




**PERTH &
KINROSS
COUNCIL**

SEA Screening Report

Open Space Provision and Developer Contributions Supplementary Guidance





Section 1: Cover Note

- 1.1 **Name of Responsible Authority** Perth & Kinross Council
- 1.2 **Title of Plan, Programme or Strategy (PPS)** Open Space Provision and Developer Contributions Supplementary Guidance
- 1.3 **Screening is Required by the Environmental Assessment (Scotland) Act 2005. In the view of Perth & Kinross Council:**

- ☐ a) **An SEA is required** because the PPS falls under the scope of Section 5(3) of the Act and is likely to have significant environmental effects **OR**
- ☐ b) **An SEA is required** because the PPS falls under the scope of Section 5(4) of the Act and is likely to have significant environmental effects **OR**
- ☒ c) **An SEA is not required** because the PPS is unlikely to have significant environmental effects

OR

The PPS does not require an SEA under the Act:

- ☐ d) However, we wish to carry out an SEA on a voluntary basis. We accept that, because the SEA is voluntary, the statutory 28 day timescale for views from the Consultation Authorities cannot be guaranteed.

OR

None of the above options apply. We have prepared this Screening Report because:

Finalised report submitted to:

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OR

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Section 2: Contact Details

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Signature
(Electronic signature is acceptable)



Date 08 January 2015



Section 3: Key Facts

3.1	Responsible Authority	Perth & Kinross Council
3.2	Title of PPS	Open Space and Developer Contributions Supplementary Guidance
3.3	Purpose of PPS	The purpose of this supplementary guidance is to give further advice to developers on the type and quantity of open space they are expected to provide within new developments, and the developer contributions associated with this.
3.4	What prompted the PPS	Policy CF1 within the Local Development Plan prompted supplementary guidance to be prepared to support the implementation of this policy.
3.5	Subject of PPS	Open space provision in new developments and associated developer contributions.
3.6	Summary of nature/content of PPS	A guide for developers to refer to when determining open space provision in new developments and provides an insight into the developer contributions that are likely to be sought.
3.7	Period Covered by PPS	Supplementary guidance will cover the period until the next review of the Local Development Plan (every 5 years).
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.

Section 4: SEA Screening Report

PPS Background

The Open Space and Developer Contributions Supplementary Guidance is being prepared to support Policy CF1 (see Appendix 1) of the Local Development Plan (LDP). The LDP and Strategic Development Plan (TAYplan) have undergone a Strategic Environmental Assessment (SEA) (LDP Ref SEA\00515; TAYplan Ref SEA\00869). The SEA of the LDP concluded that, in terms of the provision of new open space and Policy CF1, the overall effects are expected to be positive, particularly in relation to human health, material assets, landscape and townscape, and Climate Change mitigation and adaptation. If any adverse effects were to occur, appropriate mitigation would be developed at the planning application stage. However, it is not anticipated that any possible environmental effects, of either a positive or negative nature, will be significant.

In terms of developer contributions and Policy PM3 within the LDP, a pre-screening report concluded that as this policy does not result in any physical development, it is unlikely to have any significant effect on any SEA topic.

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	The framework for projects and other activities has already been set by higher level plans: the LDP and TAYplan. 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 complement existing development plan policies.
1(b) The degree to which the plan or programme influences other plans or programmes including those in a hierarchy	No	This supplementary guidance sits below TAYplan and the LDP, therefore does not have much influence on them. Whilst it may have some relevance for other similar level plans, such as other supplementary guidance, this is not considered likely to be significant.

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	The guidance seeks to ensure that adequate open space is provided in all new development, which contributes to sustainable development overall. Given that LDP policy CF1 has undergone SEA and also that the principles of sustainable development are already embedded in higher level plans, which have also undergone SEA, any additional effects as a result of implementing this supplementary guidance are unlikely to be significant.
1(d)	Environmental problems relevant to the plan or programme	No	The potential for significant environmental problems has been assessed through the higher level LDP SEA which concluded that the in some instances the realisation of positive impacts and avoidance of any negative environmental effects will be reliant on the implementation of the Plan's policy framework and the development of appropriate mitigation and enhancement measures (where necessary) at the planning application level.
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	The supplementary guidance will have no significant relevance with the implementations of any Community legislation on the environment.

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	No	The environmental effects of Policy CF1 have been assessed through the LDP SEA and it is not expected that this supplementary guidance will cause any further significant environmental effects.
2(b)	The cumulative nature of the effects	No	The environmental effects of Policy CF1 have been assessed through the LDP SEA and this guidance is unlikely to cause any further cumulative effects.
2(c)	The trans-boundary nature of the effects	No	It is not expected that the environmental effects of this supplementary guidance will extend beyond the Council's boundary.
2(d)	The risks to human health or the environment (e.g. due to accidents)	No	The potential environmental effects of Policy CF1 have been assessed through the higher level LDP SEA. 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 provision of good quality open spaces for exercise and recreational activity.
2(e)	The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	This supplementary guidance will cover the entire area of Perth and Kinross and could potentially have effects on the whole population. However, those potential environmental effects of Policy CF1 which are currently possible to identify have already been assessed through the LDP SEA. At this stage it is not possible to identify potential impacts at site level as these will only become clear as detailed proposals are worked up for specific locations. Any possible impacts which do arise at site level will be considered and where necessary appropriate mitigation measures will be developed and implemented at that stage to avoid and/or minimise any likely adverse impacts. Overall it is not expected that this supplementary guidance will cause any further significant environmental effects.

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>(i) The environmental effects of Policy CF1 on such areas has already been assessed through the LDP SEA and it is not expected that the implementation of this supplementary guidance will result in additional significant effects.</p> <p>(ii) It is not anticipated that the implementation of this supplementary guidance will exceed environmental quality standards or limits.</p> <p>(iii) This supplementary guidance does not promote any intensive land use but rather promotes open green spaces for leisure and recreational use which is not expected to lead to additional significant environmental effects over an above those already identified through the LDP SEA.</p>
2(g)	<p>The effects on areas or landscapes which have a recognised national, Community or international protection status</p>	No	<p>This supplementary guidance will not directly impact upon landscapes with recognised protection status as it focusses on the creation of open space within new developments. Furthermore, any effects on protected areas have already been assessed at the higher level and it is not anticipated that there will be any additional significant effects as a result of implementing this guidance.</p>



Summary of Environmental Effects

The Open Space Provision and Developer Contributions Supplementary Guidance is being prepared in response to an undertaking in the LDP to prepare additional guidance in order to build upon Policy CF1: Open Space Retention and Provision and to provide a greater understanding as to the Council's expectations for the policy's implementation. It sets out to provide assistance to developers in giving them an insight into the quantity, quality and accessibility characteristics of open space that are likely to be required for new developments. The developer contributions associated with open space provision are also clarified in the supplementary guidance.

The overarching LDP policy (CF1) has undergone SEA through the LDP process and any likely significant environmental effects identified through that process have had mitigation measures provided. This supplementary guidance is unlikely to cause any additional significant environmental effects and therefore, Perth & Kinross Council believes that the Open Space and Developer Contributions Supplementary Guidance does not require a SEA.

Section 4: Appendix 1

Perth and Kinross Local Development Plan - Policy CF1: Open Space Retention and Provision

Policy CF1: Open Space Retention and Provision

Policy CF1A: Existing areas

The Plan identifies Sports Pitches, Parks and Open Space. These are areas of land which have value to the community for either recreational or amenity purposes. Development proposals resulting in the loss of these areas will not be permitted, except in circumstances where one or more of the following apply:

- (a) Where the site is principally used as a recreation resource, the proposed development is ancillary to the principal use of the site as a recreational resource.
- (b) The proposed development involves a minor part of the site which would not affect its continued use as a recreational or amenity resource.
- (c) In the case of proposals involving the loss of a recreational facility, the facility which would be lost would be replaced by provision of one of comparable or greater benefit and in a location which is convenient for its users, or by the upgrading of an existing provision to provide a better quality facility, either within the same site, or at another location which is convenient for its users.
- (d) Where a proposal would involve the loss of a sports pitch, a playing field strategy prepared in consultation with Sportscotland has demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and that the site could be developed without detriment to the overall quality of provision.

Policy CF1B: Open Space within New Developments

The Council will seek the provision of appropriate areas of informal and formal open space that is accessible to all users as an integral part of any new development where existing provision is not adequate.

Where it is physically impossible or inappropriate to meet the open space provision onsite, consideration may be given to the provision of a suitable alternative.

In areas where there is an adequate supply of accessible open space of an appropriate quality in a locality, a financial contribution towards improvement or management of existing open space may be considered an acceptable alternative.

Opportunities should be pursued through the development process to create, improve and avoid fragmentation of green networks and core path networks.

Note: A revision of the Play Area Strategy will be developed through Supplementary Guidance which will cover:

- The quantity, quality and accessibility of open space required for proposed developments.
- Whether on site or off site provision is most appropriate.
- Maintenance arrangements.
- Financial contributions for off site provision.