

Environmental Assessment (Scotland) Act 2005

Developer Contributions Supplementary Guidance

Strategic Environmental Assessment Screening Determination

May 2016

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1.0 DUMFRIES & GALLOWAY COUNCIL

ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005

SCREENING DETERMINATION

NOTICE IS HEREBY GIVEN that Dumfries & Galloway Council has made a **determination** in respect of the **Developer Contribution Supplementary Guidance**.

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 the determination and Screening Report containing the Statement of Reasons is available for public inspection at the address below:

on the **Council's website** (www.dumgal.gov.uk/) at <http://www.dumgal.gov.uk/index.aspx?articleid=14014>

and also available by request from:

Development Planning

Address: Development Planning, Dumfries and Galloway Council, Militia House, Dumfries, DG1 2HR;

Email address: LDP@dumgal.gov.uk;

Telephone No: 030 33 33 3000

David Suttie

Service Manager

11 May 2016

2.0 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

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

Developer Contributions Supplementary Guidance

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 7 January 2016 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	28/1/2016	NO
Scottish Natural Heritage	12/1/2016	NO
Historic Environment Scotland	29/1/2015	NO

3.0 SEA Screening Report

The Council's determinations regarding the likely significance of effects on the environment of Developer Contributions Supplementary Guidance 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 SG seek does not seek to change or influence the Dumfries and Galloway LDP. It merely seeks to outline the mechanisms the Council will use to secure contributions and sets out the method of calculation for developer contributions within Dumfries and Galloway. The guidance supports LDP Policy OP3: Developer Contributions. Therefore it does not seek to set the framework for projects and other activities.
1 (b) Will the PPS influence other plans, programmes and strategies (including those in the hierarchy) and to what degree?	No	As the purpose of the SG is to provide further details on the scale and nature of developer contributions it does 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 SG is not considered relevant to this criteria as it merely provides further details on the scale and nature of developer contributions; any exceptions that may apply; and the submission of development appraisal information where development viability issues arise.
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 given to their probability, duration, frequency and reversibility?	No	There are no significant environmental problems identified.
2 (b) Will the environmental effects be	No	There are no significant environmental problems identified.

cumulative in nature? (Consider the impact of other PPS's as well as local conditions)		
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	As the purpose of the SG is to provide further details on the scale and nature of developer contributions 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	As the purpose of the SG is to provide further details on the scale and nature of developer contributions there are no significant effects identified.
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 SEA for the Dumfries and Galloway LDP considered any potential effects and provided mitigation measures if necessary. The SG is not considered to have any additional effects.

* **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 SG is not considered to have any significant environmental effects. The SG provides further details on the scale and nature of developer contributions. The guidance does not provide any new policy guidance, the environmental effects are therefore considered to be nil or minimal.

4.0 Consultation Authority Responses

Historic Environment Scotland

Àrainneachd Eachdraidheil Alba

Mr David Suttie
Planning and Environment
Dumfries & Galloway Council
English Street
DUMFRIES
DG1 2HS

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Direct Line: 0131 668 8575
Switchboard: 0131 668 8600
Alison.Baisden@gov.scot

Our ref: LDP/DUM
Our Case ID: 201506342
Your ref: 01144 SCREENING
29 January 2016

Dear Mr Suttie

Environmental Assessment (Scotland) Act 2005 **Dumfries and Galloway Council - SPG Developer Contributions**

I refer to your consultation on the SEA Screening Report for Dumfries and Galloway Council's Supplementary Guidance (SG) on Developer Contributions, which was received by the Scottish Government's SEA Gateway on 7 January 2016. I have reviewed the SEA Screening Report on behalf of Historic Environment Scotland in the context of the SEA Act and our role as a Consultation Authority. In doing so, I have used the criteria set out in schedule 2 for determining the likely significance of effects on the environment. Please note that our view is based on our main area of interest for the historic environment.

I understand that this SG is intended to set out the mechanisms and calculations Dumfries and Galloway Council will use to secure developer contributions. Given that this SG is intended to support Policy OP3: Developer Contributions of the Dumfries and Galloway Local Development Plan, which has been subject to full SEA, it is considered that the SG will in itself have minimal environmental effects. On the basis of the information provided, I agree that the Developer Contributions SG is in itself unlikely to have significant effects on the historic environment.

However, as you will be aware, it is the responsibility of Dumfries and Galloway Council as the Responsible Authority to determine whether the strategy requires an environmental assessment and to inform the Consultation Authorities accordingly. Please do not hesitate to contact me if you wish to discuss the contents of this letter in further detail.

Yours sincerely,



Alison Baisden
Senior Heritage Management Officer

Our ref: PCS/144504
SG ref: SEA/01144/SCR

David Suttie
Service Manager Development Management
Planning and Environment
Dumfries and Galloway Council
Kirkbank House
English Street
Dumfries
DG1 2HS

If telephoning ask for:
Nicki Dunn

28 January 2016

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

Dear Sir

Environmental Assessment (Scotland) Act 2005 Supplementary Guidance on Developer Contributions - Screening Report

Thank you for your Screening Report consultation which SEPA received via the Scottish Government SEA Gateway on 7 January 2016.

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. 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 Supplementary Guidance on Developer Contributions is unlikely to have significant environmental effects. Although we are of the view that significant environmental effects are not likely, it is for Dumfries & 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 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](#).

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](#).



Chairman
Bob Downes

Chief Executive
Terry A'Hearn

Angus Smith Building

6 Parklands Avenue, Eurocentral,
Holytown, North Lanarkshire ML1 4WQ
tel 01698 839000 fax 01698 738155

www.sepa.org.uk • customer enquiries 03000 99 66 99

Should you wish to discuss this screening consultation please do not hesitate to contact me on 01698 839000 or via our SEA Gateway at sea.gateway@sepa.org.uk.

Yours sincerely

Nicki Dunn
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

Mr David Suttie
Service Manager Development Management
Planning and Environment
Dunfries and Galloway Council
Kirkbank House
English Street
Dumfries
DG1 2HS

12 January 2016

Our ref: CNS/SEA/01144/CEA139628

Dear Mr Suttie

Environmental Assessment (Scotland) Act 2005: Dumfries and Galloway Council - Supplementary Guidance – Developer Contributions - Screening Determination

I refer to your screening consultation, submitted on 7 January 2016 via the Scottish Government SEA Gateway, with respect to 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 contact Karen Rentoul on 01896 756652 or via SNH's SEA Gateway at sea.gateway@snh.gov.uk.

Yours sincerely
[by email]

Andrew Panter
Operation Manager
Southern Scotland

cc:
sea.gateway@snh.gov.uk;
hssea.gateway@gov.scot;
sea.gateway@sepa.org.uk.