

Environmental Assessment (Scotland) Act 2005

Annan Conservation Area Character Appraisal and Management Plan Supplementary Guidance

Strategic Environmental Assessment Screening Determination

March 2021

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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 **Annan Conservation Area Character Appraisal and Management Plan 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 and 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, Kirkbank House, Dumfries, DG1 2HS;

Email address: LDP@dumgal.gov.uk;

Telephone No: 030 33 33 3000

David Suttie

Service Manager

18th March 2021

2.0 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

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

Annan Conservation Area Character Appraisal and Management Plan 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 19 February 2021 setting out its reasons as to why it was of the opinion that the changes are not likely to have significant environmental effects.
2. SEA Gateway advise that SEPA are unable to comment at this time due to operational issues with the agency and direct advice for screening and scoping to SEPAs website.
3. 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
Historic Environment Scotland	2 March 2021	NO
Scottish Natural Heritage	17 March 2021	NO

3.0 SEA Screening Report

The Council's determinations regarding the likely significance of effects on the environment of **Annan Conservation Area Character Appraisal and Management Plan Supplementary Guidance** are set out in Table 1:

Table1: Likely Significance of Effects on the Environment

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		
Conservation Areas	-	-	-	-	-	-	-	✓	✓	-	The Supplementary Guidance provides detail in support of LDP2 Policy HE2: Conservation Areas, the intention of which is to preserve and enhance the character of conservation areas. It is unlikely to change the environment but have some a positive impact on its character.	It is considered that the SG will have minimal environmental effect by reinforcing existing character. The impact will therefore not be of significance.

* **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 provide guidance on the implementation of policies within LDP2 and therefore it is considered that the SGs themselves will not have a significant environmental effect. The LDP2 has been subject to a full SEA and it is considered that the principles of these SGs have been fully assessed.

4.0 Consultation Authority Responses

Insert copy of letter in following order -
Historic Environment Scotland
SNH

Local Government and Communities Directorate
Planning and Architecture Division



Scottish Government
Riaghaltas na h-Alba
gov.scot

T: 0131-244 5036
E: SEA.Gateway@gov.scot

John Doig

Dumfries and Galloway Council

01627 Screening - Dumfries and Galloway Council - Annan Conservation Area Character Appraisal Management Plan

Dear John,

With reference to the Screening document you submitted on 19th February 2021.

The Consultation Authorities have now considered your screening request as per **Section 9(3)** of the **Environmental Assessment (Scotland) Act 2005**. I have attached the individual letters from the Consultation Authorities, outlining their views and opinions.

Please note, these are the views and opinions of the Consultation Authorities on the likelihood of significant environmental effects arising from the plan or programme and not a judgement on whether an SEA is required. It is therefore for the Responsible Authority to determine whether an SEA is required in the circumstances. Where possible the Consultation Authorities may have offered supplementary information and/or advice for you to consider, which you should find helpful.

As the Consultation Authorities have now notified you of their views, you should now refer to the 2005 Act to consider your next step. You should of course take into account the advice offered by the Consultation Authorities.

You should note, as per Section 10 of the 2005 Act, that within 28 days of your determination about whether an SEA is required or not, a copy of the determination and any related statement of reasons must be passed to the Consultation Authorities. This may be done via the SEA Gateway.

If you have any queries or would like me to clarify any points, please call me on 0131 244 5036.

Kind regards,

Melissa Shields
SEA Gateway Administrator



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By email to: sea.gateway@gov.scot

John Doig
Planning Officer
Development Planning
Dumfries and Galloway Council
Kirkbank House
English Street
Dumfries
DG1 2HS

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
Switchboard: 0131 668 8600
HMConsultations@hes.scot

Our case ID: 300019286
Your ref: 01627

02 March 2021

Dear John Doig

[Environmental Assessment \(Scotland\) Act 2005](#)
[Dumfries and Galloway Council - Local Development Plan - Annan Conservation Area Character Appraisal Management Plan](#)

Screening Report

Thank you for your consultation which we received on 19 February 2021 about the above screening report. We have reviewed this report in our role as a Consultation Authority under the above Act, in accordance with the requirements of Section 9(3). In doing so we have used the criteria set out in Schedule 2 for determining the likely significance of the effects on the environment.

Historic Environment Scotland's view

In light of the information and reasoning set out within the screening report, we **agree** with your view that there are **unlikely to be significant environmental effects for the historic environment**.

Historic Environment Scotland's comments

We note that you consider that the Conservation Area Character Appraisal and Management Plan adds guidance and detail to the implementation of LDP2 Policy HE2: Conservation Areas which has been subject to environmental assessment through the LDP. We agree that the CACAMP in itself is unlikely to lead to significant environmental effects beyond those identified in the LDP assessment. As you will be aware, we have recently responded to consultation on the CACAMP and have offered comments in our letter dated 15 February 2021.

Next steps

The Environmental Assessment (Scotland) Act 2005 requires you as the Responsible Authority to determine whether an environmental assessment is required. You must then notify the Consultation Authorities within 28 days of making this determination. This may be done via the SEA Gateway (sea.gateway@gov.scot).

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



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We hope our advice is helpful to you in making this determination. Please feel welcome to contact us if you have any questions about this response. The officer managing this case is Andrew Stevenson who can be contacted by phone on 0131 668 8960 or by email on andrew.stevenson2@hes.scot.

Yours faithfully

Historic Environment Scotland

John Doig
Planning Officer
Development Planning
Dumfries and Galloway Council

17 March 2021

Sent via: sea.gateway@gov.scot

Our ref: CEA162182

Dear John

**ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005: ANNAN CONSERVATION AREA
CHARACTER APPRAISAL AND MANAGEMENT PLAN SUPPLEMENTARY GUIDANCE – SCREENING
DETERMINATION**

I refer to your screening consultation submitted on 02 February 2021 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, 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 above guidance is to provide further information in support of Local Development Plan (LDP) Policy HE2: Conservation Areas. As the guidance does not make provision for further change or development beyond that assessed in SEA of the LDP, we agree that the guidance 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 me on 0131 316 2644 or via SNH's SEA Gateway at sea.gateway@nature.scot.

Yours sincerely,

Vivienne Gray
Planning Advisor
Supporting Good Development