

ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005

Screening Determination of South Ayrshire Council
under section 8(1) of the Act re:

Supplementary Guidance: Historic Environment

(Prepared for Proposed South Ayrshire Local Development Plan 2)

In accordance with the above-quoted legislation and having had cognisance of the Consultation Authorities' concurring views, this statement forms the screening determination of South Ayrshire Council; finding that the qualifying 'plan or programme' as named above is not likely to have significant environmental effects and as such that no environmental assessment is required.

The form overleaf comprises the statement of reasons for this determination, as required by section 8(2)(b) of the Act and as having applied the criteria specified in schedule 2 of the Act, such as they relate to the subject document.

STEP 1 – DETAILS OF THE PLAN

Responsible Authority:

South Ayrshire Council

Title of the plan:

Supplementary Guidance: Historic Environment

What prompted the plan:

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

[Statutory review of the presently adopted South Ayrshire Local Development Plan](#)

Plan subject:

(e.g. transport)

[Town and country planning \(statutory\)](#)

Screening is required by the Environmental Assessment (Scotland) Act 2005.

Based on Boxes 3 and 4, our view is that:

An SEA is required, as the environmental effects are likely to be significant: Please indicate below what Section of the 2005 Act this plan falls within

Section 5(3)

Section 5(4)

An SEA is not required, as the environmental effects are unlikely to be significant: Please indicate below what Section of the 2005 Act this plan falls within

Section 5(3)

Section 5(4)

Contact details:

Ben Horwill, Planner (Development Planning & Customers)
South Ayrshire Council
Burns House, Burns Statue Square, AYR, South Ayrshire, KA7 1UT

Date:

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STEP 2 – CONTEXT AND DESCRIPTION OF THE PLAN

Context of the Plan:

As formal statutory Supplementary Guidance (SG), this PPS will supplement parent *LDP policy: historic environment*, as contained in South Ayrshire Proposed Local Development Plan 2 (PLDP2). Its preparation is precipitated by a commitment in that policy to provide the guidance.

Once adopted, the SG becomes part of the development plan and so in the plan hierarchy will thus enjoy its weight as the prime material consideration in decision-making. The SG expands on PLDP2's policy support for proposed development which protects, conserves or improves certain heritage resources.

Description of the Plan:

Focus and direction: this PPS does not directly propose new or altered heritage designations. Its elaborative purpose is within the confines of parent policy extent; i.e. limited to effects of proposed development on: listed buildings, conservation areas, scheduled monuments and gardens and designed landscapes. The SG complements broad policy intent with specific expectations, tests and criteria that clarify compliance with policy intent; so its 'powers' are in forming a material consideration as a benchmark against which Development Management may assess matters of detail in application-stage proposals. Its spatial/temporal scope is confined to the coverages / spatial incidence of said heritage designations, for the duration of PLDP2 plan period 2019-29. Its focus and remit seeks to ensure that protection, conservation and enhancement of the historic environment is achieved when considering development proposals.

What are the key components of the plan?

The SG's focus lends a 3-part structure. Its introduction quotes the parent policy and states the SG's purpose. Part 1 is a suite of 4 policies; design quality, listed buildings, conservation areas and scheduled monuments respectively, to guide DM assessment of proposals. Part 2 commits the planning authority's role in managing the historic environment via tools of CA character appraisals and management plans. Part 3 is an addendum setting detailed advice and criteria on works to windows and doors on listed buildings and in conservation areas.

Have any of the components of the plan been considered in previous SEA work?

Yes; on two direct, important fronts. Firstly, this iteration of the PPS is a marginal modification of its antecedent PPS: the existing SG which will fall upon adoption of LDP2. Said SG underwent full SEA, attaining key relevant outcomes: it warranted very limited scope-in of SEA topics, and it consistently presented positive effects overall and across its provisions. In this regard it is important that the minor modification of substantive content, as formed in the proposed PPS, is confined to the addendum alone; and serves to remove generality clauses from criteria and introduce a more explicitly protective stance on works to windows and doors. Consequently this complies with HES' HEPS (May 2019), reduces uncertainty over effects, and increases the likelihood of minor positive effects.

Secondly, the PPS' core contextual precipitant is historic environment policy of PLDP2 itself, whose policy tenet outcomes have had full SEA via Final ER. The provisions of PLDP2, and SEA conclusions thereupon, are highly current (dated June 2019) and so fully account for a purposely up-to-date environmental baseline as now pertains to this SG and having evolved from the outgoing SG. That said policy has not been altered between LDP1 and PLDP2 reflects monitoring evidence confirming the policy has performed well and as intended. Further, the SEA of PLDP2 finds positive effects for the cultural heritage topic.

In terms of your response to Boxes 7 and 8 above, set out those components of the plan that are likely to require screening:

As above, 3-part structure warrants screening assessment. To provide appropriate interrogation of the potential effects, the screening assessment is divided to sub-components comprising each of Part 1's four policies individually, Part 2 as a whole and the "windows and doors" addendum (comprising Part 3) as a whole.

**STEP 3 – IDENTIFYING INTERACTIONS OF THE PLAN WITH THE ENVIRONMENT AND
CONSIDERING THE LIKELY SIGNIFICANCE OF ANY INTERACTIONS (Error! Reference source not found.)**

Plan Components (Topics as tabulated within the framework of each brief)	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		
Part 1 SG Policy 1: Design Quality	✓	✓	✗	✗	✗	✗	✗	✓	✗	✗	Criteria-led high standards for new development prevent same from compromising the qualities of heritage designations liable to be affected. New development may often affect trees afforded blanket protection in CAs, with attendant biodiversity / amenity loss	The environmental significance of this policy's criteria-led approach is minimal once isolated from overarching context of parent policy: it provides a more prescriptive expression of the quality standards expected of new development, so reduces the likelihood of significant effects by way of improving certainty of adequate protection for heritage resource qualities / 'value'.
Part 1 SG Policy 2: Listed Buildings of Architectural and Historic Interest	✓	✗	✗	✗	✗	✗	✗	✓	✗	✗	Explicit favour for the protection of listed buildings, and encouragement of their sensitive maintenance, reduces the risk of negative effects on the cultural heritage topic arising from deterioration and disuse. Stewardship of LBs will have cumulative positive effects on cultural heritage. Redevelopment and reuse of LBs risks disturbance of habitat eg. bats.	The environmental significance of this policy's elaborative intent is minimal once isolated from overarching context of parent policy: it does not provide an overt framework for consenting works. It stresses the importance of listed building maintenance and retention, and sets preconditions for proposing demolition. Said emphases reduce likelihood of significant effects by amplifying consideration and certainty on these matters in the DM assessment.
Part 1 SG Policy 3: Conservation Areas	✓	✓	✗	✗	✗	✗	✗	✓	✗	✗	Criteria-led design principles for CA development prevent compromising the qualities and settings of CAs to be affected. New development may often affect trees afforded blanket protection in CAs, with attendant biodiversity / amenity loss.	The environmental significance of this policy's criteria-led approach is minimal once isolated from overarching context of parent policy: it provides a more prescriptive expression of the quality standards expected of CA development, so reduces the likelihood of significant effects by way of improving certainty of adequate protection for conservation areas' qualities / 'value'.

<p>Part 1 SG Policy 4: Scheduled Monuments</p>	x	✓	x	x	x	x	x	x	✓	✓	x	<p>Explicit favour for protection of SMs, and encouragement of sensitive interpretation, reduces risk of negative effects on the cultural heritage topic arising from disruption and use conflicts. Promotion of SMs will have cumulative positive effects on cultural heritage. Educational/recreational resource value promotes positive effects on population. SMs may be rurally situated and so set in a conspicuous landscape. Protection against uses conflicting with SM settings mitigates negative landscape effects.</p>	<p>The environmental significance of this policy's elaborative intent is minimal once isolated from overarching context of parent policy: it does not provide an overt framework for consenting works. It stresses the importance of protecting SMs and their settings, and describes supporting evidence requirements to justify proposals. Said emphases reduce likelihood of significant effects by amplifying consideration and certainty on these matters in the DM assessment.</p>
<p>Part 2 Managing Historic Environment</p>	x	✓	x	x	x	x	x	x	✓	x	x	<p>A planning authority commitment to prepare CA Character Appraisals and Management Plans will have minimal directly attributable effects. Community involvement may initiate greater social understanding of / stewardship for the built heritage, with attendant minor positive effects on the cultural heritage and population topics.</p>	<p>The environmental significance of this policy's conception of the planning authority's role in managing the historic environment is minimal, once isolated from overarching context of the parent PLDP2 policy; and the more immediate and tangible influence of the criteria-led policies of Part 1 more directly applicable to (and informing of) the Development Management process</p>
<p>Part 3 – Addendum Windows and Doors</p>	x	x	x	x	x	x	x	x	✓	x	x	<p>Detailed, specific criteria govern work to windows and doors in LBs/CAs. SG omits generality of predecessor, thus affording singularity of expectation; minimising uncertainty re: negative effect potential. Stronger coaching on reinstatement / repair of original features will see piecemeal positive effects cumulate for cultural heritage.</p>	<p>The environmental significance of the addendum is minimal once isolated from overarching context of parent policy: it prescribes thorough detail of how window/door proposals should contribute to protection, conservation and enhancement. Each individual proposal will itself be of minuscule scale; as a definitive framework for such proposals, it mitigates against the potential for minor negative effects to become cumulatively significant as a collective erosion of the coherence and consistency of the built heritage.</p>

STEP 4 – STATEMENT OF THE FINDINGS OF THE SCREENING

Summary of interactions with the environment and statement of the findings of the Screening:

(Including an outline of the likely significance of any interactions, positive or negative, and explanation of conclusion of the screening exercise.)

The screening process provides the following key findings on the environmental interactions of the PPS:

- its starting point is the parent 'historic environment' policy within PLDP2 itself (and as unchanged from LDP1); noting the PLDP2 precipitates the SG which will become a part of PLDP2 upon adoption
- SG purpose is elaborative; its reach/remit limited within confines of said parent policy's provisions
- SG complements broad policy intent with specific expectations, tests and criteria that clarify compliance with policy intent
- SG spatial/temporal scope is confined to the coverages / spatial incidence of formal heritage designations, for the PLDP plan period
- SG is a marginal modification of antecedent PPS – i.e. the existing SG due to fall upon adoption of LDP2 – which itself underwent full SEA; warranting very limited scope-in of SEA topics, and presenting positive effects overall

It is argued that it is the scope and policy thrust of the PLDP2-borne policy itself that bears fundamental prospects of significant environmental effects, and thus already duly SEA'd – notably very recently, and against an up-to-date environmental baseline; by contrast the SG's subsidiary and elaborative focus on criteria-led frameworks to aid and clarify Development Management process is likely to bear minimal environmental effects reasonably identifiable as additional or distinguishable from those of PLDP2 itself.

This hypothesis is consolidated and reinforced by the findings of the subsequent screening exercise of the various SG components which finds,

- (a) The environmental significance of the SG's intent and criteria-led approaches is minimal once isolated from the (SEA-assessed) context of the parent policy
- (b) The emphases afforded by the SG's detail/elaboration on parent policy reduce likelihood of significant effects by amplifying consideration and certainty on these matters in the DM assessment
- (c) The changes made to the 'addendum' relative to the outgoing (SEA-assessed) remove flexible clauses, so affording a singular policy prescription for each circumstance; this markedly minimises uncertainty re: negative effect potential and increases certainty over positive effects detected by full SEA of the SG as-was
- (d) The definitive framework presented within the addendum presents a rigid and protective stance, aimed at avoidance of negative effects on cultural heritage on the miniscule scale of the individual bases of the proposals to which it is applied. In turn this comprehensively mitigates against a potential otherwise for minor negative effects to become cumulatively significant

The resulting conclusion is that the provisions and implementation of this SG is not likely to have significant effects on the environment and that on this basis an SEA is not required.