

DATA LABEL: Public



SEA

SCREENING REPORT

SUPPLEMENTARY GUIDANCE (SG)
PLANNING AND EDUCATION

STEP 1 – DETAILS OF THE PLAN

Responsible Authority:

West Lothian Council

Title of the plan:

Supplementary Guidance: 'Planning and Education'

What prompted the plan:

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

The adopted West Lothian Local Development Plan 2018 gives an undertaking to produce Supplementary Planning Guidance in relation to a variety of policy topics including developer contributions. The purpose of this Supplementary Guidance (SG) is to support Local Development Plan Policy INF1 Infrastructure Provision and Developer Obligations. Policy CDA 1 in relation to Developer Obligations for General Infrastructure for Site Delivery is also relevant.

In particular, this Supplementary Guidance further defines the education projects required to deliver the LDP, develops costs for those projects (where available) and provides details of contribution rates in different school catchments.

Current Supplementary Planning Guidance (SPG) relating to Education matters was adopted in support of the now superseded West Lothian Local Plan. This SPG was prepared with reference to Scottish planning policies in force at the time and also the West Lothian Community Plan, the Finalised West Lothian Local Plan and the Edinburgh and Lothians Structure Plan. While continuing to provide valid and pertinent guidance it 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.

All of the SPG prepared in support of the West Lothian Local Plan is therefore in the process of being updated or replaced setting an amended policy context within which to address various matters, in this instance, education provision. There is recognition of the need to ensure that the council's supplementary guidance is up to date and reflective of the most current policies and practices.

In particular, this Supplementary Guidance defines the developer contribution rates for various school projects.

The strategic policy context for the securing developer contributions towards its provision of infrastructure is provided for by Policy 9 of the Strategic Development Plan for South East Scotland (2013).

Plan subject:
(e.g. transport)

Town and Country Planning

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)

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Date:

14/12/2020

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 and sets out the council's approach to developer contributions and the delivery of infrastructure linked closely with the Action Programme (Adopted February 2019).

A Strategic Environmental Assessment - Environmental Report for the LDP 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 – Planning and Education 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 will expand on the principles of policy INF1 (*Infrastructure Provision and Developer Contributions*) sets out the rationale for seeking developer contributions in appropriate circumstances, and will provide detailed guidance to help achieve the outcomes expected from development proposals across West Lothian.

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 education infrastructure.

The proposed Supplementary Guidance will include details of the specific location of school infrastructure proposals. Developer contribution rates will vary depending on the school catchment areas relating to the specific developments.

<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 guidance provides a basis for collecting developer obligations (contributions) towards education infrastructure in West Lothian.</p> <p>This supplementary guidance has been prepared in connection with the adopted West Lothian Local Development Plan Policies INF 1 and CDA 1 in relation to Developer Obligations for General Infrastructure for Site Delivery.</p> <p>The guidance is intended to help implement the provisions of the adopted West Lothian Local Development Plan and specifically aims to ensure that the impact of new development set out in the Plan is mitigated. The guidance is intended to update, strengthen and streamline existing arrangements.</p> <p>The proposed Supplementary Guidance will provide details of specific education infrastructure proposals and will assist in the development management process by setting developer contribution rates to be applied to development proposals. 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"> • Applicants who wish to develop a site; • Developers and agents working on development 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>The guidance was the subject of external consultation between April and June 2019 and was submitted for approval to West Lothian Council Executive on 19 January 2021.</p>
<p>What are the key components of the plan?</p>	<p>The Supplementary Guidance will provide further guidance to support the application of policy INF1 as detailed in Box 3 (above).</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 charging developers for education infrastructure projects across West Lothian.</p> <p>This Supplementary Guidance will be an important material consideration in the determination of planning applications and will form the basis for discussions on</p>

individual planning applications and the drafting of planning conditions and/or planning obligations.

Have any of the components of the plan been considered in previous SEA work?

Yes. The document is produced to support the development strategy set out in the West Lothian Local Development Plan which was adopted on 4 September 2018, and in particular the requirements of policy INF1.

An Environmental Assessment has previously been undertaken in respect of policies and proposed land allocations in the West Lothian LDP. 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 Determination for this Supplementary Guidance is required.

The Supplementary Guidance relates primarily to the collection of financial contributions towards the cost of education infrastructure needed to deliver the spatial strategy set out in the LDP and to mitigate the impact of development. The infrastructure proposals themselves are all either identified in the LDP and/or its Action Programme. All lie within the areas identified for development in the Plan itself.

They therefore are considered to fall within the scope of the LDP's spatial strategy, and do not require further strategic environmental assessment as references in this Supplementary Guidance.

In terms of your response to Boxes 7 and 8 above, set out those components of the plan that are likely to require screening:

None. 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 countryside 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 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 'Minerals'	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	<p>The Supplementary Guidance brings together all of the elements that help contribute towards achieving the spatial strategy set out in the LDP. The Supplementary Guidance seeks to ensure that the impact of new development is mitigated through appropriate developer contributions.</p> <p>The Supplementary Guidance sits within a wider development plan context which has undergone SEA.</p> <p>The Supplementary Guidance provides a clear set of guidance and standards to explain what the council will expect from new developments and identifies the</p>	<p>The SEA for the LDP considered any potential effects. The Supplementary Guidance is not considered to have any additional significant environmental effects.</p>

											<p>level of developer contributions required of developers.</p> <p>The Supplementary Guidance shares the strategic objectives of the LDP which include promoting development in the most sustainable locations where its impact can be minimised; promoting community regeneration through the development of brownfield sites; ensuring that all essential infrastructure and facilities are provided to support development; promoting and enhancing the natural and built environment; and having regard to climate change by minimising the carbon footprint of development and supporting mitigation and adaption measures.</p>	
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STEP 4 – STATEMENT OF THE FINDINGS OF THE SCREENING REPORT	
<p>Summary of interactions with the environment and statement of the findings of the Screening: (Including an outline of the likely significance of any interactions, positive or negative, and explanation of conclusion of the screening exercise.)</p>	<p>The Supplementary Guidance provides guidance on the operation of policy INF1 Infrastructure Requirements and Developer Obligations as contained within the West Lothian Local Development Plan covering the West Lothian Council area. It sets out developer contribution rates for education projects across West Lothian. Guidance is provided on the calculation of the financial contribution planning applications and Section 75 requirements.</p>

The Supplementary Guidance is closely allied with the policy context of the adopted West Lothian Local Development Plan 2018 and government guidance and is intended to support the development strategy set out in the LDP through developer contributions to support and deliver education infrastructure.

The Supplementary Guidance relates to development within existing settlements or areas already allocated for development and the effect and impact of such development will ordinarily be of a localised nature and has for the most part already been accounted for.

In common with all other Supplementary Guidance prepared by West Lothian Council, the guidance has been subject to consultation, in this case with various planning consultants and developers, council service providers and regard has been had to the responses and feedback which has been received.

In conclusion, the Supplementary Guidance will result in no or minimal environmental effects and therefore it is concluded a SEA is not required.

The purpose of this Supplementary Guidance (SG) is to support West Lothian Local Development Plan Policy INF1 Infrastructure Provision and Developer Obligations.

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