

Environmental Assessment (Scotland) Act 2005

- **Annan Conservation Area Character Appraisal**
- **Gatehouse of Fleet Conservation Area Character Appraisal**
- **Kirkcudbright Conservation Area Character Appraisal**
- **Whithorn Conservation Area Character Appraisal**

Strategic Environmental Assessment Screening Determination

November 2014

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1.0 DUMFRIES & GALLOWAY COUNCIL

SCREENING DETERMINATION ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005

NOTICE IS HEREBY GIVEN that Dumfries & Galloway Council has made a determination in respect of the

- **Annan Conservation Area Character Appraisal**
- **Gatehouse of Fleet Conservation Area Character Appraisal**
- **Kirkcudbright Conservation Area Character Appraisal**
- **Whithorn Conservation Area Character Appraisal**

The Council has determined under Section 8(1) of the Act, and in consultation with the SEA Gateway, Historic Scotland, Scottish Environment Protection Agency and Scottish Natural Heritage, that the document/ plan is unlikely to have significant environmental effects and therefore that a full strategic environmental assessment of it is not required.

A copy of each determination and Screening Report containing the Statement of Reasons is available for public inspection at Militia House, Dumfries, DG1 2HR or on the Council's website at <http://www.dumgal.gov.uk/index.aspx?articleid=3948> and also available by request from: Development Planning at the above address, or by e-mail at ldp@dumgal.gov.uk or by telephoning 030 33 33 3000.

Andrew Maxwell
Service Manager
Development Planning and Environment

19 November 2014

2.0 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

SCREENING DETERMINATION UNDER SECTION 8(1) OF THE ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005

- **Annan Conservation Area Character Appraisal**
- **Gatehouse of Fleet Conservation Area Character Appraisal**
- **Kirkcudbright Conservation Area Character Appraisal**
- **Whithorn Conservation Area Character Appraisal**

This statement sets out Dumfries & Galloway Council's determination under Section 8(1) of the Act as follows:

1. Dumfries & Galloway Council consulted the consultation authorities referred to below via SEA Gateway with its SEA Screening Report on 19 August 2014 setting out its reasons as to why it was of the opinion that the changes are not likely to have significant environmental effects.

2. The Council agrees with the consultation authorities in their opinions as to whether or not the changes are likely to have significant environmental effects:

Consultation Authority	Date of Opinion	Likelihood of Significant Environmental Effects
Scottish Environment Protection Agency	12 September 2014	NO
Scottish Natural Heritage	12 September 2014	NO
Historic Scotland	28 August 2014	NO

3.0 SEA Screening Report

The Council's determinations regarding the likely significance of effects on the environment of the SGs are set out in Table 1:

Table1: Likely Significance of Effects on the Environment

Criteria for determining the likely significance of effects on the environment *	Likely to have significant environmental effects? Yes/No	Summary of significant environmental effects (negative and positive)
1 (a) To what degree will the PPS set the framework for projects and other activities, either with the regard to the location, nature, size and operating conditions or by allocating resources?	No	The Conservation Area Character Appraisals (CACA) (the plans) only act as guidance to help preserve the historic character of the areas. The appraisals aim to preserve the historic character of the area, therefore ensuring that development will not occur that will alter the special historic nature. This will have the effect of limiting the amount and type of development that will occur in the conservation areas.
1 (b) Will the PPS influence other plans, programmes and strategies (including those in the hierarchy) and to what degree?	No	The SGs provide guidance on the implementation of policies within the LDP and do not seek to directly influence other programmes and strategies.
1 (c) Is the PPS relevant to the integration of environmental considerations, in particular with a view to promoting sustainable development?	No	The SGs will help to integrate environmental considerations and promote sustainable development although this will only be in a supportive role.
1 (d) What are the environmental problems that are relevant to the PPS?	No	Any significant environmental issues have been considered in the SEA of the LDP.
1 (e) Will the PPS be relevant to the implementation of Community Legislation on the environment? (e.g., PPS linked to waste management or water protection)	No	The PPS would not be directly relevant to this issue and, if applicable, this would be considered in the assessment of individual planning applications.
2 (a) Will the environmental effects be significant when consideration is give to their probability, duration, frequency and reversibility?	No	There are no significant environmental problems identified. The SGs merely support LDP Policies OP2 and HE2.

2 (b) Will the environmental effects be cumulative in nature? (Consider the impact of other PPS's as well as local conditions)	No	There are no significant environmental problems identified. The SGs merely support LDP Policies OP2 and HE2.
2 (c) Will the environmental effects be trans-boundary in nature? (i.e., environmental effects on other Local Authorities or EU Member states)	No	No significant effects identified.
2 (d) Will the environmental effects be significant when consideration is given to the potential risks to human health? (e.g., contribution to medical conditions or the possibility of accidents)	No	No significant effects identified.
2 (e) Will the environmental effects be significant when consideration is given to the potential magnitude and spatial extent of the effects? (e.g. geographical area and size of population likely to be affected)	No	Any effects would potentially affect the local area and settlement to which they are applicable, however there are no significant effects identified.
2 (f) Is the value and vulnerability of the area likely to be affected due to: i) Special natural characteristics or cultural heritage? ii) Exceeded environmental quality standards or limit values? OR iii) Intensive land use?	No	The plans will have only positive effects on cultural heritage, but these will only be in a localised area and will not be significant. As the plans will not lead to any major development it is unlikely that there will be any significant environmental effects.
2 (g) Will the PPS have a significant environmental effect on areas or landscapes which have a recognised national, Community or international protection status?	No	The plans will have no significant environmental effects due to their localised nature

* **1(a), 1(b) etc.** refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005

2(a), 2(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005

Summary of Environmental Effects

The SGs are not considered to have any significant environmental effects. The SGs will be used to explain and aid the interpretation of Dumfries and Galloway LDP Policy OP2: Design Quality of New Developments and HE2: Conservation Areas. The LDP has already been subject to a full SEA which assessed any potential environmental effects of the LDP and its related policies. Therefore it is considered that the principles of the four conservation area appraisals have also been fully assessed.

4.0 Consultation Authority Responses



HISTORIC SCOTLAND
ALBA AOSMHOR

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Our ref: LDP/D
Our Case ID: 201403191

28 August 2014

Dear Mr Maxwell

**Environmental Assessment (Scotland) Act 2005
Dumfries and Galloway Council – Annan, Gatehouse of Fleet, Kirkcudbright and
Whithorn Conservation Area Character Appraisals
Screening Report**

Thank you for consulting Historic Scotland on the screening report for Dumfries and Galloway Council's Annan, Gatehouse of Fleet, Kirkcudbright and Whithorn Conservation Area Character Appraisals received by the Scottish Government's SEA Gateway on 19 August 2014. I have reviewed the screening report on behalf of Historic Scotland in its role as a Consultation Authority under the above Act, in accordance with the requirements of Section 9(3). In doing so I have used the criteria set out in Schedule 2 for determining the likely significance of the effects on the environment. Please note that our view is based on our main area of interest for the historic environment.

My understanding is that these appraisals support the aims of policies HE2 and OP2 of the emerging Dumfries and Galloway Local Development Plan (LDP) which deal with conservation area protection and design quality in new development. As these policies have been subject to assessment through the SEA of the LDP I note that the council considers that the appraisals are unlikely to have significant effects. In light this and the information contained within the screening report I agree that the appraisals in themselves are unlikely to have significant effects on the historic environment.

As you will be aware, it is the responsibility of Dumfries and Galloway Council as the Responsible Authority to determine whether the appraisals require an environmental assessment and to inform the Consultation Authorities accordingly.

Please do not hesitate to contact me should you wish to discuss this response.

Yours sincerely

[Redacted signature]

Andrew Stevenson
Senior Heritage Management Officer (SEA)

Our ref: PCS 135471
SG ref: 00973

If telephoning ask for:
Silvia Cagnoni-Watt

12 September 2014

Andrew Maxwell
Dumfries and Galloway Council
Militia House
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By email only to: sea.gateway@scotland.gsi.gov.uk

Dear Sir,

**Environmental Assessment (Scotland) Act 2005
Town and Country Planning (Scotland) Acts
Dumfries and Galloway Council - Annan, Gatehouse of Fleet, Kirkcudbright and
Whithorn Conservation Area Character Appraisals - Screening Report**

Thank you for your Screening Report consultation which SEPA received via the Scottish Government SEA Gateway on 22 August 2014.

In accordance with Section 9(3) of the Environmental Assessment (Scotland) Act 2005 we have considered your screening report using the criteria set out in Schedule 2 for determining the likely significance of effects on the environment.

We understand that the purpose of this Supplementary Guidance is to provide more information in respect of the Dumfries and Galloway Local Development Plan policies OP2 and HE2. They define the special characteristics of the built heritage within these four settlements and will serve as a management tool by identifying opportunities for further action by the local planning authority and others in preparing enhancement schemes.

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 Dumfries and Galloway Council - Annan, Gatehouse of Fleet, Kirkcudbright and Whithorn Conservation Area Character Appraisals is unlikely to have significant environmental effects. Although we are of the view that significant environmental effects are not likely, it is for the Dumfries and Galloway Council as Responsible Authority to make a formal determination taking into account the consultation responses received.

If it is formally determined that SEA *is* required, you will be aware that the next stage requires the Responsible Authority to consult the Consultation Authorities on the proposed scope and level of detail to be included within the Environmental Report. This can be undertaken through preparation of a concise Scoping Report. We would encourage you to use the scoping process to focus the assessment on those SEA issues upon which there are likely to be significant environmental



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effects, to outline the baseline information you consider as most relevant and explain your proposed method of assessment. To assist with this process we have produced Standing Advice for Responsible Authorities on Strategic Environmental Assessment (SEA) Scoping Consultations, which is available from www.sepa.org.uk/planning.

We are committed to providing early and focused advice and supporting continuous engagement and would therefore welcome the opportunity to meet with you and discuss these issues prior to the formal consultation. Further information can be found in the Scottish Government SEA Guidance available at: www.scotland.gov.uk/Publications/2013/08/3355.

Should you wish to discuss this screening consultation please do not hesitate to contact me on 01786 452430 or via our SEA Gateway at sea.gateway@sepa.org.uk.

Yours sincerely

Silvia Cagnoni-Watt
Senior Planning Officer

Ecopy: hssea.gateway@scotland.gsi.gov.uk ; sea_gateway@snh.gov.uk



Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

Andrew Maxwell
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By email only to: sea.gateway@scotland.gsi.gov.uk

Date: 12 September 2014
Our Ref: CEA132724

Dear Mr Maxwell

**Environmental Assessment (Scotland) Act 2005:
SEA Screening Report - Supplementary Guidance –Annan, Gatehouse of Fleet,
Kirkcudbright and Whithorn Conservation Area Character Appraisals.
Screening Determination**

I refer to your screening consultation submitted on 20 August 2014 via the Scottish Government SEA Gateway in respect of the above plan.

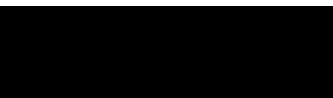
In accordance with Section 9(3) of the Environmental Assessment (Scotland) Act 2005, SNH has considered your screening report using the criteria set out in Schedule 2 for determining the likely significance of effects on the environment.

We agree that the above Plan is not likely to have significant environmental effects.

Please note that this consultation response provides a view solely on the potential for the plan or programme to have significant environmental effects. We cannot comment on whether or not the plan or programme meets other criteria determining the need for SEA as set out in the Act.

Should you wish to discuss this screening determination, please do not hesitate to contact Stuart Graham on 01387 272440 or via SNH's SEA Gateway at sea.gateway@snh.gov.uk

Yours sincerely



Dr Chris Miles
Unit Manager
Southern Scotland

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