

Environmental Assessment (Scotland) Act 2005

Strategic Environmental Assessment (SEA) Screening Determination

Supplementary Guidance (SG) – Air Quality

Table of Contents of Screening Determination

1. Introduction

2. Record of SEA Determination and Publicity Requirement

3. SEA Screening Report

- ◆ Cover Note
- ◆ Key facts
- ◆ Likely Significance of Effects on the Environment
- ◆ Summary of Environmental Effects

4. Responses from Consultation Authorities

- ◆ Scottish Government SEA Gateway Response
- ◆ Scottish Environment Protection Agency Response
- ◆ Historic Environment Scotland Response
- ◆ Scottish Natural Heritage Response

5. Appendices

- ◆ Appendix 1 - Supplementary Guidance (SG) – *Air Quality*
- ◆ Appendix 2 - Statutory Notice

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) – *Air Quality*.

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

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| Title of Plan, Programme or Strategy: | Supplementary Guidance (SG) – <i>Air Quality</i> |
| 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) – *Air Quality* 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 30 January 2019.

West Lothian Council and the Consultation Authorities are in agreement that the West Lothian Local Development Plan Supplementary Guidance (SG) – *Air Quality* 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 |
|----------------------|---|
| 8 February 2019 | <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> |

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| | <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>West Lothian Council has a responsibility to ensure that health based air quality standards are achieved across West Lothian to protect the health of our citizens. The SG outlines how air quality will be considered when determining planning applications.</p> <p>The key objectives of the SG are:</p> <ul style="list-style-type: none"> • The local policy context. • Our current understanding of air quality within West Lothian. • How air quality will be considered within the planning process by West Lothian Council. • Clear guidelines on when information relating to air quality will be required with a planning application i.e. an air quality impact assessment. • Our requirements for the methods that should be used when carrying out air quality impact assessments for development management purposes. • Guidance on what type of mitigation measures may be required to reduce or offset air quality impacts. <p>It provides clear guidelines on when an air quality impact assessment is required; the methodology for carrying out an air quality impact assessment and guidance on what type of mitigation measures may be required to reduce or to offset air quality impacts.</p> <p>The role of the West Lothian Local Development Plan Supplementary Guidance (SG) – <i>Air Quality</i> is to provide further information and detail in respect of policies EMG 4 (Air Quality) and DES 1 (Design Principles) which are set out in the adopted West Lothian Local Development Plan. The West Lothian Local Development Plan was the 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:

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.

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 wlldp@westlothian.gov.uk.

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 14 February 2019. A copy of the statutory notice is provided as Appendix 2.

Signature:

Craig McCorriston,
Head of Planning, Economic Development &
Regeneration

Date:

8 February 2019

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) – *Air Quality*

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: Margaret Stone

Job Title: Development Planning and Environment Manager

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

Contact Phone: 01506 282425

Contact email: margaret.stone@westlothian.gov.uk

Part 7

Signature: Margaret Stone

Date: 8 February 2019

Key Facts

West Lothian Council has undertaken screening of Supplementary Guidance (SG) – *Air Quality* 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) – *Air Quality* with regard to the requirements of section 9 of the Environment Assessment (Scotland) Act 2005 and the potential for requiring a SEA.

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| Responsible Authority: | West Lothian Council |
| Title of PPS: | Supplementary Guidance (SG) – <i>Air Quality</i> |
| Purpose of PPS: | <p>The purpose of this Supplementary Guidance (SG) is to support Local Development Plan policies EMG 4 (Air Quality) and DES 1 (Design Principles).</p> <p>The SG will support Local Development Plan Policy EMG 4 (Air Quality) and DES 1 (Design Principles) and will form part of the plan. The guidance provides detail on when an air quality impact assessment is required, guidance on how to undertake an air quality impact assessment and outlines a requirement for mitigation measures such as electric vehicle charging points to be incorporated into new developments.</p> |
| What promoted the PPS: (e.g. a legislative, regulatory or administrative provision) | <p>Legislative provision.</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 (SDP1) 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, <i>Air Quality</i> 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> |

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| PPS Subject: (e.g. transport) | Town and Country Planning |
| Period covered by the PPS: | Anticipated date of adoption (February 2019) onwards. |
| Frequency of updates: | Supplementary Guidance will ordinarily be reviewed and updated every 5 years, in tandem with the replacement of the Local Development Plan. |
| Area Covered by the PPS: | This SG covers the West Lothian Local Development Plan area. |
| Summary of nature/content of PPS: | <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 (SDP1) 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>Policies EMG 4 (Air Quality) and DES 1 (Design Principles) ensure developments have no adverse effects on air quality. Policy EMG 4 (Air Quality) establishes a requirement to provide additional information of proposed developments on air quality and to identify potential mitigation measures.</p> <p>The SG provides further guidance on when an air quality impact assessment is required, how to carry out an assessment and provides guidance on types of mitigation measures may be required to reduce or to offset air quality impacts.</p> |

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| Are there any plan objectives? | No |
| Copy of PPS attached | Yes |
| Date: | 8 February 2019 |

| Likely Significance of Effects on the Environment |
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| <p>The Council has considered the likely significance of effects on the environment of the Supplementary Guidance (SG) – <i>Air Quality</i> 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) |
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| The characteristics of plans and programme | | |
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| <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> | No | <p>The adopted Local Development Plan sets a framework for assessing planning applications. The SG being screened here contributes to that assessment framework. It does not set a framework for projects or other activities. It seeks to provide practical detail for the application of LDP policies EMG 4 (Air Quality) and DES 1 (Design Principles). It does not in itself lead to significant environmental effects.</p> |
| <p>1(b): The degree to which the PPS influences other PPS including those in the hierarchy.</p> | No | <p>Supplementary Guidance ‘Air Quality’ has been prepared in connection with the West Lothian Local Development Plan (LDP) and as such forms part of the LDP in line with Section 25 of the Planning etc. (Scotland) Act 2006.</p> <p>The SG provides further information on Policy EMG 4 (Air Quality) contained in the LDP. Policy EMG 4 (Air Quality) requires developers, where appropriate, to provide information on the impact of their proposals on air quality; the policy sets out a requirement to identify and provide details of</p> |

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| | | <p>potential mitigation measures and to make provision for the mitigation measures. Lastly, Policy EMG 4 makes the provision for applications to be refused if proposals have been assessed to make to unacceptable impact on air quality or where it is not possible to mitigate the adverse effects of that development on air quality effectively. Policy DES 1 (Design Principles) outlines when assessing development proposals, the developer will be required to ensure that, there are no significant adverse effects on air quality (particularly in and around Air Quality Management Areas).</p> <p>The further information that the SG contains is detail on <u>when</u> an air quality impact assessment is required; <u>how</u> to carry out an air quality impact assessment and certain prescribed mitigation requirements.</p> <p>The West Lothian Local Development Plan (LDP) was adopted on 4 September 2018. The Adopted West Lothian Local Development Plan 2018 has been subject to a SEA and is the primary means by which development sites are allocated and where impacts have been already been assessed.</p> |
| <p>1(c): The relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development.</p> | <p>No</p> | <p>The SG aids the development management process by providing guidance to ensure due care and attention is paid to applying air quality assessment criteria to new development proposals and that any air quality impact assessments are carried out with methods that are closely aligned with Local Air Quality Management (LAQM) technical guidance.</p> <p>The potential environmental effect is to ensure the impact of developments on air quality is at an acceptable level and to ensure any impacts are appropriately mitigated. This in turn may lead to a positive effect on population on human health.</p> <p>However, this policy principle is integral to the WLLDP which has been subject to a SEA.</p> |

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| | | The SG is not site specific, it covers the entire West Lothian Council area and all planning applications for development will require to be assessed against the SG and will be taken into account when decisions are made. |
| 1(d): Environmental problems relevant to the PPS | No | <p>The West Lothian Local Development Plan has regard to the multitude of environmental issues which have the potential to affect the West Lothian environment.</p> <p>West Lothian has three Air Quality Management Areas (AQMA). Action Plans have been prepared for the three AQMA's that outline measures to improve air quality so that air quality objectives may be achieved in the future.</p> <p>The SG is one of many which are designed to help protect and safeguard its environmental assets. This SG is relevant to air quality. However the SG itself will not lead to any significant environmental problems.</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 | The SG is particularly relevant to air quality as a community legislative issue but will not in itself lead to significant environmental effects. Any effects are likely to be minor and positive. |

| The characteristics of the effects and the area likely to be effected | | |
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| 2(a): The probability, duration frequency and reversibility of the effects | No | <p>The SG will not in itself lead to any environmental effects. Any effects are likely to be minor, local, infrequent, of short duration and positive.</p> <p>Any consequences of development authorised by Policies EMG 4 (Air Quality) and DES 1 (Design Principles) can be avoided/mitigated/minimised by application by adherence to the SG.</p> |
| 2(b): The cumulative nature of the effects | No | <p>The SG will not in itself lead to any significant environmental effects. Any effects are likely to be minor, local, infrequent, of short duration and positive.</p> <p>A key purpose of the SG is however to</p> |

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| | | promote and secure sustainable development and encourage best practice and thereby reduce and minimise any significant adverse effects on the environment in cumulative terms. Adherence to the SG should, if anything, have a positive effect on the environment of West Lothian. |
| 2(c):Trans-boundary nature of the effects (i.e. environmental effects on other EU Members States | No | The SG will not in itself lead to any significant environmental effects and no trans boundary effects have been identified. |
| 2(d): The risks to human health or the environment (for example due to accidents) | No | The SG will not in itself lead to any significant environmental effects. Any effects are likely to be small, positive and reduce risks for human health. The SG will have a benign effect and will contribute to more sustainable development and which can only be beneficial to human health and wellbeing. Proposals will in any event be assessed in detail as and when planning applications are submitted. |
| 2(e): The magnitude and spatial extent of the effects (geographical area and size of population likely to be affected) | No | There are no significant effects identified. The SG will support other relevant policies in the LDP which will be relied upon to help determine the acceptability of new development. |
| 2(f): The value and vulnerability of the area likely to be affected due to: (i) Special natural characteristics or cultural heritage (ii) Exceeded environmental quality standards or limit values; <u>or</u> (iii) Intensive land use | No | <p>The SG covers all of West Lothian, however LDP Policy DES 1 (Design Principles) outlines when assessing development proposals, the developer will be required to ensure that there are no significant adverse effects on air quality particularly in and around Air Quality Management Areas.</p> <p>The SG aids the assessment of the impact of development on air quality, prescribes mitigation measures will be necessary and outlines certain prescribed mitigation measures such as the installation of electric vehicle charging infrastructure.</p> <p>The overarching SEA for the LDP has previously considered any potential significant environmental effects and provided mitigation measures where necessary.</p> |

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| | | 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. |
| 2(g) The effects on areas or landscapes which have a recognised national, Community or international protection status. | No | <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 does not have an adverse effect on air quality.</p> <p>Any development will need to comply with the development plan which includes a range of policies to ensure the cumulative impact of different (or the same) types of development do 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 SG 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 |
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| <p>The Council has considered the likely significance of effects on the environment of the Supplementary Guidance (SG) – <i>Air Quality</i> and these are set out below.</p> |
| <p>Table 2: Summary of Environmental Effects</p> <p>Supplementary Guidance (SG) – <i>Air Quality</i> supports policies EMG 4 (Air Quality) and DES 1 (Design Principles) of the West Lothian Local Development Plan by providing further guidance and detail on the circumstances in which development will be permitted within the West Lothian Local Development Plan area and setting out general planning criteria to be applied in decision-making and to assist developers in addressing the impact proposed development may have on air quality.</p> <p>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) – <i>Air Quality</i> is considered to strengthen and re-inforce this position.</p> |

The Supplementary Guidance forms part of a framework for assessing applications for development. Any new development could potentially have significant environmental effects, depending on its design and location in relation to sensitive receptors within the environment.

The council considers it unlikely that the supporting Supplementary Guidance (SG) – *Air Quality* will have any significant environmental effects. It will provide information for decision makers, the public and other stakeholders and serve as a management tool in relation to development affecting air quality within West Lothian.

Overall, it is considered that the Supplementary Guidance (SG) – *Air Quality* is a qualifying plan or programme that will not have significant environmental effects and that, as part of a wider policy framework, significant environmental effects arising from new development permitted under the terms of the adopted Local Development Plan and associated Supplementary Guidance will be avoided. It is for this reason that West Lothian Council believes that Supplementary Guidance (SG) *Air Quality* does not require a Strategic Environmental Assessment. However, should a particular instance arise where adherence to the SG was considered to be potentially detrimental to the environment, the Development Management process would be expected to have regard to such matters and to apply appropriate and proportionate mitigation measures through planning conditions on any planning permissions released by the council.

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) – *Air Quality*

Appendix 2 - Consolidated Statutory Notice



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 via: sea.gateway@gov.scot

Date: 10 January 2019
Our ref: CEA153724 / A2825695
Your ref: 01434 Screening

Dear Steve,

**Environmental Assessment (Scotland) Act 2005: Development in the Countryside
Supplementary Guidance – Screening Determination**

I refer to your screening consultation submitted on 03 January 2019 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 provides further information on a range of Local Development Plan (LDP) policies where development in the countryside is either the main or a related issue. The Supplementary Guidance does not propose further development or change beyond that already assessed in the SEA of the LDP and we therefore 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 SNH's SEA Gateway at sea.gateway@nature.scot.

Yours sincerely

Vivienne Gray
Planning Advisor
Supporting Good Development Activity 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



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to: sea.gateway@gov.scot

Steve Lovell
Principal Planning Officer
West Lothian Civic Centre
Howden South Road
Livingston
EH45 6PF

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: 01434 Screening
28 January 2019

Dear Mr Lovell

[Environmental Assessment \(Scotland\) Act 2005](#)
[01434 Screening - West Lothian Council - Supplementary Guidance: Development in the Countryside](#)

Screening Report

Thank you for your consultation which we received on 07 January 2019 about the above screening report. We have reviewed the screening 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. Please note that our view is based on main area of interest for the historic environment.

We understand that the Supplementary Guidance – Development in the Countryside (the SG) is required to support the understanding and delivery of a number of policies in the adopted West Lothian Local Development Plan 2018. The Environmental Assessment undertaken in respect of these policies concluded that they would have no significant environmental implications. You consider that the SG will not have any significant additional environmental effects. We are content to agree that the SG is unlikely to have significant effects on the historic environment.

However, as you will be aware, it is the responsibility of West Lothian Council as the Responsible Authority to determine whether the guidance requires an environmental assessment and to inform the Consultation Authorities accordingly.

We hope this is helpful. Please 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 sincerely

Historic Environment Scotland

Our ref: PCS/163108
SG ref: SEA01434/scr

If telephoning ask for:
Silvia Cagnoni-Watt

10 January 2019

Stephen Lovell
West Lothian Council
Planning, Economic Development
and Regeneration
West Lothian Civic Centre
Howden South Road, Livingston
EH54 6FF

By email only to: SEA_Gateway@gov.scot

Dear Mr Lovell

**Environmental Assessment (Scotland) Act 2005
West Lothian Council - Supplementary Guidance: Development in the Countryside -
Screening Report**

Thank you for your Screening Report consultation which SEPA received via the Scottish Government SEA Gateway on 04 January 2019.

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): Development in the Countryside 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 SG will provide further details on the implementation of the Local Development Plan policies and therefore agree that any significant environmental effects have already been assessed as part of the SEA of the LDP.

We provided comments to the SG consultation on the 2 March 2018 (our ref: PCS/157082).

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.



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

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. Should you wish to discuss this screening consultation please do not hesitate to contact me on 01786 452430 or 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