

**Delayed Office Opening
for Employee Training**

*This office will be closed from
8.45am - 11.00am on the first
Thursday of each month.*

Planning and Development
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Our ref

Your ref

Date 15 August 2016

Dear Mr Whittlestone,

Screening Determination for the Technical Corrections made to Perth & Kinross Council's Loch Leven SPA and RAMSAR Site Supplementary Guidance, the River Tay SAC Supplementary Guidance and the Dunkeld-Blairstown Lochs SAC Supplementary Guidance.

This statement sets out the Council's determination under Section 8 (1) of the Environmental Assessment (Scotland) Act 2005 on whether or not a Strategic Environmental Assessment (SEA) is required for the above Supplementary Guidance.

SEA Screening Process

The screening process involved consulting the following Consultation Authorities on whether the Supplementary Guidance is likely to have significant environmental effects:

- Historic Scotland
- Scottish Environmental Protection Agency
- Scottish Natural Heritage

As well as consulting the above bodies, responsible authorities are required to take into account the criteria set out in Schedule 2 of the Act when determining whether or not the Supplementary Guidance is likely to have significant environmental effects.

In this instance, the Council wrote to the Consultation Authorities on 15th July 2016.

Their responses are summarised as follows:

Consultation Authority	Comment	Likely to have significant environmental effects
Historic Scotland	My understanding from the screening report is that the modifications to the above relate to changes in the CAR licence process. These changes have	No

	led to the need to make corrections to the supplementary guidance documents. I note that it is the Council's view that these modifications are minor in nature and will not result in significant environmental effects that have not been identified in previous SEA work. In light of this and the information contained within the screening report I am content to agree that significant effects on the historic environment as a result of the modifications to these guidance documents are unlikely.	
Scottish Environment Protection Agency	Having reviewed the Screening Report, we consider that in respect of our main areas of interest (air, water, soil, human health, material assets (of which we have a specific interest in waste) and climatic factors) the modification to the Guidance is unlikely to have significant environmental effects.	No
Scottish Natural Heritage	We note these supplementary planning guidance documents have previously been screened for SEA and at that time we concluded no likely significant effects. The screening report states that the proposed modifications to these documents focus on the changes to the CAR license process. As such we agree with the screening report that the proposed modifications are not likely to have significant effects in respect of the main areas of our interest, and we consider any changes are likely to be beneficial.	No

The Council has also considered the plan against the criteria set out in Schedule 2 of the Act, and this analysis is attached to this document (See Appendix).

Reasons for Determination

Having consulted the three consultation authorities, and having considered the criteria set out in the Act, the Council considers that the technical corrections made to the three pieces of supplementary guidance are unlikely to have significant environmental effects.

The Council has therefore determined that SEA is not required.

Yours sincerely



Rhiannon Moylan
Assistant Planning Officer

SCREENING REPORT

STEP 1 – DETAILS OF THE PLAN

Responsible Authority:

Perth and Kinross Council

Title of the plan:

Modificaiton to the Loch Leven SPA and RAMSAR Guidance, the River Tay SAC Guidance and the Dunkeld-Blairgowrie Lochs Guidance.

What prompted the plan:

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

Policies EP6 and EP7 of the Local Development Plan require the publication of the three pieces of guidance listed above. These three guidance documents have been adopted as statutory supplementary guidance. However technical corrections have been made to all three guidance documents in light of the changes to the CAR license process. This screening report considers the potential impact of the modifications made to these pieces of statutory supplementary guidance.

Plan subject:

(e.g. transport)

The three guidance documents are land use planning documents which aim to protect the River TAY SAC, the Dunkled-Blairgorie Lochs SAC and the Loch Leven SPA and RAMSAR site. The focus of this report is to establish whether or not the proposed modifications, which reflect the changes to the CAR license process, will have a significant environmental impact.

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

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

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

☐

Section 5(3)

☐

Section 5(4)

☒

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

☒

Section 5(3)

☐

Section 5(4)

Contact details:

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Date:

15/07/16

STEP 2 – CONTEXT AND DESCRIPTION OF THE PLAN

Context of the Plan:

All three pieces of supplementary guidance were prepared in response to the Local Development Plan (LDP). Both the LDP and the higher level Strategic Development Plan have undergone SEA (SEA Gateway references SEA\00515 and SEA\00450 respectively). As well as this a screening report has been prepared for all three guidance document in their original form and it was determined that there would be no significant effects as a result of their implementation.

This Screening Report considers the modifications and technical correction that have been made to the guidance documents as a result of the change to the CAR license process.

Note. The LDP was adopted (3rd February 2014)

Description of the Plan:

The three pieces of Supplementary Guidance take forward the work already undertaken through the SEA process for the Local Development Plan to give more detailed guidance to developers in terms of what is required in the River Tay catchment, The Loch Leven Catchment and the Dunkeld-Blairgowrie Loch area, and how these requirements can be met.

The modifications to these documents focus of the changes to the CAR license process.

What are the key components of the plan?

The key modifications to the plans are in response to the CAR license process. The modifications describe the necessary requirements for developers when submitting a planning application within both the SAC and the SPAs. As well as this it highlights the need to provide additional information with the planning application.

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

All three supplementary Guidance document have previously been through the SEA process and it was determined that there was unlikely to be any significant effects. Additionally the policies within the LDP which promote the guidance have been assessed through the SEA of the LDP.

In terms of your response to Boxes 7 and 8 above, set out those components of the plan that are likely to require screening:

The changes to CAR license process and subsequent requirements for development are likely to require screening.

**STEP 3 – IDENTIFYING INTERACTIONS OF THE PLAN WITH THE ENVIRONMENT AND
CONSIDERING THE LIKELY SIGNIFICANCE OF ANY INTERACTIONS (Error! Reference source not found.)**

Plan Components	Environmental Topic Areas										Explanation of Potential Environmental Effects	Explanation of Significance
	Biodiversity, flora and fauna	Population and human health	Soil	Water	Air	Climatic factors	Material assets	Cultural heritage	Landscape	Inter-relationship issues		
Changes to CAR license process and subsequent requirements for development.	x	x	x	✓	x	x	x	x	x	x	Potential for improvements in water quality through the improvement and clarity in the CAR licence process.	However it is unlikely that these effects will be significant. The modifications proposed provide clarity in the process and reflect technical updates. It is not expected that these changes will result in significant environmental effects.

STEP 4 – STATEMENT OF THE FINDINGS OF THE SCREENING

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

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

This report considers the technical corrections and minor modifications that have been made to the three pieces of supplementary guidance listed above. Although the additional clarity provided through these modifications might result in more environmental benefits being delivered it is unlikely that these will be significant.

It is not expected that these modifications will result in any cumulative or trans-boundary environmental effects over and above those already identified through the SEA of higher level plans. Nor is it expected that it will create any additional risks to human health, exceed any quality standards or limits, or result in any additional impacts on special or protected natural, historic or cultural environments.

Perth & Kinross Council is therefore of the opinion that SEA of the modifications proposed to the three pieces of Supplementary Guidance is not required because significant environmental issues have already been assessed through the SEA of the higher level plans.

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

