

PRE-SCREENING NOTIFICATION

SEA PRE-SCREENING DOCUMENT

Responsible Authority:

Perth & Kinross Council (PKC)

Title of the plan:

Lunan Valley Area Dunkeld - Blairgowrie Lochs Special Area of Conservation Guidance

What prompted the plan:

(e.g. a legislative, regulatory or administrative provision)

The guidance provides further detail on Policy 45 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 Lunan Lochs Catchment Area from waste water from new development. The aim is to ensure that there is no increase of phosphorus in the Dunkeld- Blairgowrie Lochs that could have a detrimental effect on water quality, and a knock-on effect for ecology.

Policy 45 requires all development within the catchment to submit details of the proposed method of drainage, and details of phosphorus mitigation, where applicable. Where new development has phosphorus discharge and drainage cannot be diverted outwit the catchment, 125% mitigation of phosphorus discharge must be provided 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 The current draft guidance has also added a requirement for evidence of installation to be provided.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. This pre-screening is to update that conclusion with regards to the newly introduced evidence requirement. The environmental effects of this amendment have 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:

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Date of opinion:

When completed send to: 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>Note: 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>Note: 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 & 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 Schedule 2 of the Environmental Assessment (Scotland) Act 2005 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>

¹ 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 (delete this note before submission)

	<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>
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