

WEST LoTHIAN COUNCIL

SCREENING REPORT

SUPPLEMENTARY GUIDANCE (SG)
Developer Contributions Towards Public Art

STEP 1 – DETAILS OF THE PLAN

Responsible Authority:

West Lothian Council

Title of the plan:

Supplementary Guidance : '*Developer Contributions Towards Public Art*'

What prompted the plan:

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

The West Lothian Local Development Plan gives an undertaking to produce Supplementary Guidance in relation to a variety of policy topics including public art. The purpose of this Supplementary Guidance (SG) is to support Local Development Plan Policy ENV 34 (Art and Development).

In particular, this SG further defines the terms used in the policy and explains and interprets other matters necessary for the implementation of the policy and provides details of the circumstances under which developer contributions will be sought, sets out the contribution rates and also how contributions may be spent.

The SG is also pertinent to policy INF 1 (Infrastructure Provision).

Supplementary Planning Guidance (SPG) on public art was originally adopted by the council in 2006 in support of the West Lothian Local Plan. Revisions to the SPG in respect of developer contribution rates were approved by the council in 2015, 2016, 2017 and 2018. While continuing to provide valid and pertinent guidance the substantive SPG does nevertheless pre-date Scottish Planning Policy 2014 (SPP) and the now adopted West Lothian Local Development Plan. As a consequence there is recognition of the need to ensure that the council's planning guidance is up to date and reflective of the most current policies and practices.

Plan subject:

(e.g. transport)

Town and Country Planning / Public Art.

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

Based on Boxes 3 and 4, our view is that:

An SEA is required, as the environmental effects are likely to be significant: Please indicate below what Section of the 2005 Act this plan falls within

Section 5(3)

Section 5(4)

An SEA is not required, as the environmental effects are

unlikely to be significant: Please indicate below what Section of the 2005 Act this plan falls within



Section 5(3)



Section 5(4)

Contact details:

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Date:

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STEP 2 – CONTEXT AND DESCRIPTION OF THE PLAN

Context of the Plan:

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

A Strategic Environmental Assessment - Environmental Report was published in August 2014, which set out the likely significant environmental effects of implementing the strategy for the development contained within the LDP and is the primary means by which development sites are allocated. Each site allocated for development within the LDP has been subject to an individual site assessment.

The principal Report of Examination was issued on 11 December 2017 (augmented with an additional Report of Examination dealing with a single site issue issued on 8 January 2018).

At a meeting of the Council Executive on 22 March 2018, West Lothian Council resolved to accept all of the modifications recommended in the Report of Examination, and agreed to adopt the Local Development Plan (as modified). This was notified to Scottish Ministers on 5 April 2018. At the same time, the council made a determination under Section 8(1) of the Environmental Assessment (Scotland) Act 2005 that the modifications proposed by the DPEA to the West Lothian Local Development Plan were unlikely, overall, to have any major significant negative environmental effects and that a further SEA was not required.

Supplementary Guidance – Developer Contributions Towards Public Art is required to support the understanding and delivery of policies in the adopted West Lothian Local Development Plan 2018. The Supplementary Guidance will expand on the principles of these policies and will provide detailed guidance to help achieve the outcomes expected from development proposals across West Lothian.

The proposed Supplementary Guidance includes location specific guidance and directs development to specific sites. All developers of larger housing schemes, particularly the core development areas, retail schemes and certain other significant new developments and public buildings will be required to provide public art initiatives or funding towards such initiatives in order to enhance the new public realm and associated environments being created throughout West Lothian. The proposed Supplementary Guidance and associated policies would be implemented through the development management process.

<p>Description of the Plan:</p>	<p>The proposed Supplementary Guidance expands on the principles set out in the policies detailed in Box 3 (above) and provides detailed guidance to help achieve the outcomes expected from development proposals across West Lothian. The Supplementary Guidance provides a basis for collecting developer contributions towards public art in West Lothian and sets out the type of developments for which contributions will be sought and the contribution rates.</p> <p>The proposed Supplementary Guidance includes location specific guidance and directs development to specific sites and will support consistent interpretation and application of policies through the development management process. The Supplementary Guidance will identify good practice in-line with the policy and other national guidance.</p> <p>The Supplementary Guidance is intended for use by anyone considering development in West Lothian including:</p> <ul style="list-style-type: none"> • Developers and agents working on proposals; • Officers assessing planning proposals; • Elected Members representing constituents and making decisions on planning applications; • Members of the public with an interest in development proposals within their local community. <p>The Supplementary Guidance will be reviewed at least every 5 years in line with the statutory review of the West Lothian Local Development Plan (or as required by emerging legislation),</p>
<p>What are the key components of the plan?</p>	<p>The Supplementary Guidance will provide further guidance to support the application of the various policies detailed in Box 3 (above) and the delivery of quality development in locations in West Lothian.</p> <p>The Supplementary Guidance will provide detailed guidance to help achieve the outcomes expected from development proposals across West Lothian. The guidance provides a basis for assessing the justification and location of public art in West Lothian.</p>
<p>Have any of the components of the plan been considered in previous SEA work?</p>	<p>Yes. The document is produced to support policy ENV 34 (Art and Development) in the West Lothian Local Development Plan which was adopted on 4 September 2018. It is also pertinent to policy INF 1 (Infrastructure Provision). An Environmental Assessment has previously been undertaken in respect of policies and proposed land allocations in the West Lothian Local Development Plan. The Environmental Assessment undertaken in respect of these policies concluded that they would have no significant environmental implications. Any impacts of the policies were considered to be largely positive. In order to ensure compliance with the Environmental Assessment (Scotland) Act 2005, a Screening Opinion for this Supplementary Guidance is required.</p>
<p>In terms of your response to Boxes 7 and 8 above, set out those components of the plan</p>	<p>The proposed Supplementary Guidance will expand on the principles set out in the aforementioned policies and provide detailed guidance to help achieve the outcomes expected from development proposals in locations in West Lothian. The guidance will support consistent interpretation and application of policies</p>

that are likely to require screening:

through the development management process. The guidance will illustrate good practice in-line with the policy and other national guidance. The potential environmental effects of any proposed development considered under the terms of the policies can only be properly assessed at the planning application stage when the specific site and development details are known.

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

Plan Components	Environmental Topic Areas										Explanation of Potential Environmental Effects	Explanation of Significance
	Biodiversity, flora and fauna	Population and human health	Soil	Water	Air	Climatic factors	Material assets	Cultural heritage	Landscape	Inter-relationship issues		
Supplementary Guidance 'Developer Contributions Towards Public Art'	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	<p>The purpose of this Supplementary Guidance (SG) is to support Local Development Plan Policy ENV 34 (Art and Development).</p> <p>The SG explains the requirements of a planning application which requires a contribution towards public art and how the council is likely to deal with such applications. It confirms the developer contribution rates that will be applied to developments, how this will be delivered and also sets out exemptions. The SG sets out those factors that require to be taken into account in the council's consideration of any planning application for developments meeting the criteria for</p>	<p>The SEA for the LDP considered any potential effects. The SG is not considered to have any additional significant environmental effects.</p>

therefore it is concluded a SEA is not required.

In particular, this SG further defines the terms used in the policy and explains and interprets other matters necessary for the implementation of the policy; it sets out the contribution rates for those developments from which developer contributions will be sought towards public art.

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