

**Environmental Assessment (Scotland) Act 2005**

**Newton Stewart Conservation Area Character Appraisal and  
Management Plan Supplementary Guidance**

**Strategic Environmental Assessment Screening Determination**

**October 2022**

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**SEA Gateway Covering Letter,**

**Historic Environment Scotland,**

**Scottish Environment Protection Agency,**

**Scottish Natural Heritage (NatureScot)**

**1. 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 **Newton Stewart 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 Scottish Government's SEA Gateway, Historic Environment Scotland [HES], Scottish Environment Protection Agency [SEPA] and Nature Scot [formerly SNH], that the content of the document is unlikely to have significant environmental effects and therefore that a full strategic environmental assessment [SEA] 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/](http://www.dumgal.gov.uk/)) at: [Strategic Environmental, Habitat and Equality Assessments - Dumfries and Galloway Council \(dumgal.gov.uk\)](#)

and on request by email from: [ldp@dumgal.gov.uk](mailto:ldp@dumgal.gov.uk)

Or by writing to: Development Planning, Dumfries and Galloway Council, Kirkbank House, Dumfries, DG1 2HS.

Or by telephone through the main switchboard: 030 33 33 3000

*David Suttie*, Planning and Building Standards Service Manager

7<sup>th</sup> October 2022

2. **Strategic Environmental Assessment (SEA) Screening Determination Under Section 8(1) of the Environmental Assessment (Scotland) Act 2005** of the following document

**Newton Stewart 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 7th September 2022 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 provided copies of the three responses none of which raised concerns regarding the potential for environmental impact.
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	28/09/2022	<b>No</b>
Nature Scot	23/09/2022	<b>No</b>
SEPA	12/09/2022	<b>No</b>

### 3. SEA Screening Report

The Council has determined the likely significance of effects on the environment of **Newton Stewart Conservation Area Character Appraisal and Management Plan** as set out in Table 1.

**Table1: Likely Significance of Effects on the Environment**

Plan Component/s	Environmental Topic Areas									
	Biodiversity, Flora and Fauna	Population and Human Health	Soil	Water	Air	Climatic Factors	Material Assets	Cultural Heritage	Landscape	Inter-relationship Issues
Conservation Areas	-	-	-	-	-	-	-	✓	✓	-
Explanation of Potential Environmental Effects	<b>Newton Stewart Conservation Area Character Appraisal and Management Plan</b> 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. The Supplementary Guidance is unlikely to change the environment associated with Newton Stewart Conservation Area but may have some positive impact on its character.									
Explanation of Significance	It is considered that the Supplementary Guidance will have minimal environmental effect as its role is to reinforce existing character rather than introduce change. The impact will therefore not be of significance.									

Schedule 2 of the Environmental Assessment (Scotland) Act 2005 2(a), 2(b) etc.

### **Summary of Environmental Effects**

Newton Stewart CACAMP SG provides guidance on the implementation of policies within LDP2 and therefore it is considered that it will not have a significant environmental effect. The LDP2 has been subject to a full SEA and it is considered that the policy which this SG supports has been fully assessed.

## **4.0 Consultation Authority Responses**

Copies of letters from the statutory consultees are included in the following order:

- Historic Environment Scotland
- Nature Scot (formerly SNH)
- Scottish Environment Protection Agency

HISTORIC  
ENVIRONMENT  
SCOTLANDÀRAINNEACHD  
EACHDRAIDHEIL  
ALBA

By email to: [sea\\_gateway@gov.scot](mailto:sea_gateway@gov.scot)

Marie-Isabelle Marshall  
Senior Planner  
Built Heritage Policy  
Dumfries and Galloway Council  
Planning and Environment Services

Longmore House  
Salisbury Place  
Edinburgh  
EH9 1SH

Enquiry Line: 0131-668-8716  
Switchboard: 0131 668 8600  
[HMC consultations@hes.scot](mailto:HMC consultations@hes.scot)

Our case ID: 300060752  
Your ref: 01757  
28 September 2022



Dear Marie-Isabelle Marshall

[Environmental Assessment \(Scotland\) Act 2005](#)  
[Newton Stewart Conservation Area Character Appraisal and Management Plan](#)  
[SEA Screening Consultation](#)

### SEA Screening Report

Thank you for your consultation which we received on 07 September 2022 about the above SEA 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

Our understanding from the SEA Screening Report is that the Newton Stewart Conservation Area Appraisal and Management Plan provides further detail in support of Policy HE2 (Conservation Areas) in the Dumfries and Galloway Local Development Plan 2. In particular, the Conservation Area Appraisal and Management Plan assists decision-makers in deciding how Policy HE2 (Conservation Areas) should be applied when development is proposed for properties and spaces within the Newton Stewart Conservation Area.

Given that the Dumfries and Galloway Local Development Plan 2 has already been subject to a full SEA, it is considered that the Newton Stewart Conservation Area Appraisal and Management Plan will have minimal environmental effects. Based on the

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH  
Scottish Charity No. SC045925  
VAT No. GB 221 8680 15



information provided, we agree that the Newton Stewart Conservation Area Appraisal and Management Plan is unlikely to have significant effects on the historic environment.

### **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](mailto: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](mailto:Alison.Baisden@hes.scot).

Yours sincerely

**Historic Environment Scotland**





John Doig  
Development Planning  
Dumfries and Galloway Council  
Kirkbank House  
English Street  
Dumfries DG1 2HS  
By email to: [SEA\\_Gateway@gov.scot](mailto:SEA_Gateway@gov.scot)  
Cc: [sea.gateway@sepa.org.uk](mailto:sea.gateway@sepa.org.uk); [sea.gateway@hes.scot](mailto:sea.gateway@hes.scot)

23 September 2022

Our ref: CEA168334

Dear John,

**Environmental Assessment (Scotland) Act 2005: Newton Stewart Conservation Area Character Appraisal and Management Plan Supplementary Guidance - Screening Determination**

Thank you for your screening report submitted on 07 September 2022 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 supplementary guidance supports and provides detail on Local Development Plan Policy HE2 and does not itself set out a framework for change or proposals for development. On that basis we agree that it 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 Alison Shand on 0131 314 6751 or via NatureScot's SEA Gateway at [sea\\_gateway@nature.scot](mailto:sea_gateway@nature.scot).

Yours sincerely,

Alison Shand  
Planning Adviser  
Supporting Good Development

Caspian House, 2 Mariner Court, Clydebank Business Park, Clydebank G81 2NR  
Taigh Caspian, 2 Cùirt a' Mharaiche, Pàirc Gnothachais Bhruach Chluaidh, Bruach Chluaidh G81 2NR  
0131 314 6750 [nature.scot](http://nature.scot)

NatureScot is the operating name of Scottish Natural Heritage

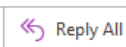
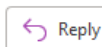
## RE: 01757 Screening - Dumfries and Galloway - Newton Stewart Conservation Area Character Appraisal and Management Plan - SEPA Respons...



sea.gateway@sepa.org.uk

To: SEA\_Gateway@gov.scot

Cc: sea\_gateway@nature.scot; sea.gateway@hes.scot



Mon 12/09/2022 08:20

OFFICIAL

**Environmental Assessment (Scotland) Act 2005****01757 Dumfries and Galloway – Newton Stewart Conservation Area Character Appraisal and Management Plan****Screening report**

Thank you for consulting SEPA on this Screening Report by way of your email of 09 September 2022

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 or via our SEA Gateway at [sea\\_gateway@sepa.org.uk](mailto:sea_gateway@sepa.org.uk).

Yours sincerely

Simon Watt

Cc:

[sea\\_gateway@nature.scot](mailto:sea_gateway@nature.scot)

[sea\\_gateway@hes.scot](mailto:sea_gateway@hes.scot)

**Simon Watt**

Senior Planning Officer

Scottish Environment Protection Agency (SEPA)

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