

Environmental Assessment (Scotland) Act 2005

Strategic Environmental Assessment (SEA) Screening Determination

**Supplementary Guidance (SG) – Developer Contributions Towards
Transport Infrastructure**

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1. Introduction

This statement sets out West Lothian Council's determination under Regulation 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 Contributions Towards Transport Infrastructure.

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
- ◆ NatureScot

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 Contributions Towards Transport Infrastructure
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 Contributions Towards Transport Infrastructure 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 17 December 2020.

West Lothian Council and the Consultation Authorities are in agreement that the West Lothian Local Development Plan Supplementary Guidance (SG) - Developer Contributions Towards Transport Infrastructure is not likely to have significant environmental effects and the Council has therefore determined that a 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
NatureScot	No
OVERALL VIEW ON LIKELIHOOD OF SIGNIFICANT ENVIRONMENTAL EFFECTS	No

Formal Determination	Statement of Reason
15 January 2021	<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 Contributions Towards Transport Infrastructure supports the delivery of development required to support the spatial strategy for West Lothian as set out in the West Lothian Local Development. The Supplementary Guidance expands on the principles of policy INF1 (<i>Infrastructure Provision and Developer Contributions</i>) and sets out the rationale for seeking developer contributions in appropriate circumstances and provides detailed guidance to help achieve the outcomes expected from development proposals across West Lothian. The role of the Supplementary Guidance is simply to provide further information and 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>NB due to current COVID restrictions all documents have been published online.</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 21 January 2021. A copy of the statutory notice is provided as Appendix 2.</p>	
Signature:	Craig McCorriston, Head of Planning, Economic Development & Regeneration
Date:	15 January 2021

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 Contributions Towards Transport Infrastructure

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: Fiona McBrierty

Job Title: Development Planning and Environment Manager

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

Contact Phone: 01506 282418

Contact email: fiona.mcbrierty@westlothian.gov.uk

Part 7

Signature: Fiona McBrierty

Date: 15 January 2021

Key Facts

West Lothian Council has undertaken screening of Supplementary Guidance (SG) - Developer Contributions Towards Transport Infrastructure 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 Contributions Towards Transport Infrastructure 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 Contributions Towards Transport Infrastructure

Purpose of PPS:	Supplementary Guidance – Developer Contributions Towards Transport Infrastructure is required to support the delivery of development required to support the spatial strategy for West Lothian as set out in the West Lothian Local Development. The Supplementary Guidance expands on the principles of policy
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	<p>INF1 (<i>Infrastructure Provision and Developer Contributions</i>), TRAN1 (<i>Transport Infrastructure</i>) and TRAN2 (<i>Transportation Contributions and Associated Works</i>). The <i>Guidance</i> sets out the rationale for seeking developer contributions in appropriate circumstances, and provides detailed guidance to help achieve the outcomes expected from development proposals across West Lothian. The guidance provides a basis for charging developers for transport infrastructure projects across West Lothian.</p> <p>Appendices 1, 2 and 6 of the LDP identifies all of the infrastructure projects required to deliver the spatial strategy set out in the LDP. This includes requirements related to transport infrastructure.</p> <p>The proposed Supplementary Guidance will include details of the specific location of transport infrastructure proposals. Developer contribution rates will vary depending on the particular transport infrastructure project.</p>
<p>What promoted the PPS: (e.g. a legislative, regulatory or administrative provision)</p>	<p>Supplementary Planning Guidance (SPG) relating to transport infrastructure was produced principally Policies TRAN4, TRAN5, TRAN20, TRAN21, TRAN27, TRAN28 and TRAN29 of the West Lothian Local Plan (2009).</p> <p>West Lothian Council adopted the West Lothian Local Development Plan 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 recently adopted West Lothian Local Development Plan.</p> <p>Specifically, Supplementary Guidance Developer Contributions Towards Transport Infrastructure has been written with the intention of becoming statutory supplementary 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>The policies are integral to the strategic spatial land use strategy which applies across West Lothian. In terms of this SG they are particularly associated with housing, business and tourism related development.</p>
<p>Period covered by the PPS:</p>	<p>Anticipated date of adoption January 2021 onwards.</p>
<p>Frequency of updates:</p>	<p>Supplementary Guidance will ordinarily be reviewed and updated every 5 years, 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. It applies specifically to transport infrastructure required in support of the development strategy set out in the West Lothian Local Development Plan.</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 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 the supporting infrastructure required for growth and set out detailed policies and proposals which are the basis for decision making on future planning applications.</p> <p>The Supplementary guidance provides further guidance to support the application of policy INF1, TRAN1 and TRAN2 of the West Lothian Local Development Plan and provides detailed guidance to help achieve the outcomes expected from development proposals across West Lothian. The guidance provides a basis for charging developers for transport infrastructure</p>

	<p>projects across West Lothian. The SG defines terms used in the policy and further explains how the policy should be implemented in each of the specific circumstances.</p> <p>These circumstances can be broadly summarised as:</p> <p>Contributions towards transport infrastructure projects including:</p> <p>Winchburgh rail station Winchburgh M9 junction M9 junction 3 upgrade A71 improvements A89/A8 A801 improvements Blackridge railway station Park & ride proposals (Armadale Station) Travel Plans and residential travel information packs</p>
Are there any plan objectives?	No
Copy of PPS attached	Yes
Date:	15 January 2021

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 Contributions Towards Transport Infrastructure 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

Criteria for determining the likely significance of effects on the environment <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>	Likely to have significant environmental effects? (Yes / No)	Summary of significant environmental effects (negative and positive)

The characteristics of plans and programme		
<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 West Lothian Local Development Plan sets a framework for assessing applications for new development and this Supplementary Guidance sets out the mechanisms and options the Council will use to secure infrastructure contributions to assist the delivery of the development strategy set out in the adopted West Lothian Local Development Plan.</p> <p>The guidance provides additional detail and ensures that Policies INF 1, INF1, TRAN1 and TRAN2 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 INF 1, INF1, TRAN1 and TRAN2 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 Contributions Towards Transport Infrastructure provides background guidance to policy within the adopted Local Development Plan and does not seek to directly influence other programmes and strategies.</p> <p>Supplementary Guidance Developer Contributions Towards Transport Infrastructure is not entirely new and in a number of cases is essentially a refresh and an update of previous Supplementary Planning Guidance (SPG) which supported the now superseded West Lothian Local Plan.</p> <p>The SG provides background guidance to policy within the adopted Local Development Plan and does not seek to directly influence other programmes and strategies.</p> <p>The guidance sets out contribution rates for transport infrastructure projects. It is at the</p>

		same time consistent with the wider objectives of the overarching West Lothian Local Development Plan which has itself already undergone SEA.
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	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. The Supplementary Guidance does not introduce any new policy considerations and consequently no negative environmental consequences are foreseen as being directly attributable to the Supplementary Guidance.
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 Supplementary Guidance does not introduce any new policy considerations and would not be directly relevant to this issue. If applicable, this would 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 Supplementary Guidance.
2(b): The cumulative nature of the effects	No	There are no significant environmental effects that can be attributed to the Supplementary Guidance.
2(c): Trans-boundary nature of the effects (i.e. environmental effects on other EU Members States	No	No trans-boundary effects have been identified. The Supplementary Guidance is in itself unlikely to have significant environmental impact beyond West Lothian.
2(d): The risks to human	No	No significant effects have been identified.

<p>health or the environment (for example due to accidents)</p>		<p>Development proposals allied to the provision of transport infrastructure will in any event be assessed in detail as and when planning applications are submitted.</p>
<p>2(e): The magnitude and spatial extent of the effects (geographical area and size of population likely to be affected)</p>	<p>No</p>	<p>No significant effects have been identified.</p> <p>The Supplementary Guidance will support other relevant policies in the LDP which will be relied upon to help determine the acceptability of new development but the Supplementary Guidance 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>	<p>No</p>	<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 Supplementary Guidance will be of negligible consequence and will not in any event adversely affect the value and vulnerability of the criterion.</p>
<p>2(g) The effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>No</p>	<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 considered that adherence to the requirements of the Supplementary Guidance will be of negligible consequence and will not in any event adversely affect the value and vulnerability of the criterion.</p>

Summary of Environmental Effects

The Council has considered the likely significance of effects on the environment of the Supplementary Guidance (SG) - Developer Contributions Towards Transport Infrastructure and these are set out below.

Table 2: Summary of Environmental Effects

Supplementary Guidance (SG) - Developer Contributions Towards Transport Infrastructure provides further guidance to support the application of policy INF1, TRAN1 and TRAN2 of the West Lothian Local Development Plan and provides detailed guidance to help achieve the outcomes expected from development proposals across West Lothian. The guidance provides a basis for charging developers for transport infrastructure projects across West Lothian.

The Supplementary Guidance 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.

The Supplementary Guidance 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.

The West Lothian Local Development Plan has itself already undergone an extensive SEA examining its policies, proposals and land use allocations. They demonstrate West Lothian Council's commitment to sustainability and sustainable development and the addition of Supplementary Guidance (SG) - Developer Contributions Towards Transport Infrastructure is considered to strengthen and re-inforce this position. The council therefore concludes that Supplementary Guidance (SG) – Developer Contributions Towards Transport Infrastructure does not require a Strategic Environmental Assessment.

4. Responses from Consultation Authorities

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

- SEA Gateway
- SEPA
- Historic Environment Scotland
- NatureScot

5. Appendices

Appendix 1 - Supplementary Guidance (SG) - Developer Contributions Towards Transport Infrastructure

Appendix 2 - Consolidated Statutory Notice

T: 0131-244 5036
E: SEA.Gateway@gov.scot

Fiona McBriety
West Lothian Council

01614 Screening - West Lothian Council - Developer Contributions Towards Transport Infrastructure

17th December 2020

Dear Fiona,

With reference to the Screening document you submitted on 1st December 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 5036.

Kind regards,

Grant Munro

Our Ref: PCS/174148
Your Ref: SEA01614/SCR

If telephoning ask for:
Alasdair Milne

9 December 2020

Fiona McBrierty
West Lothian Council
Planning & Building Standards
County Buildings
Linlithgow
West Lothian
EH49 7EZ

By email only to: SEA_Gateway@gov.scot

Dear Madam

Developer Contributions Towards Transport Infrastructure - Screening Report

Thank you for your Screening Report consultation which SEPA received via the Scottish Government SEA Gateway on 1 December 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 on Developer Contributions Towards Transport Infrastructure 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.

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 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.

continued.....



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

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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 faithfully

Alasdair Milne
Senior Planning Officer

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



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ALBA

By email to: sea.gateway@gov.scot

Fiona McBrierty
Development Planning & Environment
Manager
West Lothian Council
Civic Centre
Howden South Road
Livingston
EH54 6FF

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: 01614 Screening

14 December 2020

Dear Fiona McBrierty

[Environmental Assessment \(Scotland\) Act 2005](#)
[01614 Screening - West Lothian Council - Developer Contributions Towards Transport Infrastructure](#)

Screening Report

Thank you for your consultation which we received on 01 December 2020 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 **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 Supplementary Guidance (the SG) provides guidance on the operation of policy INF1 Infrastructure Requirements and Developer Obligations, TRAN1 Transport Infrastructure and TRAN2 Transportation Contributions and Associated Works as contained within the West Lothian Local Development Plan covering the West Lothian Council area. It sets out a developer contribution rate for transport projects across West Lothian. The parent policies have been subject to SEA as part of the LDP process, and you do not consider that the SG itself will have any significant additional environmental effects. We agree that significant effects on the historic environment as a result of the SG are unlikely.

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

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

Scottish Charity No. **SC045925**

VAT No. **GB 221 8680 15**



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notify the Consultation Authorities within 28 days of making this determination. This may be done via the SEA Gateway (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 Virginia Sharp who can be contacted by phone on 0131 668 8704 or by email on Virginia.Sharp@hes.scot.

Yours faithfully

Historic Environment Scotland

Fiona McBrierty
Development Planning & Environment Manager
West Lothian Council

Sent via: sea.gateway@gov.scot

16 December 2020

Our ref: CEA161362

Dear Fiona

**ENVIRONMENTAL ASSESSMENT (SCOTLAND) ACT 2005 – SUPPLEMENTARY GUIDANCE:
'DEVELOPER CONTRIBUTIONS TRANSPORT INFRASTRUCTURE' SCREENING DETERMINATION**

I refer to your screening consultation submitted on 19 October 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 guidance is intended to provide additional information in support of Local Development Plan (LDP) policy INF1 Infrastructure Provision, TRAN1 Transport Infrastructure and TRAN2 Transportation Contributions and Associated Works. It does not propose further development or change beyond that assessed in SEA of the LDP. 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 me on 0131 316 2644 or via our SEA Gateway at sea.gateway@nature.scot.

Yours sincerely,

Vivienne Gray
Planning Advisor
Supporting Good Development Team