

# **PRE-SCREENING NOTIFICATION**

## SEA PRE-SCREENING DOCUMENT

up

**Responsible Authority:** Perth & Kinross Council (PKC)

**Title of the plan:** Loch Leven Special Protection Area and Ramsar Site Guidance

**What prompted the plan:**  
(e.g. a legislative, regulatory or administrative provision)  
The guidance provides further detail on Policy 46 of the Local Development Plan and is a result of a protocol between SNH, SEPA and PKC

**Plan subject:**  
(e.g. transport)  
Town & Country Planning

**Brief summary of the plan:**  
(including the area or location to which the plan related)  
The Guidance relates to the protection of the Loch Leven SPA from waste water from new development. This covers the catchment of Loch Leven around Kinross from Scotlandwell in the East to Crook of Devon in the West. Policy 46 requires all development within the catchment to either connect waste water to existing public waste water services in Kinross and Milnathort or to provide 125% mitigation of phosphorus through the upgrading of existing properties. The Guidance only sets out how this calculation is arrived at, and how information is to be provided and when. The Guidance is a technical update of the existing 2016 Guidance with LDP and web references updated. The current draft guidance has also added a requirement for evidence of installation to be provided.

**Brief summary of the likely environmental consequences:**  
(including whether it has been determined that the plan is likely to have no or minimum effects, either directly or indirectly)  
The Guidance was previously screened in 2016 with the conclusion that the plan was unlikely to have significant environmental effects. Another screening for this updated draft was carried out in 2018 with the same conclusion. This pre-screening is to update that conclusion with regards to the newly introduced evidence requirement. The environmental affects of this amendment has been considered alongside that conclusion against the criteria in schedule 2. The requirement is largely a monitoring requirement which will have no or minor effect.

**Contact details:** Robert Wills [robertwills@pkc.gov.uk](mailto:robertwills@pkc.gov.uk) ; 01738475370

**Date of opinion:**

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

**Completion guidance (Please delete before submission)**Link to SEA Guidance: <http://www.gov.scot/Resource/0043/00432344.pdf>

Box 1	<p>Name of the organisation that is responsible for the plan.</p> <p><b>Note:</b> The Responsible Authority is any person, body or office holder exercising functions of a public character. Where more than one authority is responsible for a plan they should reach an agreement as to who is responsible for the SEA. Where an agreement cannot be reached, the Scottish Ministers can make the determination (Extract from SEA Guidance: Glossary (Page 50)).</p>
Box 2	<p>Name of the plan.</p> <p><b>Note:</b> The 2005 Act applies to plans which relate to matters of a public character. The term 'plan' within guidance also covers policy, programme and strategy (Extract from SEA Guidance: Glossary (Page 50)).</p>
Box 3	<p>In terms of pre-screening, knowing why a plan is being produced is one of the key components in understanding whether exemption is an option.</p>
Box 4	<p>The 2005 Act outlines the sectors as agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town &amp; country planning and land use.</p>
Box 5	<p>The name of the plan alone can seldom offer sufficient information to understand what it covers and why it has been considered suitable for pre-screening.</p> <p>The description of the plan being pre-screened has to contain sufficient information to allow those reading the notification to understand the objectives of the plan and how the Responsible Authority aims to deliver them. Brief descriptive information such as the area or location of the plan is required by the 2005 Act, but it can also prove helpful to include additional information in a summary, such as whether the plan is expected to improve or strengthen the current approach, the reason the plan is being prepared, who it would apply to and the timescale for delivery. This type of information can help paint a clear picture of whether pre-screening was suitable in the circumstances.</p>
Box 6	<p>As only those plans that have <u>no or minimal</u> effects on the environment can be pre-screened, it is important for a Responsible Authority to use the criteria detailed in <a href="#">Schedule 2 of the Environmental Assessment (Scotland) Act 2005</a> as a guide to providing a description of the likely environmental effects. This approach supports the transparency of the assessment process, whilst helping to ensure Responsible Authorities remain compliant with the requirements of this self-exemption route.</p> <p>Similarly to Box 5 above, it can prove helpful if a Responsible Authority provides additional information, such as a summary of the reasons why the plan will have no more than minimal effects on the environment, including any intrinsic mitigation, as well as any existing or future assessment needs within the plan hierarchy.</p> <p>In those cases where a Responsible Authority is uncertain of the scope of the likely environmental effects, pre-screening is not recommended. In this scenario, screening the plan is likely to be a better option.</p>

<sup>1</sup> Please note: (A) The plan has to fall into Section 5(4) of the Environmental Assessment (Scotland) Act 2005 & (B) you should apply the criteria specified within Schedule 2 of this Act to reach a conclusion on no or minimal environmental effects: [www.legislation.gov.uk/asp/2005/15/contents](http://www.legislation.gov.uk/asp/2005/15/contents) (delete this note before submission)