

Environmental Assessment (Scotland) Act 2005

Strategic Environmental Assessment (SEA) Screening Determination

**Planning Guidance (PG)
Mobile Snack Bars**

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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 Planning Guidance (PG) – Mobile Snack Bars.

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:	Planning Guidance (PG) – Mobile Snack Bars
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 Planning Guidance (PG) – Mobile Snack Bars 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 28 April 2020.

West Lothian Council and the Consultation Authorities are in agreement that the West Lothian Local Development Plan Planning Guidance (PG) – Mobile Snack Bars 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 May 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</p>
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	<p>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 Planning Guidance (PG) – Mobile Snack Bars sets out a framework that West Lothian Council will use to assess planning applications for mobile snack bars across West Lothian. The role of the West Lothian Local Development Plan Planning Guidance (PG) – Mobile Snack Bars 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 (on 14th & 15th May 2020 respectively), to notify the public and will be available on 14th May 2020 to view at www.westlothian.gov.uk from. A copy of the statutory notice is provided as Appendix 2.</p>	
Signature:	Craig McCorriston, Head of Planning, Economic Development & Regeneration.
Date:	8 May 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:

Planning Guidance (PG) – Mobile Snack Bars

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: Chris Alcorn

Job Title: Principal Planner

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

Contact Phone: 01506 28 24 28

Contact email: chris.alcorn@westlothian.gov.uk

Part 7

Signature: Chris Alcorn

Date: 13 May 2020

Key Facts

West Lothian Council has undertaken screening of Planning Guidance (PG) – Mobile Snack Bars 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 Planning Guidance (PG) – Mobile Snack Bars 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:	Planning Guidance (PG) – Mobile Snack Bars

<p>Purpose of PPS:</p>	<p>The purpose of this Planning Guidance (PG) is to support Local Development Plan policies: TRAN 4: Advertisements within Key Transport Corridors; ENV 1: Character and Special Landscape Areas; and ENV 3: Other Development in the Countryside; as well as indirectly policy TCR3: Commercial Entertainment and Hot Food Premises.</p> <p>The Planning Guidance will expand on the principles set out in the aforementioned policies and provide detailed guidance to help achieve the outcomes expected from proposals for mobile snack bars in locations across West Lothian. The guidance will support consistent interpretation and application of policies through the development management process. The guidance will illustrate good practice in-line with the policy and other similar Scottish local planning authority 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 details are known.</p> <p>In particular, this PG further defines the terms used in the policies and explains and interprets other matters necessary for the implementation of the policy and provides general planning criteria applicable to all sites.</p>
<p>What promoted the PPS: (e.g. a legislative, regulatory or administrative provision)</p>	<p>The current Supplementary Planning Guidance (SPG) was adopted in 1998 in support of the Bathgate Area Local Plan (1998) and subsequent West Lothian Local plan (2009). While continuing to provide valid and pertinent guidance it does nevertheless pre-date the now adopted West Lothian Local Development Plan (September 2018). 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.</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</p>

	<p>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, specifically, 'Mobile Snack Bars' has been written with the intention of becoming planning guidance (PG) rather than statutory guidance.</p>
<p>PPS Subject: (e.g. transport)</p>	<p>Town and Country Planning.</p> <p>The policies are integral to the strategic spatial land use strategy which applies across West Lothian. In terms of this PG, they are particularly related to proactively encouraging and influencing developers to provide appropriately site mobile snack bars with the appropriate licenses.</p>
<p>Period covered by the PPS:</p>	<p>Anticipated date of adoption – May 2020.</p>
<p>Frequency of updates:</p>	<p>Planning Guidance will ordinarily be reviewed and updated every 5 years, but sooner if circumstances require. However, it should be noted that the Planning (Scotland) Act 2019 removes requirements to prepare Planning Guidance.</p>
<p>Area Covered by the PPS:</p>	<p>This PG covers the West Lothian Local Development Plan area. The PG explains the requirements of a planning application related to mobile snack bars and how the council is likely to deal with such applications. The PG sets out those factors that require to be taken into account in the council's consideration of any planning application for a mobile snack bar.</p> <p>As well as guiding interested parties on what is expected of them when they propose a mobile snack bar, the PG also acts as an aid to community councils, members of the public and others to understand the relevant issues relating to the provision of mobile snack bars and all parties can engage effectively with the planning system when planning applications are being made.</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</p>

	<p>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 detailed policies and proposals which are the basis for decision making on future planning applications.</p> <p>The purpose of this Planning Guidance (PG) is to support Local Development Plan Policies TRAN 4: Advertisements within Key Transport Corridors; ENV 1: Character and Special Landscape Areas; and ENV 3: Other Development in the Countryside; as well as indirectly policy TCR3: Commercial Entertainment and Hot Food Premises.</p> <p>The PG has been conceived to set out what planning issues developers will be expected to address when proposing the siting of a mobile snack bar in West Lothian. It is closely allied with the overall policy context of the West Lothian Local Development Plan and other separate statutory license requirements. The PG is intended to positively influence the nature of mobile snack bar proposals which will come forward.</p>
Are there any plan objectives?	No
Copy of PPS attached	Yes
Date:	8 May 2020

Likely Significance of Effects on the Environment

The Council has considered the likely significance of effects on the environment of the Planning Guidance (PG) – Mobile Snack Bars 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).

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

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.	No	<p>It is the adopted Local Development Plan which sets a framework for assessing applications for new development and this PG sets out the issues mobile snack bar proposals must address when submitting planning applications.</p> <p>The council has prepared this Planning Guidance to proactively encourage and influence developers on the location and operation of mobile snack bars across West Lothian thus contributing to the public realm and environmental enhancement. The purpose of this Planning Guidance (PG) is to support Local Development Plan Policies TRAN 4: Advertisements within Key Transport Corridors; ENV 1: Character and Special Landscape Areas; and ENV 3: Other Development in the Countryside; as well as indirectly policy TCR3: Commercial Entertainment and Hot Food Premises.</p> <p>The PG has been conceived to set out what planning issues developers will be expected to address when proposing the siting of a mobile snack bar in West Lothian. It is closely allied with the overall policy context of the West Lothian Local Development Plan and other separate statutory license requirements. The PG is intended to</p>
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		<p>positively influence the nature of mobile snack bar proposals which will come forward.</p> <p>The implementation of the Planning Guidance is unlikely to result in significant environmental effects that are additional to those previously identified when Policies TRAN 4: Advertisements within Key Transport Corridors; ENV 1: Character and Special Landscape Areas; and ENV 3: Other Development in the Countryside; and Policy TCR3: Commercial Entertainment and Hot Food Premises all 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>Planning Guidance (PG) – Mobile Snack Bars 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 PG is essentially a refresh and an update of previous Supplementary Planning Guidance (SPG) which supported the now superseded Bathgate Area Local Plan (1998) and the West Lothian Local Plan (2009).</p> <p>The PG explains the requirements of a planning application for a mobile snack bar and how the council is likely to deal with such applications and specifically supports policies TRAN 4: Advertisements within Key Transport Corridors; ENV 1: Character and Special Landscape Areas; and ENV 3: Other Development in the Countryside; as well as indirectly policy TCR3: Commercial Entertainment and Hot Food Premises.</p> <p>The PG sets out those factors that require to be taken into account in the council’s consideration of any planning application for mobile snack bar developments</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>

1(c): The relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development.	No	This PG focuses on proactively encouraging and influencing developers of mobile snack bars across West Lothian thus contributing to the public realm and environmental enhancement where possible. The purpose of this Planning Guidance (PG) is to support Local Development Plan Policies TRAN 4: Advertisements within Key Transport Corridors; ENV 1: Character and Special Landscape Areas; and ENV 3: Other Development in the Countryside; as well as indirectly Policy TCR3: Commercial Entertainment and Hot Food Premises.
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 environment of West Lothian.</p> <p>The PG is one of a series which are designed to set out planning issues related to the submission of particular planning applications related to mobile snack bars.</p> <p>The PG does not introduce any new policy considerations and consequently no negative environmental consequences are foreseen as being directly attributable to the PG.</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 PG 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 but it is most unlikely.

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 PG.
2(b): The cumulative nature of the effects	No	<p>There are no significant environmental effects that can be attributed to the PG.</p> <p>A key purpose of the PG is to expand on the principles set out in the LDP Planning Policies: TRAN 4, ENV 1 & 3 and TCR 3 and provide detailed guidance to help achieve the</p>

		<p>outcomes expected from proposals for mobile snack bars in locations across West Lothian. The guidance will support consistent interpretation and application of policies through the development management process. It will help proactively encourage and influence developers to submit and operate appropriate mobile snack bars in West Lothian thus contributing to the public realm and environmental enhancement.</p> <p>Adherence to the PG should, if anything, have a positive effect on the environment of West Lothian.</p>
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 PG is in itself unlikely to have significant environmental impact beyond West Lothian, but that is not to diminish the positive value of the policy in a local context.</p>
2(d): The risks to human health or the environment (for example due to accidents)	No	<p>No significant effects have been identified. The PG will have a positive effect and will generally assist in contributing to the public realm and environmental enhancement which can only be beneficial to human health and wellbeing. Proposals will in any event be assessed in detail as and when planning applications for mobile snack bars 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>There are no significant effects identified. The PG only applies to planning issues set out in the Mobile Snack Bars PG and 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>or</p>	No	<p>The PG seeks to assist in the provision and location of mobile snack bars and will have only positive effects in the West Lothian area.</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 PG will be of negligible</p>

(iii) Intensive land use		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>Any development will also 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 PG 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 Planning Guidance (PG) – Mobile Snack Bars and these are set out below.

Table 2: Summary of Environmental Effects

The council has prepared this Planning Guidance to proactively inform and encourage developers to adopt a more considered approach when preparing proposals for new mobile snack bars.

The guidance has been conceived to help positively influence the nature of new mobile snack bars and to mitigate any adverse effects on both the site and the surrounding environment. It relates to both development in the countryside and development within and on the periphery of settlements, as well as within industrial estates.

Developers are initially challenged to justify the need for such facilities, but when a case can be sustained they are encouraged to identify and address in particular the consequences with particular regard to the location and to adopt ‘best practice’.

With careful thought and sensitive execution, particularly in terms of their location, mobile snack bars can be made to be in much better harmony with their neighbours and the wider natural environment.

In common with other guidance prepared by West Lothian Council, it has been subject to internal and external consultation, in this case with council service providers and community councils, planning consultants and developers and regard has been had to the responses and feedback which has been received and present to elected members to consider.

The guidance sets out detailed criteria to assist the development and assessment of proposals for development across the plan area and specifically supports policies: TRAN 4: Advertisements within Key Transport Corridors; ENV 1: Character and Special Landscape Areas; and ENV 3: Other Development in the Countryside, as well as TCR 3 (Commercial Entertainment and food premises) of the adopted LDP which collectively seek to prevent and minimize visually and environmentally intrusive development and to reduce energy use and carbon emissions.

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 environmentally sensitive development and the addition of Planning Guidance (PG) – Mobile Snack Bars and is considered to strengthen and re-inforce this position.

Development always has the potential to have adverse environmental consequences but additional care needs to be exercised in relation to sites of a particularly sensitive environmental nature. The specific policies referenced in the guidance will not however be applied in isolation; There are other policies included in the Local Development Plan which will additionally be applied in the assessment of proposals for mobile snack bars.

The council considers it unlikely that the supporting Planning Guidance (PG) – Mobile Snack Bars will have any significant environmental effects as it will provide only information for decision makers, the public and other stakeholders on particular mobile snack bar proposals

Overall, it is considered that the Planning Guidance (PG) – Mobile Snack Bars 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 guidance will be avoided.

In conclusion, the Planning Guidance on Mobile Snack Bars will result in no, or minimal, environmental effects and therefore it is concluded a SEA is NOT required.

However, should a particular instance arise where adherence to the PG 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 for mobile snack bars 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 – Planning Guidance (PG) – Mobile Snack Bars

Appendix 2 - Statutory Notice



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

Chris Alcorn
Principal Planning Officer
West Lothian Council Civic Centre
Howden South Road
Livingston
EH54 6FF

01571 - Screening - West Lothian Council - Planning Guidance – Shopfronts and advertisements in Conservation Areas

29 April 2020

Dear Chris,

With reference to the Screening document you submitted on 31 March 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
SEA Gateway Administrator

Victoria Quay, Edinburgh EH6 6QQ
www.gov.scot

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Our ref: PCS/170872
SG ref: SEA01571/SCR

If telephoning ask for:
Silvia Cagnoni-Watt

7 April 2020

Chris Alcorn
West Lothian Council
Civic Centre
Howden South Road
Livingston, EH54 6FF

By email only to: SEA_Gateway@gov.scot

Dear Chris

**Environmental Assessment (Scotland) Act 2005
West Lothian Council Planning Guidance
Shopfronts and advertisements in Broxburn and Uphall, Linlithgow, Kirknewton,
Livingston Village, Mid Calder and Torphichen Conservation Areas.
Screening Report**

Thank you for your Screening Report consultation which SEPA received via the Scottish Government SEA Gateway on 26 February 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 Planning Guidance (Shopfronts and advertisements in Broxburn and Uphall, Linlithgow, Kirknewton, Livingston Village, Mid Calder and Torphichen Conservation Areas) 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).



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

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



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to: sea.gateway@gov.scot

Mr Chris Alcorn
Development Planning & Environment Team
West Lothian Council
West Lothian 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: 01571
23 April 2020

Dear Mr Alcorn

[Environmental Assessment \(Scotland\) Act 2005](#)
[01571 – West Lothian Council - Planning Guidance - Shopfronts and Advertisements in Conservation Areas](#)

Screening Report

Thank you for your consultation which we received on 3 April 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.

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).

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 sincerely

Historic Environment Scotland



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

Chris Alcorn
Principal Planning Officer
West Lothian Council Civic Centre
Howden South Road
Livingston EH54 6FF

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

Date: 24 April 2020
Our ref: CEA158882

Dear Chris,

Environmental Assessment (Scotland) Act 2005: Planning Guidance – Shopfronts and advertisements in Broxburn and Uphall, Linlithgow, Kirknewton, Livingston Village, Mid Calder and Torphichen Conservation Areas Screening Determination

I refer to your screening consultation submitted on 31 March 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 planning guidance has been prepared to provide detailed guidance on Local Development Plan (LDP) policies ENV23 and ENV28. It does not in itself propose development or change beyond that already assessed in the SEA 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 our SEA Gateway at sea.gateway@nature.scot.

Yours sincerely

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