

WEST LoTHIAN COUNCIL

SCREENING REPORT

**SUPPLEMENTARY GUIDANCE (SG)
FLOODING AND THE WATER ENVIRONMENT**

STEP 1 – DETAILS OF THE PLAN

Responsible Authority:

West Lothian Council

Title of the plan:

Supplementary Guidance : 'Flooding and the Water Environment'

What prompted the plan:

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

The adopted West Lothian Local Development Plan 2018 gives an undertaking to produce Supplementary Planning Guidance in relation to a variety of policy topics including flooding and the water environment. The guidance sets out detailed criteria to assist the development and assessment of proposals across the plan area and specifically supports policies DES1 (Design Principles), HOU3 Infill/Windfall Housing Development within Settlements), HOU5 (Sites for Gypsies, Travellers and Travelling Show People), ENV11 (Protection of the Water Environment/Coastline and Riparian Corridors), EMG1 (Water Environment Improvement), EMG2 (Flooding), EMG3 (Sustainable Drainage), EMG6 (Vacant, Derelict and Contaminated Land) and MRW8 (Waste Management Facilities).

The SG is, however, also pertinent to a much wider range of subject matters addressed by LDP policies EMP1, EMP2, EMP3, EMP4, EMP5, EMP6, EMP7, CDA1, HOU6, INF 1, TRAN 1, TCR1, TCR2, TCR3, ENV 1, ENV 2, ENV3, ENV 5, ENV6, ENV 9, ENV 12, ENV 13, ENV14, ENV15, ENV16, ENV17, ENV 18, ENV 19, ENV 20, ENV 21, ENV 22, ENV 23, ENV 25, ENV 30, ENV 31, ENV 32, ENV 33, NRG 1, NRG4, MRW5, NRG3, NRG4, MRW1, MRW2, MRW3, MRW4, MRW5, MRW 7, MRW8 and MRW9.

Previous Supplementary Planning Guidance (SPG) on flooding was adopted by the council in 2008 and 2012, and while continuing to provide valid and pertinent guidance it did nevertheless pre-date Scottish Planning Policy 2014 (SPP) and SEPA guidance. As a consequence there is recognition of the need to ensure that the council's planning guidance is up to date and reflective of the most current policies and practices.

Plan subject:

(e.g. transport)

Town and Country Planning development within West Lothian.

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

Based on Boxes 3 and 4, our view

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

is that:

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)

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Date:

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STEP 2 – CONTEXT AND DESCRIPTION OF THE PLAN

Context of the Plan:

The West Lothian Local Development Plan (LDP) was adopted on 4 September 2018.

The LDP has been subject to SEA and is the primary means by which development sites are allocated. Each site allocated for development within the plan has been subject to an individual site assessment. These site assessments have been SEA'd and their impacts assessed as part of the higher level LDP.

Supplementary Guidance – Flooding and the Water Environment is required to support the understanding and delivery of a number of policies in the adopted West Lothian Local Development Plan. The SG will expand on the principles of these policies and will provide detailed guidance to help achieve the outcomes expected from development proposals across West Lothian.

The proposed Supplementary Guidance will not include location specific guidance or direct development to specific sites but will support consistent interpretation and application of policies through the development management process. The guidance will identify good practice in-line with the policy and other national guidance.

<p>Description of the Plan:</p>	<p>The proposed Supplementary Guidance expands on the principles set out in the policies detailed in Box 3 (above) and provides detailed guidance to help achieve the outcomes expected from development proposals across West Lothian. The guidance provides a basis for assessing flood risk arising from new development proposals across West Lothian.</p> <p>The proposed Supplementary Guidance will not include location specific guidance or direct development to specific sites but will support consistent interpretation and application of policies through the development management process. The guidance will identify good practice in-line with the policy and other national guidance.</p> <p>The guidance is intended for use by anyone considering development within West Lothian including:</p> <ul style="list-style-type: none"> • Applicants who wish to develop a site; • Architects and agents working on proposals; • Officers assessing planning proposals; • Elected Members representing constituents and making decisions on planning applications; • Members of the public with an interest in development proposals within their local community. <p>The Supplementary Guidance will be reviewed at least every 5 years in line with the statutory review of the West Lothian Local Development Plan.</p>
<p>What are the key components of the plan?</p>	<p>The SG will contribute towards creating sustainable development and provides the context and specific requirements with regard to flooding and the water environment that developers and their agents will be required to address when submitting planning applications and assist in the Development Management process.</p> <p>The SG provides context and an overview of issues that the council has to have regard to when producing and implementing a land use development plan, highlighting the matters that need to be considered and the information required from developers when submitting a planning application to ensure that new development is not at risk of flooding, that the risk of flooding is not increased elsewhere, and that the water environment is protected and, where necessary, restored to a more natural, resilient condition.</p> <p>The SG has detailed sections that cover:</p> <ul style="list-style-type: none"> • Changing climate and adapting to a changing climate; • Legal and policy context; • Roles and responsibilities • Development and flood risk; • Culverts, culverting and restoration of open watercourses; • Surface water management planning; • Site drainage and ,management of surface water; • Site completion and sewerage adoption process; • Brownfield development and change of use; • Linlithgow and Linlithgow Loch catchment; and

- Flood Risk Assessment and Drainage Assessment Compliance.

To assist in the Development Management process the SG has five appendices which provide checklist pro-formas for developers and their agents to submit to the council alongside planning applications. These cover:

- Flood Risk Assessment
- Drainage Assessment
- Confirmation of future maintenance arrangements of sewerage and sustainable drainage systems (SuDS).

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

Yes. The document is produced to support a number of policies in the West Lothian Local Development Plan which was adopted on 4 September 2018. An Environmental Assessment has previously been undertaken in respect of policies and proposed land allocations in the adopted West Lothian Local Development Plan. The Environmental Assessment undertaken in respect of these policies concluded that they would have no significant environmental implications. Any impacts of the policies were considered to be largely positive. In order to ensure compliance with the Environmental Assessment (Scotland) Act 2005, a Screening Opinion for this Supplementary Guidance is required.

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

The proposed SG will expand on the principles set out in the aforementioned policies and provide detailed guidance to help achieve the outcomes expected from residential development proposals across West Lothian. The guidance will support consistent interpretation and application of policies through the development management process.

The SG provides further guidance to assist developers in making better planning applications to aid infrastructure delivery and help stakeholders gain a better understanding of the council's commitment to minimising the risk of flooding across West Lothian and to support the application of the various policies detailed above and the delivery of quality development in locations across West Lothian. The potential environmental effects of any proposed development considered under the terms of the policies can only be properly assessed at the planning application stage when the specific site and development details are known.

**STEP 3 – IDENTIFYING INTERACTIONS OF THE PLAN WITH THE ENVIRONMENT AND
CONSIDERING THE LIKELY SIGNIFICANCE OF ANY INTERACTIONS**

Plan Components	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		
Supplementary Guidance 'Flooding and the Water Environment'	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	<p>This SG has been drafted to assist developers and their agents by providing context and an overview of issues that the council has to have regard to when producing and implementing a land use development plan, highlighting the matters that will need to be considered and the information that will need to be brought forward by developers when submitting a planning application to ensure that new development is not at risk of flooding, that the risk of flooding is not increased elsewhere and that the water environment is protected and, where necessary, restored to a more natural, resilient condition.</p>	<p>The SEA for the LDP considered any potential effects. The SG is not considered to have any additional significant environmental effects.</p>

										<p>It provides a clear set of guidance and standards to explain what the council will expect from new developments and identifies what information is required as part of a planning application. It also provides details of guidance documents produced by relevant bodies such as SEPA and Scottish Water.</p> <p>The SG shares the strategic objectives of the LDP which include promoting development in the most sustainable locations where its impact can be minimised; promoting community regeneration through the development of brownfield sites; ensuring that all essential infrastructure and facilities are provided to support development; promoting and enhancing the natural and built environment; providing an improved network of linked open spaces and having regard to climate change by minimising the carbon footprint of development and supporting mitigation and adaption measures.</p> <p>It is also a shared objective of the LDP and the supplementary</p>	
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											<p>guidance to protect and enhance the built environment and to provide attractive places to live.</p> <p>It is anticipated that in implementing the SG new development is not at risk of flooding, that the risk of flooding is not increased elsewhere and that the water environment is protected and, where necessary, restored to a more natural, resilient condition.</p>	
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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 council has prepared this supplementary guidance to proactively encourage and influence developers to adopt a responsible attitude and bring forward sensitive proposals when contemplating new development.

The SG has been prepared to assist developers and their agents by providing context and an overview of issues that the council has to have regard to when producing and implementing a land use development plan, highlighting the matters that will need to be considered and the information that will need to be brought forward by developers when submitting a planning application to ensure that new development is

not at risk of flooding, that the risk of flooding is not increased elsewhere and that the water environment is protected and, where necessary, restored to a more natural, resilient condition.

The SG is closely allied with the policy context of the adopted West Lothian Local Development Plan and guidance prepared by SEPA, Scottish Water and other relevant bodies and is intended to positively influence the nature of development project which will come forward.

It is anticipated that in implementing the SG new development is not at risk of flooding, that the risk of flooding is not increased elsewhere and that the water environment is protected and, where necessary, restored to a more natural, resilient condition.

In common with all other Supplementary Guidance prepared by West Lothian Council, the guidance has been subject to consultation, in this case with other council services including the council's Flood Risk team, community councils, SEPA, Scottish Water, Historic Environment Scotland, Scottish Canals, various planning consultants and developers. Regard has been had to the responses and feedback which has been received.

In conclusion, the SG will result in no or minimal environmental effects and therefore it is concluded a SEA is not required.

The SG serves to support policies DES1 (Design Principles), HOU3 Infill/Windfall Housing Development within Settlements), HOU5 (Sites for Gypsies, Travellers and Travelling Show People), ENV11 (Protection of the Water Environment/Coastline and Riparian Corridors), EMG1 (Water Environment Improvement), EMG2 (Flooding), EMG3 (Sustainable Drainage), EMG6 (Vacant, Derelict and Contaminated Land) and MRW8 (Waste Management Facilities).

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