

Environmental Assessment (Scotland) Act 2005

Sustainability – Reducing Carbon Emissions in Buildings Supplementary Guidance

Strategic Environmental Assessment Screening Determination

July 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 **Sustainability – Reducing Carbon Emissions in Buildings 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, Militia House, Dumfries, DG1 2HR;

Email address: LDP@dumgal.gov.uk;

Telephone No: 030 33 33 3000

David Suttie

Service Manager

July 2021

2.0 STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

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

Sustainability – Reducing Carbon Emissions in Buildings 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 11 June 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. 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 | 23 June 2021 | NO |
| Scottish Environmental Protection Agency | 28 June 2012 | NO |
| Nature Scot | 05 July 2021 | NO |

3.0 SEA Screening Report

The Council's determinations regarding the likely significance of effects on the environment of **Sustainability – Reducing Carbon Emissions in Buildings 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 | | |
| Sustainability – Reducing Carbon Emissions in Buildings | - | - | - | - | - | ✓ | ✓ | - | - | - | The Supplementary Guidance provides guidance in support of LDP2 policy OP1(f): Development Considerations (Sustainability), the intention of which is to inform developers on the requirements, methods and guidance on implementing low and zero carbon generating technologies in their developments. Implemented correctly should have benefits for climatic factors and material assets as the policy supports sustainable development through the use of low and zero carbon generating technologies. | It is considered that the SG will not have a significant environmental effect. |

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

4.0 Consultation Authority Responses

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

T: 0131-244 5036

E: SEA.Gateway@gov.scot

John Doig

Senior Planning Officer
Development Planning
Economy & Development
Dumfries and Galloway Council
Kirkbank House, English Street
Dumfries, DG1 2HS

**01653 Screening - Dumfries and Galloway - Reducing Carbon Emissions in Buildings
Supplementary Guidance**

Dear John Doig,

With reference to the Screening document you submitted on 11 June 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 0078.

Kind regards,

Clare Donnelly
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: 01653

23 June 2021

Dear John Doig

[Environmental Assessment \(Scotland\) Act 2005](#)
[01653 Screening - Dumfries and Galloway - Reducing Carbon Emissions in Buildings](#)
[Supplementary Guidance](#)

Screening Report

Thank you for your consultation which we received on 11 June 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 understand from the SEA screening report that the Reducing Carbon Emissions in Buildings Supplementary Guidance will provide further information and guidance on Policy OP1(f) (Development Considerations – Sustainability) within the adopted Dumfries and Galloway Local Development Plan 2 (LDP2). In particular, the Supplementary Guidance will outline requirements for new buildings to provide low and zero carbon generating technology.

We note that the Supplementary Guidance will not introduce new policies or set the framework new projects further to those already assessed as part of the adopted Dumfries and Galloway Local Development Plan 2 (LDP2). On this basis, we are content to agree that the Reducing Carbon Emissions in Buildings Supplementary Guidance is, in itself, unlikely to have significant effects on the historic environment.

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

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



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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).

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 Alison Baisden who can be contacted by phone on 0131 668 8575 or by email on Alison.Baisden@hes.scot.

Yours sincerely

Historic Environment Scotland



Environmental Assessment (Scotland) Act 2005

01653 Screening - Dumfries and Galloway - Reducing Carbon Emissions in Buildings Supplementary Guidance

Screening report

Thank you for consulting SEPA on this Screening Report by way of your email of 11 June 2021.

In accordance with Section 9(3) of the Environmental Assessment (Scotland) Act 2005 we have reviewed the screening report using the criteria set out in Schedule 2 of the Act. In regard to our main areas of interest (air, water, soil, human health, material assets and climatic factors) **we agree with the conclusions of the screening report** that the proposed PPS is **unlikely to have** significant environmental effects.

Although we are of the view that significant environmental effects are unlikely, it is for the Responsible Authority to make a formal determination taking into account the consultation responses received.

If you would like to discuss this consultation response please do not hesitate to contact me by email via our SEA Gateway at sea.gateway@sepa.org.uk.

Yours sincerely
Nicki Dunn

Cc:
sea_gateway@nature.scot
sea.gateway@hes.scot
sea.gateway@sepa.org.uk

Nicki Dunn
Scottish Environment Protection Agency | Law House | West of Scotland Science Park | Glasgow | G20 0XA
T: 01698 839000
e: planning.sw@sepa.org.uk

We are not currently able to provide any responses to any person or body on land use planning (including flood risk advice) or similar consultations related to contaminated land, Energy Act, Forestry etc. unless agreed as of outstanding national priority. Please look at our standing advice and planning guidance at www.sepa.org.uk/environment/land/planning.

SEPA was subject to a cyber-attack on Christmas Eve. Please do not assume that any emails that you have sent since Christmas Eve (and in the period leading up to this) will be actioned. If you have not

progressed your enquiry via another route in the interim, please see SEPA's service status, which includes information on the services we are currently able to deliver and how to contact us.

Disclaimer

The information contained in this email and any attachments may be confidential and is intended solely for the use of the intended recipients. Access, copying or re-use of the information in it by any other is not authorised. If you are not the intended recipient please notify us immediately by return email to postmaster@sepa.org.uk. Registered office: Strathallan House, Castle Business Park, Stirling FK9 4TZ. Under the Regulation of Investigatory Powers Act 2000, the email system at SEPA may be subject to monitoring from time to time.

John Doig
Senior Planning Officer
Development Planning
Dumfries and Galloway Council

05 July 2021

Sent via: sea.gateway@gov.scot

Our ref: CEA163396

Dear Mr Doig

ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005: SUSTAINABILITY – REDUCING CARBON EMISSIONS IN BUILDINGS SUPPLEMENTARY GUIDANCE

I refer to your screening consultation submitted on 11 June 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 has been prepared in support of Local Development Plan 2 (LDP2) Policy 1(f) Development Considerations (Sustainability) and that it does not make provision for development or change beyond that already assessed during preparation of LDP2. On that basis, 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 me on 0131 316 2644 or via our SEA Gateway at sea.gateway@nature.scot.

Yours sincerely,

Vivienne Gray
Planning Advisor
Supporting Good Development Team