

Environmental Assessment (Scotland) Act 2005

Strategic Environmental Assessment (SEA) Screening Determination

Supplementary Guidance (SG)

Developer Obligations for General Infrastructure for Site Delivery
(excluding transport and education infrastructure, cemetery and public art provision)

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1. Introduction

This statement sets out West Lothian Council's determination in accordance with Section 10(1) of the Environmental Assessment (Scotland) Act 2005 on whether or not a Strategic Environmental Assessment (SEA) is required for Supplementary Guidance (SG) - Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision).

Screening is the first stage in the SEA process. The purpose of screening is to establish whether or not a Plan, Programme or Strategies (PPS) will have significant environmental effects. Screening takes the form of a formal submission, where the responsible authority (the Council) seeks the views of the following Consultation Authorities on whether a PPS is likely to have significant environmental effects and therefore whether a SEA is required:

- ◆ Historic Environment Scotland (HES)
- ◆ Scottish Environmental Protection Agency (SEPA), and
- ◆ Scottish Natural Heritage (SNH)

As well as consulting the above bodies, responsible authorities are required to take into account the criteria set out in Schedule 2 of the 2005 Act when determining whether or not the plan is likely to have significant effects. The details of this process are contained within the Screening Report.

If the responsible authority and the consultation authorities agree that the plan or programme is unlikely to have significant environmental effects, the responsible authority is required to make a determination to that effect under section 8(1) of the 2005 Act.

2. Record of SEA Determination and Publicity Requirements

Title of Plan, Programme or Strategy:	Supplementary Guidance (SG) - Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision).
Responsible Authority:	West Lothian Council

Record of SEA Determination:

In accordance with section 9(1) of the 2005 Act, West Lothian Council submitted to the Consultation Authorities a screening report summarising its views as to whether West Lothian Local Development Plan Supplementary Guidance (SG) - Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision) will have significant environmental effects.

In formally determining under Section 8(1) of the Act whether a SEA is required, the Council has taken into account the views of the three Consultation Authorities; Scottish Environment Protection Agency, Scottish Natural Heritage and Historic Environment Scotland which were issued through the SEA Gateway on 13 August 2020.

West Lothian Council and the Consultation Authorities are in agreement that the West Lothian Local Development Plan Supplementary Guidance (SG) - Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision) is not likely to have significant environmental effects and the Council has therefore determined that an SEA will not be required for the plan under Regulation 13(1) of the 2005 Act.

CONSULTATION AUTHORITY	LIKELIHOOD OF SIGNIFICANT ENVIRONMENTAL EFFECTS
Historic Environment Scotland	No
Scottish Environment Protection Agency	No
Scottish Natural Heritage	No
OVERALL VIEW ON LIKELIHOOD OF SIGNIFICANT ENVIRONMENTAL EFFECTS	No

Formal Determination	Statement of Reason
21 August 2020	<p>West Lothian Council's reasoning for determining that there are no overall likelihood of significant environmental effects is as follows:</p> <p>West Lothian Council has prepared a Local Development Plan to replace the West Lothian Local Plan 2009 (WLLP 2009) in accordance with the requirements of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) etc. Act 2006.</p>

	<p>The new West Lothian Local Development Plan (LDP) was adopted on 4 September 2018 and is consistent with the Strategic Development Plan for Edinburgh and South East Scotland (SDP).</p> <p>The LDP focuses on providing for, and managing, future land use change across the council area in line with SESplan SDP requirements. The LDP comprises a development strategy for the period to 2024 and a detailed policy framework to guide future land use in a way which best reflects the SDP vision, strategic aims and objectives.</p> <p>The West Lothian Local Development Plan Supplementary Guidance (SG) - Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision) sets out a framework that West Lothian Council will use to assess planning applications for development on sites in the adopted West Lothian Local Development Plan. The role of the West Lothian Local Development Plan Supplementary Guidance (SG) - Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision) is simply to help interpret and provide further detail in respect of policies that are already set out in the adopted West Lothian Local Development Plan which was subject of a full Strategic Environmental Assessment and which will also be reviewed in the Post Adoption Strategic Environmental Assessment.</p>
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Publicity Requirements for the Determination:	
<p>In accordance with section 10(1) of the Environmental Assessment (Scotland) Act 2005, within 28 days of the determination having been made, the Council will send a copy of the formal determination and related statement of reasons (prepared in accordance with section 8(2)(b) to the Scottish Government SEA Gateway and the three Consultation Authorities.</p> <p>In accordance with section 10(2) of the 2005 Act, within 14 days of the determination having been made, a copy of the determination, along with the Screening Report, shall be provided for inspection by the public at West Lothian Council's principal office at the West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF or on request from wldp@westlothian.gov.uk.</p>	
<p>The determination shall also be published in the West Lothian Courier and Linlithgow Journal & Gazette newspapers to notify the public and will be available to view at www.westlothian.gov.uk from 27 August 2020. A copy of the statutory notice is provided as Appendix 2.</p>	
Signature:	Craig McCorriston, Head of Planning, Economic Development & Regeneration
Date:	21 August 2020

3. SEA Screening Report

Cover Note

Part 1

To:

SEA.Gateway@gov.scot

or

SEA Gateway
Scottish Government
2-H (South)
Victoria Quay
Edinburgh
EH6 6QQ

Part 2

An SEA Screening Report is attached for the plan, programme or strategy (PPS) entitled:

Supplementary Guidance (SG) - Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision)

The Responsible Authority is:

West Lothian Council

Complete Part 3 or 4 or 5

Part 3

Screening is required by the Environmental Assessment (Scotland) Act 2005. Our view is that:

An SEA is required because the PPS falls under the scope of Section 5 (3) of the Act and is likely to have significant environmental effects.

An SEA is required because the PPS falls under the scope of Section 5(4) of the Act and is likely to have significant environmental effects.

An SEA is not required because the PPS is unlikely to have significant environmental effects.

Part 4

The PPS does not require a SEA under the Act. However we wish to carry out a SEA on a voluntary basis. We accept that because the SEA is voluntary the Statutory 28 days timescale for views from the Consultation Authorities cannot be guaranteed.

Part 5

None of the above apply. We have prepared this screening report because:

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.....
.....

Part 6

Contact Name: Steve Lovell

Job Title: Principal Planning Officer

Contact Address: c/o Civic Centre, Howden South, Livingston, EH54 6FF

Contact Phone: 01506 282430

Contact email: steve.lovell@westlothian.gov.uk

Part 7

Signature: Steve Lovell

Date: 21 August 2020

Key Facts

West Lothian Council has undertaken screening of Supplementary Guidance (SG) - Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision) with regard to the requirements of section 9 of the Environment Assessment (Scotland) Act 2005.

The Screening Report has been submitted to the Scottish Government SEA Gateway, setting out the views of West Lothian Council on the likelihood of the significant environmental effects of Supplementary Guidance (SG) - Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision) with regard to the requirements of section 9 of the Environment Assessment (Scotland) Act 2005 and the potential for requiring a SEA.

Responsible Authority:	West Lothian Council
Title of PPS:	Supplementary Guidance (SG) - Developer Obligations for General Infrastructure for Site

	<p>Delivery (excluding transport and education infrastructure, cemetery and public art provision)</p>
<p>Purpose of PPS:</p>	<p>The purpose of this Supplementary Guidance (SG) is to support Local Development Plan Policies INF 1 (Infrastructure Provision and Developer Obligations) and Policy CDA 1 (Development in the Previously Identified Core Development Areas).</p> <p>The strategic policy context for the securing developer contributions towards its provision of infrastructure is provided for by Policy 9 of the Strategic Development Plan for South East Scotland (2013).</p> <p>The guidance provides the justification for requiring developer contributions in respect of infrastructure provision and elaborates on its purpose and scope. It explains the policy and legal context in some detail before going on to address the practical mechanics of securing developer contributions and sets out detailed arrangements for the efficient conclusion of Section 75 legal agreements. It concludes by identifying a series of site specific infrastructure project requirements.</p>
<p>What promoted the PPS: (e.g. a legislative, regulatory or administrative provision)</p>	<p>An extensive suite of Supplementary Planning Guidance (SPG) governing developer contributions (with a strong bias to education infrastructure) was previously produced to support Policies IMP1 to 4 and IMP 17 of the West Lothian Local Plan (2009).</p> <p>West Lothian Council adopted the West Lothian Local Development Plan (LDP) on 4 September 2018 after Scottish Ministers confirmed the council could do so. It now forms part of the Development Plan for West Lothian along with the Strategic Development Plan (SDP) for Edinburgh and South-east Scotland.</p> <p>The Council has a programme to prepare a suite of new guidance to support the adopted West Lothian Local Development Plan.</p> <p>Specifically, Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure,</p>

	<p>cemetery and public art provision) has been written with the intention of becoming statutory planning guidance (SG). SG becomes part of the development plan, giving it the same weight in decision making as the LDP. It has already been subject to consultation but will require to be approved by Scottish Ministers prior to its adoption.</p>
<p>PPS Subject: (e.g. transport)</p>	<p>Land use planning</p>
<p>Period covered by the PPS:</p>	<p>Anticipated date of adoption (September 2020) onwards.</p>
<p>Frequency of updates:</p>	<p>Supplementary Guidance will ordinarily be reviewed in tandem with the replacement of the Local Development Plan.</p>
<p>Area Covered by the PPS:</p>	<p>This SG covers the West Lothian Local Development Plan area.</p> <p>To ensure the necessary infrastructure is in place to take account of the impacts of new developments this SG applies to all new and unconsented residential developments in West Lothian including the Core Development Areas (CDAs), namely <i>Armadale, East Broxburn and Winchburgh, , Calderwood (East Calder) and Gavieside (West Livingston) and the strategic development allocation site at Heartlands (Whitburn) and Bangour (Dechmont)</i>. Developments outwith these areas may also be required to contribute to infrastructure requirements to enable development to proceed.</p>
<p>Summary of nature/content of PPS:</p>	<p>A Local Development Plan (LDP) is prepared by the local planning authority, in this case West Lothian Council. It sets out a local interpretation of the requirements of national and strategic policy. In particular it must conform to the approved Strategic Development Plan (SDP) which has been prepared by the strategic planning authority (SESplan) and its purpose is to implement requirements on a more detailed site-specific basis than exists within the SDP.</p> <p>The LDP comprises a written statement detailing a spatial strategy, including policies</p>

	<p>and proposals together with a Proposals Map.</p> <p>LDP's are intended to provide the vision and strategy for how communities will grow and develop in the future and also to provide certainty for communities and prospective investors about where development should take place and where it should not. LDP's also identify detailed policies and proposals which are the basis for decision making on future planning applications.</p> <p>In order to deliver the planned growth set out in the LDP, improvements to infrastructure must be delivered alongside development and the council is entitled to require developers to mitigate the impact of their development and to pay for, or contribute towards, improvements to infrastructure that arises as a direct consequence of the development, or from the cumulative impact of the development and which might not otherwise be needed.</p> <p>The guidance is helpful in establishing the requirement for infrastructure and services that are attributable to a development early in the planning process and ensures that the burden of additional infrastructure is fairly absorbed by the landowner and developer and not by the council.</p> <p>The guidance sets out detailed criteria to assist the development and assessment of proposals for development across the plan area and specifically supports policies IMP 1 and CDA 1 of the LDP in order to facilitate the delivery of housing in West Lothian.</p>
Are there any plan objectives?	No
Copy of PPS attached	Yes
Date:	21 August 2020

Likely Significance of Effects on the Environment
<p>The Council has considered the likely significance of effects on the environment of the Supplementary Guidance (SG) - Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision) with regard to the requirements of section 9 of the Environment Assessment (Scotland) Act 2005. The screening was undertaken with references to the criteria in Schedule 2 of the 2005 Act and is set out in Table 1 (below).</p>

Table 1: Likely Significance of Effects on the Environment

<p>Criteria for determining the likely significance of effects on the environment</p> <p><i>[The paragraph numbers in the table 1(a), 1(b), 2(a), 2(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005.]</i></p>	<p>Likely to have significant environmental effects? (Yes / No)</p>	<p>Summary of significant environmental effects (negative and positive)</p>
<p>The characteristics of plans and programme</p>		
<p>1(a): The degree to which the PPS sets a framework for the projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</p>	<p>No</p>	<p>The adopted Local Development Plan sets a framework for assessing applications for new development and this SG sets out the mechanisms and options the Council will use to secure infrastructure contributions to assist the delivery of housing in West Lothian.</p> <p>The guidance provides additional detail and ensures that Policies INF 1 and CDA 1 are accurately and satisfactorily interpreted.</p> <p>The guidance does not seek to set the framework for projects and other activities.</p> <p>The implementation of the Supplementary Guidance is unlikely to result in significant environmental effects that are additional to those previously identified when Policies IMP 1 and CDA 1 underwent SEA assessment as part of the adopted Local Development Plan.</p>
<p>1(b): The degree to which the PPS influences other PPS including those in the hierarchy.</p>	<p>No</p>	<p>Supplementary Guidance (SG) - Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision) provides background guidance to policy within the adopted Local Development Plan and does not seek to directly influence other programmes and strategies.</p> <p>Although in itself new, this SG is largely an update of previous Supplementary Planning Guidance (SPG) which supported the now superseded West Lothian Local Plan.</p> <p>The guidance sets out detailed criteria to assist the development and assessment of</p>

		<p>proposals for development across the plan area and specifically supports policies INF 1 (Infrastructure Provision and Developer Obligations) and Policy CDA 1 (Development in the Previously Identified Core Development Areas).</p> <p>It is at the same time consistent with the wider objectives of the overarching West Lothian Local Development Plan which has itself already undergone SEA.</p> <p>As the purpose of the SG is to provide further details on the scale and nature of developer contributions towards infrastructure provision it does not seek to directly influence other programmes and strategies.</p>
1(c): The relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development.	No	The SG focuses on the context, requirements and methods of securing developer contributions to fund the infrastructure required to deliver new housing development and is not considered that this criteria has significant relevance.
1(d): Environmental problems relevant to the PPS	No	<p>The SEA of the adopted West Lothian Local Development Plan has previously had regard to the multitude of environmental issues which have the potential to affect West Lothian.</p> <p>The SG does not introduce any new policy considerations and consequently no negative environmental consequences are foreseen as being directly attributable to the SG.</p>
1(e): The relevance of the PPS for the implementation of Community legislation on the environment (for example PPS linked to waste management or water protection)	No	None identified. The SG does not introduce any new policy considerations and would not be directly relevant to this issue. If subsequently applicable, however, this could be considered in the assessment of individual planning applications.

The characteristics of the effects and the area likely to be effected		
2(a): The probability, duration frequency and reversibility of the effects	No	There are no significant environmental effects that can be attributed to the SG.

2(b): The cumulative nature of the effects	No	There are no significant environmental effects that can be attributed to the SG.
2(c): Trans-boundary nature of the effects (i.e. environmental effects on other EU Members States	No	<p>No trans-boundary effects have been identified.</p> <p>The SG is in itself unlikely to have significant environmental impact beyond West Lothian.</p>
2(d): The risks to human health or the environment (for example due to accidents)	No	<p>No significant effects have been identified.</p> <p>Development proposals allied to the provision of infrastructure will in any event be assessed in detail as and when planning applications are submitted.</p>
2(e): The magnitude and spatial extent of the effects (geographical area and size of population likely to be affected)	No	<p>No significant effects have been identified.</p> <p>The SG will support other relevant policies in the LDP which will be relied upon to help determine the acceptability of new development but the SG only relates to development that takes place within the administrative area of West Lothian and its effect is invariably constrained.</p>
<p>2(f): The value and vulnerability of the area likely to be affected due to:</p> <p>(i) Special natural characteristics or cultural heritage</p> <p>(ii) Exceeded environmental quality standards or limit values;</p> <p><u>or</u></p> <p>(iii) Intensive land use</p>	No	<p>The overarching SEA for the LDP has previously considered any potential significant environmental effects and provided mitigation measures where necessary.</p> <p>It is considered that adherence to the requirements of the SG will be of negligible consequence and will not in any event adversely affect the value and vulnerability of the criterion.</p>
2(g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	No	<p>Any development will need to comply with the development plan which includes a range of policies to ensure the cumulative impact of development does not adversely affect designated landscapes and the principal landscape character/type of the area. There will be no implications for this PPS.</p> <p>The overarching SEA for the LDP has previously considered potential effects. It is</p>

		considered that adherence to the requirements of the SG will be of negligible consequence and will not in any event adversely affect the value and vulnerability of the criterion.
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Summary of Environmental Effects
<p>The Council has considered the likely significance of effects on the environment of Supplementary Guidance (SG) – Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision) and these are set out below.</p>

<p>Table 2: Summary of Environmental Effects</p> <p>Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision) supports Local Development Plan Policies INF 1 (Infrastructure Provision and Developer Obligations) and Policy CDA 1 (Development in the Previously Identified Core Development Areas) by providing further guidance and detail on the circumstances in which developers will be required to contribute towards infrastructure provision and the mechanism for doing so.</p> <p>The SG is intended to help implement the provisions of the adopted West Lothian Local Development Plan and specifically aims to ensure that the infrastructure impact of new development as set out in the LDP is mitigated. The guidance is intended to update, strengthen and streamline existing arrangements.</p> <p>The SG does not create any new policy and is unlikely to have any significant effect on the environment as it deals only with the detail of infrastructure delivery allied to development which is for the most part already allocated in the LDP or which the LDP would support in principle.</p> <p>The West Lothian Local Development Plan has itself already undergone an extensive SEA examining its policies, proposals and land use allocations and the council therefore concludes that Supplementary Guidance (SG) – Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision) does not require a Strategic Environmental Assessment.</p>
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4. Responses from Consultation Authorities

CONSULTATION AUTHORITY	LIKELIHOOD OF SIGNIFICANT ENVIRONMENTAL EFFECTS
Historic Environment Scotland	No
Scottish Environment Protection Agency	No
Scottish Natural Heritage	No
OVERALL VIEW ON LIKELIHOOD OF SIGNIFICANT ENVIRONMENTAL EFFECTS	No

- SEA GATEWAY
- SEPA
- HISTORIC ENVIRONMENT SCOTLAND
- SCOTTISH NATURAL HERITAGE

5. Appendices

Appendix 1 – Supplementary Guidance (SG) – Developer Obligations for General Infrastructure for Site Delivery (excluding transport and education infrastructure, cemetery and public art provision)

Appendix 2 - Statutory Notice

T: 0131-244 7242
E: SEA.Gateway@gov.scot

Steve Lovell
Principal Planning Officer
Development Planning

01580 - Screening - West Lothian Council - Developer Obligations for General Infrastructure for Site Delivery –

13 August 2020

Dear Steve,

With reference to the Screening document you submitted on 13 July 2020.

The Consultation Authorities have now considered your screening request as per **Section 9(3)** of the **Environmental Assessment (Scotland) Act 2005**. I have attached the individual letters from the Consultation Authorities, outlining their views and opinions.

Please note, these are the views and opinions of the Consultation Authorities on the likelihood of significant environmental effects arising from the plan or programme and not a judgement on whether an SEA is required. It is therefore for the Responsible Authority to determine whether an SEA is required in the circumstances. Where possible the Consultation Authorities may have offered supplementary information and/or advice for you to consider, which you should find helpful.

As the Consultation Authorities have now notified you of their views, you should now refer to the 2005 Act to consider your next step. You should of course take into account the advice offered by the Consultation Authorities.

You should note, as per Section 10 of the 2005 Act, that within 28 days of your determination about whether an SEA is required or not, a copy of the determination and any related statement of reasons must be passed to the Consultation Authorities. This may be done via the SEA Gateway.

If you have any queries or would like me to clarify any points, please call me on 0131 244 7242.

Kind regards,

Antonia Georgieva

Environmental Assessment and Policy Officer

Our ref: PCS/172302
SG ref: SEA/01580/SCR

If telephoning ask for:
Silvia Cagnoni-Watt

4 August 2020

Steve Lovell
Principal Planning Officer West Lothian Council Civic Centre
Howden South Road
Livingston
EH54 6FF

By email only to: SEA_Gateway@gov.scot

Dear Steve

Environmental Assessment (Scotland) Act 2005
West Lothian Council
Supplementary Guidance - Developer Obligations for General Infrastructure for Site Delivery - Screening Report

Thank you for your Screening Report consultation which SEPA received via the Scottish Government SEA Gateway on 24 July 2020.

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. Having reviewed the Screening Report, we consider that in respect of our main areas of interest (air, water, soil, human health, material assets (of which we have a specific interest in waste) and climatic factors) the Supplementary Guidance (SG) - Developer Obligations for General Infrastructure for Site Delivery is unlikely to have significant environmental effects. Although we are of the view that significant environmental effects are not likely, it is for the West Lothian Council as Responsible Authority to make a formal determination taking into account the consultation responses received.

We understand that the guidance will not create a new policy framework but provide updated detail and clarification to inform the application of LDP Policies INF 1 and CDA 1, which were already assessed under the SEA of the Local Development Plan.

Please note that although we do not consider that the SG will have significant strategic effects on the environment we do consider that it may have some effects. We would therefore welcome consultation on the draft proposals which should be directed to our local Planning Service team at planning.se@sepa.org.uk.

If it is formally determined that SEA is required, you will be aware that the next stage requires the Responsible Authority to consult the Consultation Authorities on the proposed scope and level of detail to be included within the Environmental Report. This can be undertaken through preparation



Chairman
Bob Downes
Chief Executive
Terry A'Hearn

SEPA Edinburgh Office
Silvan House, 3rd Floor, 231 Corstorphine Road,
Edinburgh EH12 7AT.
www.sepa.org.uk • customer enquiries 03000 99 66 99

of a concise Scoping Report. We would encourage you to use the scoping process to focus the assessment on those SEA issues upon which there are likely to be significant environmental effects, to outline the baseline information you consider as most relevant and explain your proposed method of assessment. To assist with this process we have produced [SEA topic guidance](#) for those issues which fall within our remit. Further information on scoping can be found in the [Scottish Government SEA Guidance](#) (sections 3.4 to 3.8 in particular).

We are committed to providing early and focused advice and supporting continuous engagement and therefore if it is determined that SEA is required we would welcome the opportunity to meet with you and discuss these issues prior to the formal consultation.

Should you wish to discuss this screening consultation please do not hesitate to contact me via our SEA Gateway at sea.gateway@sepa.org.uk.

Yours sincerely

Silvia Cagnoni-Watt
Senior Planning Officer

Ecopy: sea.gateway@hes.scot; SEA_GATEWAY@nature.scot



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to: sea_gateway@gov.scot

Mr Steve Lovell
Principal Planning Officer
SESplan
Development Planning
West Lothian Council

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
Switchboard: 0131 668 8600
HMConsultations@hes.scot

Our case ID: 300020246
Your ref: 01580 – Screening

12 August 2020

Dear Mr Lovell

[Environmental Assessment \(Scotland\) Act 2005](#)
[01580 - Screening - West Lothian Council - Developer Obligations for General Infrastructure for Site Delivery](#)

Screening Report

Thank you for your consultation which we received on <<date>> about the above 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 are content to agree with your view that there are unlikely to be significant environmental effects for the historic environment.

Historic Environment Scotland's comments

We understand that the guidance will not create a new policy framework but will provide updated detail and clarification to inform the application of Local Development Plan (LDP) Policies INF 1 and CDA 1, which have been subject to environmental assessment as part of the LDP process. You consider that the guidance will not have any additional environmental effects, and we agree with this view in relation to effects on the historic environment.

Next steps

The Environmental Assessment (Scotland) Act 2005 requires you as the Responsible Authority to determine within 28 days whether an environmental assessment is required and to inform the Consultation Authorities accordingly. This may be done via the SEA Gateway (sea_gateway@gov.scot).

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

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 Virginia Sharp who can be contacted by phone on 0131 668 8704 or by email at Virginia.Sharp@hes.scot.

Yours sincerely

Historic Environment Scotland



Scottish Natural Heritage
Dualchas Nàdair na h-Alba
nature.scot

Steve Lovell
Principal Planning Officer
West Lothian Council Civic Centre
Howden South Road
Livingston EH54 6FF

Sent by email via: sea.gateway@gov.scot

Date: 03 August 2020
Our ref: CEA159951

Dear Steve

Environmental Assessment (Scotland) Act 2005: Developer Obligations for General Infrastructure for Site Delivery – Screening Determination

I refer to your screening consultation submitted on 29 June 2020 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 has been prepared in support of Local Development Plan (LDP) Policies CDA1 and INF1 with the intention of updating and streamlining existing arrangements. It does not itself identify development beyond that already assessed during preparation of the LDP. On that basis, we agree that the guidance 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 me on 0131 316 2644 or via SNH's SEA Gateway at sea.gateway@nature.scot.

Yours sincerely

Vivienne Gray
Planning Advisor
Supporting Good Development Team

Scottish Natural Heritage, Silvan House, 3rd Floor East, 231 Corstorphine Road, Edinburgh EH12 7AT
Tel: 0131 316 2600 www.nature.scot

Dualchas Nàdair na h-Alba, Taigh Silvan, 3mh Làr an Ear, 231 Rathad Chros Thoirphin, Dùn Èideann EH12 7AT
Fòn: 0131 316 2600 www.nature.scot