and rail routes from Fife and eastern Scotland converge and bisect the area. The locational benefits and ease of access to this area are essential for the major development opportunities in East Dunfermline, Rosyth and Dalgety Bay to succeed. The long term sustainable development of the Local Plan area relies on an integrated transport network that minimises road use by promoting shorter journeys as well as journeys on public transport or on foot or bicycle.
- 20.4.48 Policies and proposals concerning transport in the DCLP make a direct link to proposals to improve accessibility and increase the use of public transport such as the Ferrytoll and Rosyth Station Park and Ride facility (DCLP Policies T7 and T8) and proposals relating to the Rosyth Waterfront development (DCLP Policies PR22 and T6). Implicit within the justification for the proposed scheme is the imperative need to ensure links across the Forth (which would include key sites and facilities within Fife and on its coastline) for motorised vehicles and HGVs are maintained. The same imperative is expected to be applied to the maintenance and enhancement of public transport links to and from the Edinburgh City region. Taken in these terms, along with the findings of this ES and that the proposed scheme is identified as a national priority in NPF2, it is considered that the proposed scheme is compliant with DCLP transport policies.

#### *Minerals*

- 20.4.49 The proposed scheme neither traverses nor is adjacent to any active mineral extraction areas. Continued access to the major opencast site of Cruicks Quarry, near Jamestown would be maintained during the proposed scheme construction and further details are provided in Chapter 7 (Land Use). Therefore, the proposed scheme is compliant with the requirements of DCLP minerals policies.

#### *Sustainability*

- 20.4.50 Adhering to the principles of sustainability is a key requirement within the DCLP under Policy S1, which states that the Council will assess development proposals against a number of sustainability

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principles. The proposed scheme incorporates sustainability at a local level by improving access between Fife and Edinburgh, enhancing local biodiversity with increased planting and promoting public consultation and participation via the use of workshops.

20.4.51 Therefore the proposed scheme is considered compliant with DCLP Policy S1.

#### *Design*

20.4.52 Policy BE3 of the DCLP states that all new development is required to make a positive contribution to its immediate environment. As per compliance with national policy mentioned above in paragraph 20.4.10, the development of the project design has incorporated internal aesthetics workshops, consultation with A+DS and land-based aesthetics. Project design impacts including mitigation measures are discussed further in Chapters 12 (Landscape), 13 (Visual) and 18 (Vehicle Travellers). Therefore it is considered that the proposed scheme is compliant with DCLP Policy BE3.

#### *Water Resources and Sustainable Drainage Systems*

20.4.53 DCLP policies INF2 and INF3 seek to restrict development that would increase local flood risk and ensure the incorporation of SUDS measures in future proposals, placing importance on the utilisation of adequate mitigation measures. The incorporation of SUDS and flood reducing measures are integral parts of the proposed scheme design, as described in Chapter 9 (Water Environment) and therefore it is considered that the proposed scheme is compliant with DCLP Policies INF2 and INF3.

#### **Southern Study Area**

20.4.54 This section deals with the Development Plan policies specific to the southern part of the study area and provides a detailed assessment of compliance for these policies. The southern part of the study area is situated within the City of Edinburgh Council and the West Lothian Council areas, and as such policies relevant to these council areas are outlined below.

#### Regional Policy

20.4.55 The primary objective of the ELSP is to protect and enhance the region's environmental assets whilst promoting beneficial development. The policies within the Structure Plan aim to achieve a more sustainable pattern of development by providing a framework within which the key elements of the built and natural environment can be protected and enhanced.

#### *Ecology and Nature Conservation*

20.4.56 The environmental policies within the ELSP aim to achieve a more sustainable pattern of development by providing a framework within which the key elements of the natural environment of Edinburgh and the Lothians can be protected and enhanced. Overall the policies seek to support new development that fits with the requirements of international, national, regional and local natural environment designations of natural heritage interest.

20.4.57 The first tier of environmental ELSP Policy, ENV1A, provides support for international natural heritage designations through the management of development which would have an adverse effect on the conservation interests for which any Natura 2000 area has been designated by underlining that development proposals will only be supported if there is no alternative solution and there are imperative reasons of over-riding social or economic public interest.

20.4.58 In support of this policy, ELSP Policy ENV1B extends the principle of protection to national natural heritage designations through the management of development affecting national designations, including Sites of Special Scientific Interest not designated as international sites. Development will only be permitted where it can be demonstrated that the objectives of designation and overall

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integrity of the site will not be compromised or any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.

- 20.4.59 An additional layer of policy support is reflected in ELSP Policy ENV1E which identifies the support given to features of local importance, such as wild flora and fauna identified in Local Biodiversity Action Plans. ELSP Policy ENV1F sets out the requirements for development proposals that affect any designated natural heritage site, protected priority habitat or species or other important non-statutory locations that require an appropriate level of environmental or biodiversity assessment. Where development is permitted, proposals must include measures for mitigation and, where appropriate, enhancement to reduce any adverse impact and/or to provide for sustainable habitat replacement.
- 20.4.60 ELSP Policy ENV 1D seeks to protect regional and local areas of natural heritage and built environment interest. It states that development will only be permitted where the objectives and overall integrity of the site will not be affected or where the social and economic benefits of the proposal outweigh the conservation or other interest of the site. The proposed scheme would impact on some natural heritage sites which have been assessed in Chapters 10 (Terrestrial and Freshwater Ecology) and 11 (Estuarine Ecology), however, mitigation measures have also been identified within these two chapters in order to reduce these impacts. The economic imperative of the proposed scheme has already been established at a national level within NPF2. Therefore the proposed scheme is compliant with the natural heritage section of this policy. Discussion on the proposed scheme's compliance with the built heritage section of this policy is noted below in 20.4.62.
- 20.4.61 As stated in paragraph 20.4.17 and 20.4.31, there are a number of internationally, nationally and locally designated sites in the vicinity of the proposed scheme. Potential adverse impacts and appropriate mitigation measures are considered in Chapter 10 (Terrestrial and Freshwater Ecology) and 11 (Estuarine Ecology) and RIAAs have been produced for internationally designated sites whose receptors may be adversely impacted by the proposed scheme. Throughout the completion of these reports, consultation with SNH has been maintained and their comments addressed, therefore it is not envisaged that significant issues will emerge as a result of report findings. Therefore, the findings of the ES and the RIAAs, in conjunction with the imperative of national importance founded in NPF2 and ELSP support for development which is of overriding public interest, have assisted in the proposed scheme's compliance with ELSP ecology and nature conservation policies.

#### *Cultural Heritage*

- 20.4.62 ELSP Policy ENV 1C states that developments that would adversely impact on the siting, character and setting of international and national cultural designations such as listed buildings, scheduled ancient monuments and designed landscapes will be resisted. An assessment of proposed scheme impacts on these sites within Chapter 14 (Cultural Heritage) concludes that the majority of such impacts would be slight. However, the proposed scheme would be non-compliant with Policy ENV1C as more significant impacts are assessed on the setting of Dundas Designed Landscape (discussed above in paragraph 20.4.18). Non-compliance of this policy has been addressed through the identification of suitable mitigation measures to reduce the impacts of the proposed scheme on these designations (Chapter 14: Cultural Heritage).
- 20.4.63 In support of this policy, ELSP Policy ENV 1D seeks to protect regional and local areas of natural heritage and built environment interest and states that development in conservation areas and sites of archaeological interest will only be permitted where the objectives and overall integrity of the site will not be affected or, the social and economic benefits of the proposal outweigh the conservation principles of the site. Chapter 14 (Cultural Heritage) states that there would be adverse impacts on the Port Edgar Harbour Barracks Complex (Category B listed) and Inchgarvie House (Category C(s) listed). However, there would be negligible impacts upon the South Queensferry Conservation Area as discussed above in paragraph 20.4.20, and any potential impacts on sites of

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archaeological interest in the southern study would be mitigated through such measures as preservation including excavation, historic building recording and vibration monitoring by record. Mitigation measures are proposed within Chapter 14 (Cultural Heritage) and the economic benefits of the proposed scheme have been established within NPF 2 and therefore the proposed scheme is compliant with this policy.

#### *Green Belt*

20.4.64 The ELSP identifies Rural West Edinburgh as an area of restraint for development because of its Green Belt designation, its high quality landscapes, environmental objectives and existing traffic problems. The exceptions are:

- Newbridge/Kirkliston/Ratho CDA, where allocations are made for substantial residential and business development; and
- Edinburgh Airport and the Royal Highland Showground at Ingilston and Heriot Watt University campus at Riccarton which are established Green Belt uses.

20.4.65 Outwith these areas the ELSP strongly advocates against development in the Green Belt (ELSP Policy ENV2) in order to maintain the clear physical boundary to the City, prevent coalescence, provide countryside for recreational uses and maintain Edinburgh's landscape setting as per the objectives of SPP21. As per paragraph 20.4.22, a proposed use not consistent with the Green Belt designation will only be considered appropriate if is a national priority with an established need.

20.4.66 The proposed scheme may therefore be non-compliant with ELSP Policy ENV2 as the southern sections of the proposed scheme extend into the Green Belt to the south of South Queensferry. Whilst it is considered that the proposed scheme would breach the Green Belt in this location, contrary to ELSP Policy ENV2, the proposed scheme would not lead to coalescence or alter the inner boundary of the Green Belt. In addition, the affected area has not been identified to serve any recreation function and the proposed scheme is not considered to affect the landscape setting of the City. Additionally, land-take has been avoided where practicable and further mitigation measures are considered in Chapter 7 (Land Use).

20.4.67 Policy ENV3 of the ELSP seeks to prevent development within the countryside that is not compatible with the rural character of the surrounding area. Approved land uses include horticulture, agriculture, forestry and countryside recreation while the use of redundant rural buildings is supported to maintain a rural setting. Despite these restrictions, the policy states that an alternative land use will be accepted if the location within a countryside area is a functional requirement and the location cannot be met on a site within an urban area or allocated land. The siting of the southern approach road within a small area of countryside to the west of South Queensferry is such a requirement and thus the proposed scheme is supported by this policy. Chapter 12 (Landscape) has identified mitigation measures to reduce the visual impacts of the proposed scheme to the west of South Queensferry and therefore the proposed scheme is considered compliant with Policy ENV3.

#### *Transport*

20.4.68 The transport strategy set out in the ELSP aims to reduce the need to travel by car and maximise accessibility by foot, cycle and public transport. It seeks to achieve this by safeguarding land for improvements to the transport network. The ELSP also prioritises the provision of new transport infrastructure required to support the development strategy. Although the proposed scheme is not a transport proposal for which land has been safeguarded in the ELSP, it would assist in promoting public transport and non-motor vehicle use by connecting into public and non-motorised routes. Therefore it is considered that the proposed scheme complies with ELSP transport policies.



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#### *Water Resources and Sustainable Drainage Systems*

- 20.4.69 Policy ENV12 of the ELSP states that development that may lead to a significant increase in the risk of flooding, or that may itself be at risk from flooding, should not be permitted. The policy determines that proposals to develop greenfield and brownfield sites should include sustainable drainage systems for the attenuation and treatment of surface water, and to assist in reducing the risk of flooding unless local conditions prevent this approach. The proposed scheme has incorporated SUDS measures within project design to protect against flooding and watercourse pollution. Chapter 9 (Water Environment) includes the identification of potential impacts relating to drainage and watercourse pollution and lists adequate mitigation measures drawn up to address these issues. Therefore the proposed scheme is considered compliant with ELSP water protection policies.

#### *The Coast*

- 20.4.70 ELSP Policy ENV5 identifies bands of undeveloped coast to the east and west of the existing landing points of both the Forth Road Bridge and Rail Bridge. This policy broadly aims to protect the natural and built assets of the coast by discouraging development of the undeveloped coast and guiding it to the existing developed areas. Where no sites are available on the developed coast and a proposal requires a location on the coast for operational reasons, it may be supported on the undeveloped coast. Development will only be permitted on the undeveloped coast where it demonstrates a need for a coastal location, the benefits outweighs any detrimental environmental impact and that there is no alternative site.
- 20.4.71 The proposed scheme requires a coastal location due to the requirement for a crossing over the Firth of Forth and therefore there are no alternative sites. Additionally, the proposed scheme would meet the economic needs of the community and provide an economic benefit. Potential ecological impacts of the proposed scheme on the Firth of Forth are considered within this ES (those of particular relevance are Chapter 10 (Terrestrial and Freshwater Ecology) and Chapter 11 (Estuarine Ecology), with mitigation identified to avoid or reduce these impacts. The findings of these assessments, along with the proposed scheme being identified as a national priority under NPF2, indicate that the proposed scheme is considered compliant with ELSP undeveloped coastal policies.

#### Local Policy

- 20.4.72 The proposed scheme lies within areas covered by the Rural West Local Plan, adopted June 2006, and the West Lothian Local Plan, adopted January 2009. Policy compliance for both plans is considered below.

#### *Sustainability*

- 20.4.73 Policy E1 of the RWELP states that development which contradicts the sustainability objectives of the plan will not be permitted. Developers are encouraged to conserve energy and resources, avoid pollution, make efficient use of land and infrastructure and prevent the functionality of the development from relying on the private car. As stated in paragraphs 20.4.12 and 20.4.50, sustainability has been considered throughout the proposed scheme's design and it is therefore compliant with Policy E1.

#### *Design*

- 20.4.74 RWELP Policies E41-42 determine that new development is required to promote high design standards, prevent visual intrusions into the landscape and provide a positive contribution to the overall context and setting of the development. New development is required to make provision for accessibility, safety, and landscaping, and the use of buffers to minimise the visual impact of new development on surrounding features such as cultural heritage sites is encouraged. As noted under national policy assessment in paragraph 20.4.10, the development of the proposed scheme design

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has incorporated consideration of aesthetics and the findings of the EIA process and therefore the proposed scheme is considered compliant with RWELP Policies E41-E42.

#### *Housing*

- 20.4.75 RWELP Policy H1 supports the development of housing sites. A number of sites have been identified that are relevant to the proposed scheme, and these are outlined below.
- 20.4.76 The bridgehead landing at South Queensferry bisects two sites allocated for residential development within the RWELP. These sites are located at Springfield and at Society Road, planning proposals HSG2 and HSG7 respectively. The preamble to RWELP Policy H1, however, states that '*HSG 2 was acquired by the Scottish Executive to facilitate the second Forth Crossing*'. In order to safeguard the site, Springfield (HSG2) was purchased in 1994 by the Scottish Office with planning consent in place for 150 residential units which included site infrastructure, recreational open space and associated environmental improvements of the site. As a test road was constructed in 1999, under section 27 of the Town and Country Planning (Scotland) Act 1997, "development" has been undertaken on the site and therefore the permission remains valid, without the need for a new application or a revised consent. This consent therefore provides a precedent for future development of HSG2. Overall the proposed scheme is considered compliant with this policy. In addition, environmental improvements for HSG2 (Springfield site) under RWELP Policy ENV6 have been identified. Although the proposed scheme would cut through this site, environmental improvements could still be undertaken allowing the proposed scheme to be compliant with the terms of the policy.
- 20.4.77 The Society Road site (HSG7) consists of a number of disused army barracks. The barracks are currently used to store artefacts from the National Museum while the museum is undergoing major refurbishment. The barracks were listed as Category B by Historic Scotland in 2007. The proposed scheme would however adversely impact on the site's amenity however, site-specific mitigation measures are proposed for this location in Chapter 7 (Land Use). Therefore the proposed scheme is compliant with this policy.
- 20.4.78 Additionally, RWELP Policy ED1 supports the development of sites that have been identified for development and this includes the Springfield and Society Road sites. RWELP Proposal ECON10 identifies a development comprising residential (Policy H1, Proposal HSG 6) and business development associated with the marina at Port Edgar. This proposal is subject to a planning brief as discussed in paragraph 20.3.33. At present no planning applications have been submitted in relation to this proposal and, during consultation, CEC indicated that it is not likely that this project would progress in the short term. Additionally, mitigation measures have been proposed within Chapters 7(Land Use), 13 (Visual) and 16 (Noise and Vibration)
- 20.4.79 Lastly, Chapters 7 to 19 respond to the requirements of RWELP Policies H1, HSG2 and HSG7 and identify suitable mitigation measures including avoiding the above sites or reducing land take where possible.

#### *Green Belt*

- 20.4.80 The adjoining road network south of the Main Crossing would not comply with RWELP Policies E5 which protects the Green Belt and countryside. The proposed scheme may compromise the policies' objective to maintain a defensible rural boundary to the City of Edinburgh. RWELP Policy E5 would only permit development in the Green Belt related to, and within the defined boundaries of, Edinburgh Airport, Royal Highland Showground and Heriot Watt University's Riccarton Campus which are recognised as areas of strategic economic importance. The RWELP states that infrastructure development is not identified as an acceptable use of the Green Belt and countryside areas. The areas of countryside not covered by the Green Belt policies are considered of equal environmental importance even though they do not fulfil Green Belt objectives. Therefore, the same level of protection is accorded to countryside areas within the plan area.

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- 20.4.81 The proposed scheme, would however, comply with RWELP Policy E6 which requires that development must meet high standards of design and sited so that impacts are minimised within the Green Belt or countryside. As previously stated in paragraph 20.4.13, consideration of design standards, aesthetics and environmental impacts has been incorporated throughout the development of the proposed scheme.
- 20.4.82 RWELP Policy E7 also seeks to protect the loss of prime agricultural land to development within parts of the west of Edinburgh, while WLLP Policies ENV7 and ENV9 do not permit the loss of land designated for Special Agricultural Importance unless there is an overriding locational need for the development within this designation. The proposed scheme would cross a large area of prime agricultural land in the southern study area and therefore is non-compliant with RWELP Policy E7. However, mitigation measures (such as reinstatement) have been identified in Chapter 7 (Land Use) to reduce impacts where possible.
- 20.4.83 A small area of Special Agricultural Importance to the northeast of Winchburgh and to the west of South Queensferry would be affected by the proposed scheme. As per the justification for Policy E7, the proposed scheme infrastructure within this designation is a locational necessity but would only annex only a small amount of land. Mitigation measures have also been identified in Chapter 7 (Land Use) and therefore the proposed scheme is considered compliant with WLLP Policy ENV9.
- 20.4.84 The proposed scheme does not affect the City of Edinburgh's setting but does have some impact on the setting of the settlement of South Queensferry (Chapters 12: Landscape and 13: Visual). The proposed scheme to the west and south of South Queensferry would impact on the setting of the settlement. WLLP policy ENV24 restricts development which would result in an adverse visual impact on the surrounding countryside and as the proposed scheme would adversely impact on the countryside it is considered non-compliant with this policy. Chapters 12 (Landscape) and 13 (Visual) assess the impact of the proposed scheme and list mitigation measures to address these such as cuttings and landscaping to ensure minimal impacts on the on the existing visual environment.
- 20.4.85 As with southern area regional policy, the proposed scheme is a national priority identified in NPF2 which is be considered an acceptable development under SPP21 and with some RWELP and WLLP policies. Chapters 7 (Land Use), 12 (Landscape) and Chapter 13 (Visual) describe detailed mitigation measures for the proposed scheme taking into account land take, design, landscaping and appropriate screening.

#### *Ecology and Nature Conservation*

- 20.4.86 The RWELP seeks to protect the natural environment of west Edinburgh through a range of policies. Policy E4 of the RWELP requires all development proposals to consider environmental impacts and introduce adequate mitigation measures to address adverse effects, echoing similar requirements of WLLP Policy ENV 6. The proposed scheme is accompanied by an environmental statement detailing potential impacts of the development on the surrounding environment and includes mitigating measures to address these issues. Additionally, RIAAs have been prepared for the Forth Islands SPA, River Teith SAC, the Firth of Forth SPA and Imperial Dock Lock SPA. WLLP Policy ENV 8 requires the inclusion of soil assessments within all greenfield development proposals over 1 ha in relation to water absorption capacities, sustainable re-use of the landscape and habitat creation. Potential impacts and suitable mitigation measures on soil resources have been identified within Chapter 7 (Land Use). The proposed scheme is therefore considered compliant with these policies.
- 20.4.87 Policy E17 of the RWELP and Policy ENV3 of the WLLP state that development that affects international and national nature conservation sites such as the Firth of Forth SPA will not be permitted unless the benefits of the proposal are of social and economic national importance, or the area of designation will not be compromised. The impacts of the proposed scheme on the relevant international conservation sites have been addressed in Chapters 10 (Terrestrial and Freshwater Ecology) and Chapter 11 (Estuarine Ecology) of the ES and the accompanying RIAAs

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which have been completed in consultation with SNH. Potential impacts would be mitigated by the measures outlined in these assessments, reducing or avoiding adverse effects upon nature conservation sites. The national importance of the proposed scheme (identified in NPF2), accompanied by the fulfilment of policy requirements to complete the necessary ecological assessments (addressed in this ES and within the RIAAs) assist with the proposed scheme's compliance with RWELP Policy E17 and WLLP Policy ENV3.

- 20.4.88 Policies E18 and E19 of the RWELP determine that development affecting Sites of Importance for Nature Conservation (SINCs) will not be permitted unless suitable mitigation measures are drawn up to minimise project impacts on such designations and safeguard their nature conservation interests. The proposed scheme will impact upon various SINCs such as the designation in South Queensferry. Where habitat loss will occur within a SINC as a result of the proposed scheme, mitigation measures such as those detailed in Chapter 10 (Terrestrial and Freshwater Ecology) and Chapter 11 (Estuarine Ecology), will be utilised to reduce the impact. Impacts on mature trees and woodlands including those possessing Tree Preservation Orders within the southern study area would be mitigated by measures such as replacement planting and other initiatives listed in Chapters 10 (Terrestrial and Freshwater Ecology) and 12 (Landscape). Such measures would fulfil the requirements of RWELP Policies E15 and 16 and WLLP Policies ENV10-ENV14 which, seeking to protect trees and woodland of value in the west Edinburgh region, and therefore the proposed scheme is compliant with these policies.
- 20.4.89 RWELP Policy E20 promotes the maintenance and improvement of nature conservation interests within the countryside. RWELP Policy E22 and WLLP Policy ENV2, do not permit developments that have the potential to harm protected species of plant and animals under the Wildlife and Countryside Act 1981, the Habitats Regulation or the Protection of Badgers Act 1992. Impacts on nature conservation sites and protected species are identified in Chapters 10 (Terrestrial and Freshwater Ecology) and 11 (Estuarine Ecology) along with suitable mitigation measures to ensure compliance with these regulations. The findings of this ES therefore indicate that the proposed scheme is compliant with the nature conservation policies of the RWELP and the WLLP.

#### *The Coast*

- 20.4.90 The proposed scheme is located within an area of developed coastline as identified within the RWELP. Policy E12 of the RWELP seeks to protect the developed coast from development unless there is a functional requirement for a coastal location. Policy E13 promotes increased access and environmental improvements to the west Edinburgh coastline whilst minimising impacts on nature conservation interests within the region. WLLP Policy ENV15 supports the sustainable development of the Forth Estuary and encourages the implementation of an integrated catchment management plan for the River Almond, including a requirement by developers to contribute to the protection and restoration of existing watercourses. Impacts on watercourses within the vicinity of the proposed scheme have been assessed in Chapters 9 (Water Environment) and 10 (Terrestrial and Freshwater Ecology), and measures proposed to mitigate potential adverse results of the proposed scheme have been identified.
- 20.4.91 As stated in regional policy (paragraph 20.4.70), the nature of the proposed scheme requires a coastal location in this area and is therefore a key requirement, which is required under Policy E12. Impacts of the proposed scheme on nature conservation interests within the Forth are addressed within Chapters 10 (Terrestrial and Freshwater Ecology) and 11 (Estuarine Ecology) and the accompanying RIAAs. Potential impacts would be mitigated by the measures outlined in these assessments. The proposed scheme is therefore considered compliant with the coastal protection policies of the RWELP.

#### *Cultural Heritage*

- 20.4.92 RWELP Policy E14 and WLLP Policies HER22-23 seek to ensure appropriate protection of designed landscapes and gardens of high or outstanding architectural and historic interest. Proposed development would only be permitted if it would not adversely affect the artistic merit,

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historical, arboricultural, archaeological, architectural, nature conservation or scenic value of the landscape. Conversely where the impact is assessed as adverse, the strategic importance of the development must outweigh the potential impacts.

- 20.4.93 In the southern part of the study area, potential impacts on the setting of designed landscapes have been identified and listed in Chapter 14 (Cultural Heritage) and include Moderate significance impacts for Dundas and Slight significance impacts for Newliston Designed Landscapes. The design of the proposed scheme has taken into account the setting of Dundas Castle and in this location is predominantly in a cutting. However, the proposed scheme would still adversely impact upon the setting of the Dundas Designed Landscape but would result in minor impacts upon the Newliston Designed Landscape (both within City of Edinburgh Council's boundary). Therefore the proposed scheme would be non-compliant with RWELP Policy 14 which affords protection to designed landscapes and only permits development where it assists restoration or does not adversely affect these. Suitable mitigation measures have been identified in Chapter 14 (Cultural Heritage) that address the non-compliance of this policy. The proposed scheme would be compliant with WLLP Policies HER 22-23 as it would not impact on any designed landscapes or gardens within the West Lothian area.
- 20.4.94 The setting of the former Port Edgar Harbour Barracks Complex on Society Road (B Listed building complex) would be adversely affected by the bridgehead. Additionally, the setting of Inchgarvie House (Category C(s)) listed building and its gatehouse would also be adversely affected by the proposed scheme. The proposed scheme is therefore non-compliant with RWELP Policy E32 which seeks to protect the physical nature and setting of listed buildings. However, these impacts have been assessed within Chapter 14 (Cultural Heritage), and mitigation measures have been identified to reduce impacts such as protecting these structures during the construction phase of the project (Chapter 19: Disruption Due to Construction). The proposed scheme may also impact on the settings of other listed buildings within the southern study area such as Dalmeny Church and Humble Cottages, but these have been assessed within Chapter 14 (Cultural Heritage) as either negligible or slight due to the prominence of the existing visual environment.
- 20.4.95 Scheduled Ancient Monuments and sites of potential and significant archaeological significance are protected under RWELP Policies E29 and E30. Policy E30 requires archaeological evaluation to be undertaken on sites of known archaeological interest prior to the start of development onsite. If excavation is necessary, insitu site preservation is favoured but offsite recording analysis and archiving are acceptable. Chapter 14 (Cultural Heritage) identifies potential impacts upon an area of archaeological sensitivity within which Roman artefacts and long cist graves were noted during the 19<sup>th</sup> Century to the immediate east of Inchgarvie House. There are several cropmark complexes in the Main Crossing and southern study areas that would be directly affected by the proposed road construction and mitigation has been proposed for these sites. If unidentified remains are discovered, site investigation and excavation would be carried out if necessary, thus protecting unknown remains of importance. Mitigation measures have been proposed within Chapter 14 (Cultural Heritage) and therefore the proposed scheme is considered compliant with RWELP Policies E29 and 30.
- 20.4.96 Policies E35 of the RWELP restricts and monitors development within conservation areas in west Edinburgh. Although the proposed scheme would not physically impact upon the South Queensferry and Dalmeny Conservation Areas, it would result in visual impacts on the setting of these villages. Due to the prominence of the existing bridges within the surrounding landscape, these impacts have been assessed as negligible within Chapter 14 (Cultural Heritage) and therefore the proposed scheme is considered compliant with this policy.

#### *Water Resources and Sustainable Drainage Systems*

- 20.4.97 Policy E46 of the RWELP states that planning applications should demonstrate that their proposals will not result in a significant increase in surface water run-off relative to the capacity of the receiving water course in flood risk areas. Innovative methods of surface water disposal, including Sustainable Drainage Systems (SUDS) proposals are promoted to achieve this and minimise the



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pollution of watercourses. Policy IMP6 of the WLLP repeats this requirement for compliance with SUDS best practices and is accompanied by WLLP Policies ENV 15A, 16 and IMP 8, which require opportunities for landscape, habitat and biodiversity creation to be included within SUDS proposals, including a presumption against development that would result in the ecological deterioration of a river, wetlands, tidal or coastal waters.

- 20.4.98 The proposed scheme has incorporated SUDS measures within the project design to protect against flooding and watercourse pollution. Chapter 9 (Water Environment) includes the identification of impacts relating to drainage and watercourse pollution and lists adequate mitigation measures to address these issues. Therefore the proposed scheme is considered compliant with WLLP and RWELP water protection policies.

#### *Transport*

- 20.4.99 The thrust of transport policies contained within the RWELP relate to the A8 corridor and improving access to and from the City of Edinburgh and Edinburgh Airport by road and public transport. The schedule of transport proposals includes the West Edinburgh tram, the Edinburgh Airport rail link, Park and Ride facilities at Hermiston and Gogar, Edinburgh Airport road links and the A8000 road improvement scheme. The objective of the proposed scheme is to maintain access to and from Edinburgh and its facilities by road and enhance accessibility by public transport.
- 20.4.100 RWELP Policy TRA9 explicitly states that the planning authority will seek to '*minimise the impact of transport proposals on the environment*'. Careful consideration is expected to be given to alignment, noise mitigation, siting, and design. Equally, adequate levels of high quality screening and landscaping is also expected. Appropriate mitigation measures have been identified in this ES in Chapter 12 (Landscape) and include measures such as landscape planting and screening to reduce the level of adverse impacts related to the proposed scheme.
- 20.4.101 RWELP Policies TRA 4 and TRA 6 seek to maintain and introduce cycle and pedestrian routes and infrastructure in development proposals, while RWELP Policy TRA2 seeks to ensure that new developments do not impact on predicted future traffic levels. The proposed scheme includes the provision of cycle/pedestrian scheme via the existing bridge, mitigation measures such as footpath diversions and underbridges to reduce potential severance (Chapter 17: Pedestrians, Cyclists, Equestrians and Community Effects), and the management of future traffic flows is also a key objective of the Intelligent Transport System (ITS) intended for the proposed scheme. Adequate cycle and pedestrian infrastructure provision is called for within WLLP Policies TRAN 7 - 10. The continued use of the existing bridge for these modes of transport ensures these policy requirements are met within the proposed scheme.
- 20.4.102 The RWELP identifies a new bridge crossing as a requirement in the Plan area. Consequently the proposed scheme is supported by RWELP and WLLP transport policies.
- 20.4.103 The WLLP proposes the development of a Core Development Area (CDA), an extension to the settlement of Winchburgh which is situated to the west of junction 1A. WLLP Policies CDA8 and TRAN28 propose a motorway junction and public transport facilities near Duntarvie Castle to be developed to support the development of the Winchburgh CDA for 40ha employment land and up to 5500 homes. The proposed scheme would not preclude this access requirement and instead includes junction improvements to M9 Junction 1A, which connects the M9 via the M9 Spur to the M90 situated to the west of the settlement of Kirkliston. The proposed scheme would not preclude the development of an additional junction on the M9, and the proposed improvements to M9 Junction 1A would improve access to the bridge and Fife from West Lothian. Therefore the proposed scheme is considered both compliant and supported by WLLP Core Development Area policies.

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#### *Minerals*

- 20.4.104 The proposed scheme neither traverses nor is adjacent to any active mineral extraction areas within the RWLP or WLLP areas. Continued access to Niddrie Bing located in Winchburgh and Hillwood Quarry south of Newbridge would be possible during both construction and operation of the proposed scheme. Therefore the proposed scheme complies with the requirements of RWELP and WLLP minerals policies.

#### *Other Policy Compliance Issues*

- 20.4.105 Policies ENV 25-28 of the WLLP and E23 and E26 of the RWELP seek to protect and enhance public recreational pathways and access to the countryside. The Forth area is listed as an access proposal in the West Lothian Countryside Access Strategy, promoting the safeguarding of public pathways within from development. Chapter 17 (Pedestrians, Cyclists, Equestrians and Community Effects) assesses the impact of the proposed scheme on public rights of way and multi-use pathways. Where impacts on such routes are unavoidable, mitigation measures have been identified to ensure their use. Therefore the proposed scheme is compliant with RWELP and WLLP recreational and access policies. In addition, RWELP Policy E27 seeks to protect and enhance the recreational potential of the River Almond, Water of Leith and their tributaries. It also goes on to state that the completion of walkway/cycle routes along their banks, protection of their landscapes and rural character (which includes sensitive bank and valley management) will be encouraged and supported. The proposed scheme complies with this policy as it will not affect the recreational aspect of these watercourses. Additionally, Chapter 13 (Visual) includes mitigation measures on the reinstatement and enhancement planting on the M9 between Kirkliston and Newbridge that will protect the landscape character of the River Almond from adverse visual impacts of the proposed scheme.
- 20.4.106 Policies IMP9 of the WLLP and E2 of the RWELP require developers to include air quality assessments where it is thought a proposal may impact on existing quality levels. There is a presumption against such development unless adequate mitigation measures can be utilised to minimise the adverse air quality impacts of new development. Comprehensive air quality assessments have been included as part of Chapter 15 (Air Quality) and the need for mitigation considered. Therefore the proposed scheme is compliant with the requirements of these policies.
- 20.4.107 Within the WLLP, there is a presumption against development that will generate significant amounts of noise or be located beside noise sensitive developments such as housing, as stated by Policy IMP10. Policies E6 and E41 of the RWELP encourage the consideration of noise impacts within the design of new development, especially in rural areas. Potential noise impacts of the proposed scheme are addressed in Chapter 16 (Noise and Vibration) of the ES, including the identification of noise sensitive development and the utilisation of noise mitigation measures such as solid barriers to reduce impacts. The proposed scheme is considered compliant with the policies.

#### *Transport Strategies*

- 20.4.108 As previously noted, the proposed scheme is identified and supported by NPF2, Scotland's National Transport Strategy, the SEStran Regional Transport Strategy, Fife Local transport Strategy and FETA Local Transport Strategy.
- 20.4.109 The proposed scheme is unlikely to adversely impact on those current and future transport proposals identified in the road transport strategies, which include the M9 junction at Winchburgh (paragraph 20.2.6) of SEStran as these schemes are on roads outwith the proposed scheme study area.
- 20.4.110 The proposed scheme may assist in providing connectivity to the existing road system for the proposed Park and Ride Schemes at Rosyth and Halbeath, the Rosyth bypass, the Edinburgh Tram Project and Rosyth commuters in the Edinburgh, West Lothian and Fife areas. This would in

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turn, assist in promoting the use of public transport. It is therefore considered that the proposed scheme is supportive and in compliance with the transport policies identified in the Fife Local Transport Strategy.

- 20.4.111 The proposed scheme may also assist in improved access and promotion of the use of the Edinburgh tram project and improved access to Edinburgh airport. However, sensitive design of the southern tie-in roads and construction of these has been carefully considered to ensure that the proposed scheme does not adversely affect the tram project which is currently under construction.
- 20.4.112 Overall, as the FRC is identified as a national priority in NPF2, which in conjunction with the outcomes of this environmental assessment and the measures identified to mitigate impacts, the proposed scheme is compliant with transport strategies.

## 20.5 Summary of Policy Assessment

- 20.5.1 The proposed scheme has been assessed against national, strategic and local planning policy and strategy documents considered material to the proposed scheme. The assessment has identified areas of policy conflict or compliance with detailed summarised commentary on each provided in Appendix A20.1.
- 20.5.2 Mitigation measures for issues of non-compliance have been identified to reduce adverse impacts from the proposed scheme. These include measures relating to policies associated with the Green Belt; local, regional and national ecological and historical designations; and residential development sites to the west of South Queensferry. These measures are identified within specialist assessment Chapters 6 – 19 in this ES.
- 20.5.3 As a replacement crossing, the proposed scheme is specifically identified as a national priority, on economic grounds, within NPF2. In addition, strategic and local policy support for the principle of the development is found within the policy objectives of the FSP and the ELSP 2015 and their associated local plans for Fife and the Lothians. The principle of the scheme development has been established and is essentially supported by national, regional and local policy.
- 20.5.4 Additionally, the national significance of the proposed scheme is described and considered in Scotland's National Transport Strategy, the SEStran Regional Transport Strategy and the FETA Local Transport Strategy.
- 20.5.5 In terms of the SEStrans Regional Transport Strategy, connectivity is improved to the existing road system for the proposed Park and Ride Schemes at Rosyth and Halbeath, the Rosyth bypass, the Edinburgh Tram Project and Rosyth commuters in the Edinburgh, West Lothian and Fife areas. This in turn, would assist in promoting the use of public transport by improved connectivity and the retention of the existing bridge for pedestrian/cycle routes. The proposed scheme is therefore supportive of, and in compliance with, the transport policies identified at both the strategic and local levels.
- 20.5.6 The proposed scheme has incorporated the requirements of national policies on community consultation, sustainability, design and protection of water resources. Community consultation has been undertaken throughout the project via public exhibitions and consultation with local community groups. Feedback from these consultations has been used to inform design and construction of the proposed scheme.
- 20.5.7 Sustainability has been incorporated via the establishment of a Forth Replacement Crossing Sustainable Development Policy (incorporating the UK shared government's sustainability principles) and incorporating local sustainability measures within the proposed scheme design.
- 20.5.8 Design has been integrated throughout via internal aesthetics workshops, regular consultation with A+DS and an Aesthetics Memorandum is proposed as part of the Contract Documents to be

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issued to the successful Contractor. Lastly, the protection of water resources has been an integral part of the scheme's design with the inclusion of SUDs measures.

- 20.5.9 Additionally, the proposed scheme does not impact minerals policies as mineral sites within or adjacent to the study area would be unaffected by the proposed scheme, and access to these sites would be maintained both during construction and operation of the proposed scheme.
- 20.5.10 The proposed scheme would have an impact on planned residential developments and environmental improvements to the west of South Queensferry, identified in the RWELP. These include the development of 150 houses at Springfield and associated environmental improvements planned to the south of the site to provide recreational open space. Following the completion of the construction of the proposed scheme, the remainder of the site could still be developed for housing and open space albeit at a smaller scale than anticipated in the RWELP. The former barracks on Society Road (to the west of Port Edgar and identified as proposal HSG 7 in RWELP) has been identified for residential development and would be located under the bridgehead when the proposed scheme is to be constructed. Likewise, RWELP identifies a proposal (HSG 6/ECON 10) for planned residential and business development at Port Edgar itself and a design brief has been produced for this larger site. However, the development of the Port Edgar site may not be undertaken for sometime. This has been confirmed by City of Edinburgh Council.
- 20.5.11 Other policy compliance issues of importance include strategic long distance routes and local path networks (identified in the each of the Council's Core Paths Plans) provided for pedestrians, cyclists, horse riders and those with special needs. The proposed scheme is compliant with policies within each of the local authority areas as the existing road bridge would be maintained as a multi-use crossing connecting to local and strategic paths.
- 20.5.12 The proposed scheme may adversely impact on the Green Belt and cultural heritage and hence regional and local policy may be compromised. The scheme may also adversely impact on future development proposals including housing development identified at Port Edgar.
- 20.5.13 Both the ELSP and the RWELP have policies that advocate support for the protection of the Green Belt, countryside around rural west Edinburgh. The potential impact by the proposed scheme on the Green Belt was recognised during the DMRB Stage 2 EIA route corridor assessment and the selected route is largely an online upgrade of the existing M9 Junction 1A, and utilises the existing road network including the M9 Spur. Whilst there are potential adverse impacts on Green Belt, countryside and prime agricultural land, the proposed scheme does not compromise the objectives of the Green Belt as set out in SPP21, and, as it is identified in NPF2 as a development of national priority. Additionally, suitable mitigation measures to reduce adverse impacts have been identified in this ES.
- 20.5.14 The assessment of policy identified issues of non-compliance of the proposed scheme on cultural heritage sites. The bridgeheads would adversely affect the setting of B Listed Buildings Port Edgar Harbour Barracks complex; and St. Margaret's Hope (Admiralty House), Gatelodge, piers, Boundary Walls, walled garden and archway, and would also affect the setting of C(s) Listed Buildings Inchgarvie House and Ferry Craig. Additionally, the setting of Dundas designed landscape may be adversely affected by the proposed scheme. However, as previously described in paragraph 20.5.2, appropriate mitigation measures have been identified for the above sites in Chapters 7 (Land Use) and 14 (Cultural Heritage).
- 20.5.15 The former barracks on Society Road (HSG7) have been designated for residential development and would be located under the bridgehead when the proposed scheme is to be constructed. The bridgehead would adversely affect the setting of Listed Buildings Port Edgar Barracks and Inchgarvie House. The proposed scheme would also adversely affect Dundas Designed Landscape and there the proposed scheme would not comply with Policies E32 and E34 of the RWELP. Non-compliance of these particular policies should be considered within the context of the mitigation measures designed to address them and the importance of the proposed scheme, recognised at a national level and identified within in NPF2 as a key economic driver.

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- 20.5.16 Finally, the protection of the internationally, nationally and locally ecologically designated sites such as Firth of Forth SPA and SSSI, Forth Islands SPA, and River Teith SAC are given support in regional and local policies. The overriding objective of all these policies is to ensure that the purpose of the designation and the overall integrity of the designated area are not compromised. Potential impacts have been addressed and appropriate mitigation measures identified in detail in Chapter 10 (Terrestrial and Freshwater Ecology) and Chapter 11 (Estuarine Ecology). Additionally, RIAAs have been produced for the Firth of Forth SPA, Forth Islands SPA, River Teith SAC, and the Imperial Dock Lock SPA (as part of the RIAA for Forth Islands SPA). These RIAAs conclude that, with the designed mitigation incorporated into the construction and operation of the FRC, there would be no implication upon site integrity or conservation objectives for the qualifying species of these sites. By appropriately avoiding or reducing potential environmental impacts, and due to its identification as a national priority under NPF2, the proposed scheme is considered compliant with these policies.
- 20.5.17 Overall, the principle of development for the proposed scheme has been established within NPF 2, which also considers the proposed scheme as a national priority. The assessment of impacts and suitable mitigation measures proposed in this ES address the requirements of the Statement of Need within the NPF2 Annex. RIAAs have been produced for internationally ecologically designated sites and continuous consultation has been undertaken with SNH throughout the process to ensure that the qualifying features of these internationally designated sites would not be adversely compromised as a result of the proposed scheme. In conclusion, therefore the proposed scheme is largely compliant with the principal criteria set out within national policy and the majority of regional and local planning policies. Issues on non-compliance with some structure and local plan policies are limited to specific geographical areas or locations. These should be considered within the context of the mitigation measures identified within the ES that are designed to address them and the imperative economic reason of overriding public interest.

## 20.6 Ongoing Design Development

### Alternative Construction Compound

- 20.6.1 An addition to the scheme proposals is the inclusion of an alternative location for the construction compound to the west of South Queensferry. This alternative was identified in response to concerns raised by local residents during the ongoing consultation process, and it locates the compound further to the west.
- 20.6.2 This alternative site was identified subsequent to the completion of the assessment of policy compliance of the proposed scheme as reported in this chapter. A separate assessment of the alternative location has been undertaken and is provided in Chapter 19 (Disruption Due to Construction).

### Ferry Hills Rock Cuts

- 20.6.3 The proposed scheme design as assessed in this chapter includes significant rock cuts to the north and south of Ferrytoll Junction. Detailed design may allow these rock cuts to be avoided or reduced. Design development indicates that there could be potential for a westward shift of the proposed scheme alignment of up to approximately 15m between approximate chainage ch7500-7800 (southwest of Jamestown) and ch8150-8500 (west of Hope Street Cemetery) to allow the rock cuts to be avoided.
- 20.6.4 Environmental review of this refinement indicates that this could reduce adverse impacts associated with the rock cuts without materially increasing other environmental effects. It is not considered that there would be any change to policy compliance as reported in this chapter.



### 20.7 References

- City of Edinburgh Council (2006). North Kirkliston Development Brief, Approved October 2006.
- City of Edinburgh Council (2006). Rural West Edinburgh Local Plan, Adopted June 2006.
- City of Edinburgh Council (2008). Port Edgar, Adopted September 2008.
- Department for Transport (2004). The Importance of Transport in Business Location Decisions.
- Department for Transport (2006). Transport: Wider Economic Benefits and Impacts on GDP.
- Edinburgh City Council, East Lothian Council, Midlothian Council, West Lothian Council (2004). Edinburgh and the Lothians Structure Plan 2015, Approved 17 June 2004.
- Fife Council (2002). Dunfermline and the Coast Local Plan, Adopted April 2002.
- Fife Council (2006). Fife Structure Plan 2006 – 2026, Approved May 2009.
- Fife Council (2008). Dunfermline & West Fife Local Plan, Issues and Options Report, May 2008.
- Highways Agency et al. (1994). DMRB Volume 11 Impact of Road Schemes on Policies and Plans, Section 3, Part 12, August 1994. The Highways Agency, Scottish Executive Development Department, The National Assembly for Wales and The Department of Regional Development Northern Ireland.
- Ordnance Survey (2006). Explorer Map 1:25000, Sheet 350: Edinburgh, Musselburgh & Queensferry.
- Scottish Executive (2004). Framework for Economic Development in Scotland.
- Scottish Executive (2004). Scotland's Transport Future.
- Scottish Executive (2006). National Transport Strategy (NTS), December 2006.
- Scottish Government (2007). The Government Economic Strategy. Published November 2007.
- Scottish Government (2008). Strategic Transport Project Review (STPR), December 2008.
- Scottish Government (2009). National Planning Framework 2
- West Lothian Council (2009). West Lothian Local Plan, Adopted 2009.