

DATA LABEL: Public

WEST LoTHIAN COUNCIL

SCREENING REPORT

SUPPLEMENTARY GUIDANCE (SG)
DEVELOPER CONTRIBUTIONS TOWARDS CEMETERY
PROVISION

STEP 1 – DETAILS OF THE PLAN

Responsible Authority:

West Lothian Council

Title of the plan:

Supplementary Guidance : 'Developer Contributions Towards Cemetery Provision'

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.

The current Supplementary Planning Guidance (SPG) in relation to developer contributions towards cemetery provision was adopted in 2008 in support of the 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, cemetery 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 further defines the terms used in policy INF1 and explains and interprets other matters necessary for the implementation of the policy, principally it sets a developer contribution rate.

Plan subject:

(e.g. transport)

Town and Country Planning/Cemetery Provision.

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

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

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

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 Cemetery Provision](#) is required to support the understanding and delivery of housing 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 and will provide detailed guidance to help achieve the outcomes expected from development proposals across West Lothian.

The proposed Supplementary Guidance will include details of the specific location of cemetery proposals. However, the developer contribution rate will apply across West Lothian as the council has no control over where individuals would wish to be laid to rest.

Description of the Plan:

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 cemetery provision in West Lothian.

The proposed Supplementary Guidance will provide details of the specific location of cemetery proposals. It will assist in the development management process by setting a developer contribution rate to be applied to all proposals for housing development. The Supplementary Guidance will identify good practice in-line with the policy and other national guidance.

	<p>The Supplementary Guidance is intended for use by anyone considering housing development in West Lothian including:</p> <ul style="list-style-type: none"> • Applicants who wish to develop a site; • Housing developers and agents working on housing proposals and mixed use proposals where an element of housing is included; • 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 policy INF1 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 cemetery provision across 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 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 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 that are likely to require screening:</p>	<p>The proposed Supplementary Guidance will expand on the principles set out in the aforementioned policy 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.</p>

**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'	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	The Supplementary Guidance provides a clear set of guidance and standards to explain what the council will expect from new developments in terms of developer contributions towards cemetery provision.	The SEA for the LDP considered any potential effects. The SG is not considered to have any additional significant environmental effects.

STEP 4 – STATEMENT OF THE FINDINGS OF THE SCREENING REPORT

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.)

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 a developer contribution rate for cemetery provision across West Lothian. Guidance is provided on the calculation of the financial contribution planning applications and Section 75 requirements.

The Supplementary Guidance is closely allied with the policy context of the adopted West Lothian Local Development Plan 2018 and Scottish Government guidance. It is anticipated that the new residential

developments which will come to be built over time will contribute towards cemetery provision. A developer contribution rate is therefore set out in the Supplementary Guidance.

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.