

**PERTH AND KINROSS COUNCIL**  
**STRATEGIC POLICY AND RESOURCES COMMITTEE**

**25 November 2020**

**LOCAL DEVELOPMENT PLAN 2:  
SEA POST ADOPTION STATEMENT**

**Report by Head of Planning and Development**  
(Report No.20/228)

**PURPOSE OF REPORT**

Once a Local Development Plan (LDP) has been adopted, the Responsible Authority must publish a statement to outline how the Strategic Environmental Assessment (SEA) findings and the comments received at the main consultation stages both on the Plan and the SEA Environmental Report have been taken into account; and to outline a programme for monitoring the significant environmental effects of the Plan, adding value to the review of the Plan.

**1. BACKGROUND**

- 1.1 LDP2 was formally adopted by the Council on 29 November 2019. It sets out a vision to promote Perth and Kinross as a sustainable, more attractive, competitive and vibrant region without creating an unacceptable burden on our planet. A copy of LDP2 is available online at: [www.pkc.gov.uk/ldp2](http://www.pkc.gov.uk/ldp2)
- 1.2 The Post-Adoption SEA Statement, as set out in Appendix 1, has been prepared in accordance with non-statutory guidance produced by the Scottish Government SEA Team (known as the SEA Gateway) with ongoing support and input from the SEA Consultation Authorities: NatureScot, Scottish Environment Protection Agency and Historic Environment Scotland. It is designed to meet our statutory obligations in terms of SEA and the Environmental Assessment (Scotland) Act 2005 ('the 2005 Act').

**2. PROPOSALS**

- 2.1 The Council undertook a SEA of the LDP. This identified and reported on the likely environmental effects of the Plan's policies and proposals, and alternatives to them. It ensured that decision making was informed by relevant environmental information and it provided opportunities for the public, including those who might be affected by the proposals, to consider this information and use it to inform their views on the Plan.
- 2.2 The Post-Adoption SEA Statement summarises the responses received in this respect and shows how they have been taken into account in the preparation and eventual adoption of the LDP. It explains changes that were made to the Plan as a result of the SEA and the reasons for choosing the Plan as adopted, in the light of other reasonable alternatives considered. It is designed to improve the transparency of the decision making process within the Plan and to draw the assessment process to a close.

- 2.3 The Post-Adoption SEA Statement also identifies the measures to be taken to monitor the implementation of the Plan to ensure that the appropriate mitigation measures identified through the SEA process are implemented; and to identify any unforeseen environmental effects, in order to allow remedial action to be taken where required. This should be done in conjunction with the SEA Consultation Authorities (NatureScot, Scottish Environment Protection Agency and Historic Environment Scotland) and will most likely arise during the planning application process. It is proposed to integrate SEA monitoring with LDP monitoring and to report issues in a Monitoring Report, to directly inform the preparation of the next plan and its SEA.
- 2.4 The Council is required by the 2005 Act to advertise the publication of the Post-Adoption SEA Statement in a newspaper circulating in the LDP area.

### **3. CONCLUSION AND RECOMMENDATIONS**

- 3.1 Publication of a Post-Adoption SEA Statement as soon as reasonably practicable after the adoption of the LDP is a requirement of the 2005 Act. It explains how the SEA informed the Plan's preparation and sets out arrangements for monitoring the Plan's significant environmental effects.
- 3.2 The monitoring framework, in particular, will inform and add value to the process of preparing the next LDP and its SEA.
- 3.3 It is recommended that:
- (i) the Post-Adoption SEA Statement as set out in Appendix 1 is published, and a copy is submitted to the SEA Gateway; and
  - (ii) there is a further report to a future meeting of the Strategic Policy and Resources Committee on the Local Development Plan Monitoring Report.

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#### **Approved**

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>None</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>Yes</b>
Legal and Governance	<b>None</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>No</b>
External	<b>No</b>
<b>Communication</b>	
Communications Plan	<b>None</b>

### 1. Strategic Implications

#### Community Plan/Single Outcome Agreement

- 1.1 The Post-Adoption SEA Statement contributes to the following Perth & Kinross Community Plan / Single Outcome Agreement priorities:

- (ii) Developing educated, responsible and informed citizens
- (iii) Promoting a prosperous, inclusive and sustainable economy
- (iv) Supporting people to lead independent, healthy and active lives
- (v) Creating a safe and sustainable place for future generations

#### Corporate Plan

- 1.2 The Post-Adoption SEA Statement contributes to the achievement of the following Council's Corporate Plan Priorities:

- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

## **2. Resource Implications**

### Financial

2.1 None.

### Workforce

2.2 None.

### Asset Management (land, property, IT)

2.3 None.

## **3. Assessments**

### Equality Impact Assessment

3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

3.2 The Post-Adoption SEA Statement was considered under the Council's Integrated Appraisal Toolkit. No impacts on equality were identified and so a full Equality Impact Assessment was not required.

### Strategic Environmental Assessment

3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

3.4 Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies (PPS), including policies.

3.5 Perth and Kinross Council has produced an SEA of the Adopted LDP2 and the Post-Adoption SEA Statement summarises this process.

### Sustainability

3.6 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:

- in the way best calculated to delivery of the Act's emissions reduction targets;

- in the way best calculated to deliver any statutory adaptation programmes; and
- in a way that it considers most sustainable.

3.7 The Post-Adoption SEA Statement was considered under the Council's Integrated Appraisal Toolkit. The Post-Adoption SEA Statement is a vehicle for monitoring the environmental impacts of the implementation of LDP2 and as such no impacts on sustainability will arise from the Statement itself.

#### Legal and Governance

3.8 None.

#### Risk

3.9 None.

### **4. Consultation**

#### Internal

4.1 None.

#### External

4.2 The following key stakeholders were consulted in the production of the Strategic Environmental Assessment:

- NatureScot
- Scottish Environmental Agency
- Historic Environment Scotland

### **5. Communication**

5.1 None.

## **2. BACKGROUND PAPERS**

The following background papers were referred to during the preparation of this report:

- Perth & Kinross Council Local Development Plan 2
- Local Development Plan 2 Examination Report

## **3. APPENDICES**

Appendix 1: Perth & Kinross Council Local Development Plan 2: Post-Adoption SEA Statement