



**PERTH &
KINROSS
COUNCIL**

SEA Screening Report

**Local Landscape Areas
Supplementary Guidance**





Section 1: Cover Note

- 1.1

Name of Responsible Authority

Perth & Kinross Council
- 1.2

Title of Plan, Programme or Strategy (PPS)

Local Landscape Areas Supplementary Guidance
- 1.3

Screening is Required by the Environmental Assessment (Scotland) Act 2005.
In the view of Perth & Kinross Council an Strategic Environmental Assessment is not required because the PPS is unlikely to have significant environmental effects

Report submitted to:

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Section 2: Contact Details

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Signature

(Electronic signature is acceptable)



Date

5 June 2014



Section 3: Key Facts

3.1	Responsible Authority	Perth & Kinross Council
3.2	Title of PPS	Special Landscape Areas
3.3	Purpose of PPS	The purpose of the Supplementary Guidance is to give further advice as to how development can comply with the terms of Local Development Plan policy ER6: Managing Future Landscape Change to Conserve and Enhance the Diversity and Quality of the Area's Landscapes and to identify areas where it applies.
3.4	What prompted the PPS	Policy ER6 sets out the general requirements for development and there is an undertaking within the policy for the preparation of Supplementary Guidance to provide interpretation and guidance on these requirements.
3.5	Subject of PPS	Landscape
3.6	Summary of nature/content of PPS	Planning has an important role in the management and enhancement of the area's distinctive landscapes and this Supplementary Guidance will take forward the work already undertaken through the Strategic Environmental Assessment process for the Proposed Local Development Plan. The Supplementary Guidance will help manage change in the area's landscapes by providing guidance on the interpretation of Policy ER6.
3.7	Period Covered by PPS	This Supplementary Guidance will cover the 5 year period to the next review of the Local Development Plan and may be refreshed at that time.
3.8	Frequency of Updates	This Supplementary Guidance will be reviewed with the preparation of each new Local Development Plan (every 5 years) unless a need is identified for earlier review e.g. in light of significant changes in Scottish Planning Policy or the Strategic Development Plan.
3.9	Area covered by PPS	The Supplementary Guidance covers the geographic area of Perth and Kinross excluding those parts which lie within the Loch Lomond & the Trossachs and Cairngorms National Parks. However, some landscapes outwith Perth & Kinross which may be relevant to assessing Perth & Kinross's landscape or where there is need for consistency across boundaries will be included.



Section 4: Strategic Environmental Assessment Screening Report

PPS Background

Scottish Planning Policy recognises that all landscapes are of value and that planning authorities should *“take a broader approach to landscape and natural heritage than just conserving designated or protected sites and species, taking into account the ecosystems and natural processes in their area”* and that *“the natural and cultural components of the landscape should be considered together”*. (SPP, paragraphs 126 - 127) Scottish Planning Policy also requires that the reasons for designation should be clearly explained and the on-going relevance and function of local designations should be considered when Development Plans are prepared. The Scottish Planning Policy outlines that the purpose of designating a local landscape area in the Development Plan should be to:

- safeguard and enhance the character and quality of landscapes which are important or particularly valued locally or regionally, or
- promote understanding and awareness of the distinctive character and special qualities of local landscapes, or
- safeguard and promote important settings for outdoor recreation and tourism locally. (SPP, paragraphs 139-140)

The Strategic Development Plan also seeks to protect all landscapes TAYplan Policy 3 which states that there is a need to respect *“the regional distinctiveness and scenic value of the TAYplan area through ... safeguarding landscapes...”*

The Perth & Kinross Local Development Plan (Local Development Plan) replaces six Local Plans in Perth and Kinross two of which had Areas of Great Landscape Value designated. The Council is developing a robust set of Local Landscape Areas (LLAs) with corresponding Statements of Importance. A description of the special qualities of the LLA area will be given so as to differentiate one LLA from another thus supporting the interpretation of policy ER6 in the Local Development Plan .

The main purpose of designation of Local Landscape Areas is management and enhancement of the area (including wildlife and cultural heritage, as well as scenery) and to ensure development that takes place is of the highest quality and appropriate to the area. In pursuing the primary purpose of designation, account will be taken of the needs of tourism, agriculture, forestry, other rural industries and the wellbeing of local communities including their social and economic needs.

Whilst recreation is not a primary objective of the designation the demand for recreation will be met, in so far as this is consistent with the management of the landscape and the needs of agriculture, forestry and other land uses.

The designation will help to manage not just the natural features but also settlements and working environments that are unique characteristics of the area. The designation will allow for the development of communities and economic activity including rural businesses, in ways that further enhance the character of the area.

The landscape policies within the Local Development Plan have been tested through Examination and through the Strategic Environmental Assessment process.

For the avoidance of doubt, a review of landscape policies are outwith the scope of this Supplementary Guidance.

Our determinations regarding the likely significance of effects that the PPS will have on the environment are set out in Tables 1 and 2.

TABLE 1: The characteristics of plans and programmes

Criteria for determining the likely significance of effects on the environment (numbering refers to Schedule 2 of the Act)	Significant environmental effects likely?	Summary of significant environmental effects (positive and negative)
1(a) The degree to which the Strategy sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	No	<p>Regulation 27 of the The Town and Country Planning (Development Planning) (Scotland) Regulations 2008 requires supplementary guidance to both:</p> <ul style="list-style-type: none"> • Cover topics specifically identified in the SDP or LDP as being topics for supplementary guidance; and • Be limited to the provision of further information or detail in respect of policies or proposals set out in the SDP or LDP. <p>Consequently, this Supplementary Guidance does not seek to change or amend any policies contained within these higher level plans but rather to provide additional detail and guidance to support and implement the Development Plan policies.</p>
1(b) The degree to which the plan or programme influences other plans or programmes including those in a hierarchy	No	<p>This Supplementary Guidance sits below the Strategic Development Plan and the Local Development Plan and does not therefore influence the Development Plan. Whilst it may have some relevance for other similar level plans, such as other topics of Supplementary Guidance, this influence is not considered to be significant.</p>
1(c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	No	<p>Landscape has multiple social, economic and environmental benefits and as such the Supplementary Guidance will contribute to sustainable development. However, given that the principles of sustainable development are already embedded in higher level plans (which have undergone Environmental Assessment) any additional effects resulting from this Supplementary Guidance are not likely to be significant.</p>

1(d)	Environmental problems relevant to the plan or programme	No	<p>Whilst there may be localised problems with landscape quality they are not significant at a landscape scale and these have already been assessed through the Environmental Assessment of the Local Development Plan.</p> <p>The preparation of the Supplementary Guidance is identified in the Local Development Plan's Strategic Environmental Assessment as a mitigation measure which will allow positive management of those areas identified as being important or valued locally, regionally or nationally.</p>
1(e)	The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans or programmes linked to waste management or water protection)	No	<p>The Supplementary Guidance will have little significant relevance to the implementation of any Community legislation on the environment. However, it will contribute to the Government's commitments made as signatories to the European Landscape Convention.</p>

TABLE 2: Characteristics of the effects and of the area likely to be affected

Criteria for determining the likely significance of effects on the environment (numbering refers to Schedule 2 of the Act)		Significant environmental effects likely?	Summary of significant environmental effects (positive and negative)
2(a)	The probability, duration, frequency and reversibility of the effects	Yes	<p>This Supplementary Guidance supports the Local Development Plan policy on landscape, the environmental effects of which have already been assessed through the Strategic Environmental Assessment process. It is not expected that there will be further direct significant environmental effects as a result of this Supplementary Guidance.</p> <p>Nonetheless, there will effects many of which will be quite minor, but in cumulative terms, and over time, there are likely to be significant positive effects.</p>
2(b)	The cumulative nature of the effects	Yes	<p>This Supplementary Guidance supports the Local Development Plan policy on landscape and the cumulative effects of that Plan have already been assessed through the Strategic Environmental Assessment process. It is not expected that there will be any further significant direct cumulative effects arising as a result of this Supplementary Guidance.</p> <p>Nonetheless, there will effects many of which will be quite minor, but in cumulative terms, and over time, there are likely to be significant positive effects.</p>
2(c)	The trans-boundary nature of the effects	No	<p>The environmental effects of this Supplementary Guidance will affect not any other EU countries.</p> <p>However, by their very nature some landscapes will extend beyond the Council's boundary and consideration will be given to that issue thus ensuring consistency of designations across boundaries.</p>

2(d)	The risks to human health or the environment (e.g. due to accidents)	No	<p>Potential risks to the environment have already been assessed through the Strategic Environmental Assessment of the higher level Local Development Plan.</p> <p>No risks to human health will result from the implementation of this Supplementary Guidance. However, there may be positive benefits to people's wellbeing and mental health through the management of the area's landscapes or through exercise and recreational activity.</p>
2(e)	The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	<p>The Supplementary Guidance covers the geographic area of Perth and Kinross excluding those parts which lie within the Loch Lomond & the Trossachs and Cairngorms National Parks. However, some landscapes outwith Perth & Kinross which may be relevant to assessing Perth & Kinross's landscape or where there is need for consistency across boundaries will be included. However those effects have already been assessed through the Strategic Environmental Assessment of the higher level Local Development Plan as the Tayside Landscape Character Assessment formed an integral part of the assessment process. Overall it is not anticipated that there will be any additional significant direct effects as a result of this Supplementary Guidance.</p>

			<p>(i) Any effects on such areas have been assessed through the higher level Local Development Plan. It is not anticipated that there will be any additional significant effects as a result of this Supplementary Guidance. What effects there may be will be positive.</p>
2(f)	<p>The value and vulnerability of the area likely to be affected due to:</p> <p>(i) special natural characteristics or cultural heritage</p> <p>(ii) exceeded environmental quality standards or limit values; or</p> <p>(iii) intensive land use</p>	No	<p>(ii) No situations have been identified where the implementation of this Supplementary Guidance will lead to the exceedence of any environmental quality standards or limits.</p> <p>(iii) The Local Landscape Areas Supplementary Guidance will not result in an intensification of land use or any additional significant environmental effects over and above those assessed through the Strategic Environmental Assessment of the higher level Local Development Plan. In addition any proposal that may lead to a significant intensification of land use will be assessed through EIA, another regulatory regime or has been assessed, for example the Forest and Woodland Strategy or strategic development sites. Other intensive land uses e.g. intensive agriculture are outwith the statutory land use planning regime.</p>
2(g)	<p>The effects on areas or landscapes which have a recognised national, Community or international protection status</p>	No	<p>Whilst the subject of the Supplementary Guidance is landscape it will not affect areas of national, Community or international importance.</p> <p>Any effects on protected areas have already been assessed through the assessment of landscape policies contained in the higher level Local Development Plan. It is not anticipated that there will be any additional significant effects as a result of this Supplementary Guidance.</p>



Summary of Environmental Effects

The Local Landscape Areas Supplementary Guidance will incorporate the findings of the Local Landscape Designations Review and assist in the use and interpretation of the Local Development Plan Policy ER6.

The Supplementary Guidance is designed to interpret and complement the Strategic and Local Development Plan policies which relate to Landscape. The Supplementary Guidance achieves this through providing a robust methodology which shows how the Local Landscape Areas were decided upon. By having a robust methodology with a description of the landscapes special qualities the designated landscapes can be more effectively managed.

Any decision to designate an area as a Local Landscape Area clearly requires careful consideration of often complex and diverse issues. It requires a good understanding of what the implications of such a decision will be. In preparing this Screening Report careful consideration has been given to the identification of the likely effects of designation, not only on the landscape, but also on local communities.

The act of designation as a Local Landscape Area will not have significant direct effects although there will be some positive environmental effects. However, the most significant effects will be delivered through the implementation of the Local Development Plan's policies and these have already been assessed and a mitigation measure proposed was the designation of Local Landscape Areas to ensure landscape change was managed. This will mean that in some areas approaches to management of the landscape are likely to change although the value of all landscapes is acknowledged. In the main the any changes will only be known once plans and policies are implemented and the monitoring regime should ensure that significant changes are identified and the underlying policy framework is changed. It may take many years for this to happen and for the effects to be noticed on the ground.

The screening process has found that designation of the Local Landscape Areas is likely to result in a number of effects. Many of these will be quite minor, but in cumulative terms, and over time, there are likely to be significant positive effects. These will be experienced in particular with respect to biodiversity, the landscape, the historic environment, and access. This is not surprising given that these are at the very heart of the reasons for designating Local Landscape Areas.

It should be noted that the existing policies already afford landscapes a high degree of protection, which will help to maintain these attributes. And that these policies have been assessed through the Environmental Assessment of the Local and Strategic Development Plans.

However, designation as a Local Landscape Area will provide stronger protection to those areas so designated and developers as well as statutory duties to which all public bodies will have to have regard. Management Plans may be prepared that will further safeguard both the environmental qualities of the Local Landscape Areas and public enjoyment of them that otherwise may not happen. Local Landscape Area status will therefore offer greater certainty that the attributes of the area will be managed for the benefit of both current and future generations, local people and visitors to the area.

The effects on topics other than landscape covered by the screening report are unlikely to be significant or are uncertain. For some people and businesses designation is likely to be positive overall. For others the effects might not be as positive. But while consideration has been given to what the different effects are likely to be it is difficult to come to an overall conclusion because so much will depend upon individual perceptions and circumstances.

This Screening Report has found that there are likely to be a number of positive environmental effects that will result from designation of the proposed Local Landscape Areas, but that there



could also be some negative effects or uncertain outcomes but none that are significant. In many instances the determining factor will not be the act of designation itself, but what will follow in terms of future plans, policies and projects on the ground. If the Supplementary Guidance is adopted by the Council in its anticipated form and if after 28 days have elapsed from submission to Scottish Ministers, the authority may then adopt the guidance unless Scottish Ministers have directed otherwise all future plans, policies and projects related to the designated areas will be assessed through the Strategic Environmental Assessment or Environmental Impact Assessment processes.

In conclusion , there are already existing Development Plan policies in place to ensure the protection of landscapes including any landscape which are or may be designated. Consequently, it is considered that the Supplementary Guidance will not have a significant direct effect on landscapes beyond those already assessed. It is therefore our opinion that an Environmental Assessment of the Local Landscape Areas Supplementary Guidance is not required because significant environmental issues have already been assessed through the Environmental Assessment of the higher level plan and further assessment would not be in the interests of good planning and proportionality.

