



SCREENING REPORT

PLANNING GUIDANCE –

ON

**MANAGEMENT & AFTER USE OF SOILS ON
DEVELOPMENT SITES**

STEP 1 – DETAILS OF THE PLAN

Responsible Authority:

West Lothian Council.

Title of the plan:

Planning Guidance on the Management & After Use of Soils on Development Sites.

What prompted the plan:

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

The West Lothian Local Development Plan (LDP), adopted in 2018, gives an undertaking to produce guidance in relation to a variety of planning policy topics including the protection of the natural environment from inappropriate development.

The guidance sets out detailed criteria to assist the preparation and assessment of planning applications across the plan area and specifically supports policies ENV 5: Soil Sustainability Plans and ENV 6: Peatlands & carbon rich soils of the adopted LDP.

There is no current Supplementary Guidance (SG) or Planning Guidance (PG) related to soils in West Lothian. As a consequence there is recognition of the need to ensure that the council's planning guidance arising from the local development plan is up to date and reflective of the most current LDP policies and best practice.

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)

Contact details:

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Date:

8 January 2021

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).

The West Lothian Council Executive on 22 March 2018, 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.

Planning Guidance – Planning Guidance on Soils is required to support the understanding and delivery of two policies set out in the adopted LDP - policies ENV 5 and ENV 6.

The Planning Guidance will expand on the principles of these policies and will provide detailed guidance to help achieve the outcomes expected from development proposals particularly on greenfield sites across West Lothian.

The proposed Planning Guidance provides specific guidance and supports consistent interpretation and application of policies related to the natural environment through the development management process.

The guidance identifies good practice in-line with the related policies and other similar guidance provided by SEPA and Naturescot, as well as DEFRA in England.

Description of the Plan:

The proposed Planning Guidance expands on the principles set out in the policies outlined in the section above and provides detailed guidance to help achieve the outcomes expected from planning applications related to greenfield developments across West Lothian.

The planning guidance is principally intended for use by developers and their site agents and contractors involved in this sort of standard greenfield development within West Lothian including:

- Applicants who are proposing to develop on greenfield sites over 0.1 ha;
- Agents working for their clients on such proposals;

	<ul style="list-style-type: none">• Development Management Officers assessing planning proposals, as well as SEPA and Nature Scot officers;• Elected Members representing constituents and making decisions on related planning applications; and• Members of the public with an interest in natural environment development proposals affecting their local community. <p>The Planning 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>
What are the key components of the plan?	<p>The Planning Guidance will provide further guidance to support the application of the various natural environment policies detailed in the section above, under 'Context' – Page 4.</p>
Have any of the components of the plan been considered in previous SEA work?	<p>Yes. The document is produced to support a number of policies in the West Lothian Local Development Plan which was adopted on 4 September 2018. An Environmental Assessment has previously been undertaken in respect of policies and related proposed land allocations in the West Lothian LDP.</p> <p>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 i.e. in that they promoted good practice for securing sustainable development related to the development on greenfield sites.</p> <p>In order to ensure compliance with the Environmental Assessment (Scotland) Act 2005, a Screening Opinion for this Planning Guidance is required.</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>The proposed Planning 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 on greenfield sites in locations across West Lothian.</p> <p>The guidance will support consistent interpretation and application of policy through the development management process. The guidance will at the same time encourage good practice in-line with policies and other similar guidance arising from SEPA and Naturescot.</p> <p>The potential environmental effects of any proposed development considered under the terms of the policies can however only be fully assessed at the planning application stage when the context and issues relating to a 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		
Planning Guidance – on the Management & After Use of Soils on Development Sites.	✓	✓	✓	✓	✓	✓	✓		✓	✓	<p>The PG brings together all of the elements that help contribute towards minimising environmental impact on soils and achieving sustainable development.</p> <p>It provides a clear set of guidance and standards to explain what the council will expect from such new greenfield developments and identifies what information in a Soils Sustainability Plan is required as part of a planning application.</p> <p>It also provides contact details for various other organisations with an interest in this aspects of the natural environment.</p>	<p>The SEA for the LDP considered any potential effects.</p> <p>The Planning Guidance on the Management & after use of soils on Development Sites is not considered to have any additional significant negative environmental effects.</p>

With careful thought and sensitive execution, development and its aftermath, can be carried out in much better harmony with their neighbours and the wider built and natural environment and the prime resource of soil can be protected and enhanced.

In common with other planning guidance prepared by West Lothian Council, the guidance has been subject to internal and external consultation, in this case with council service providers, SEPA, Naturescot (Soil scientist) and community councils, planning consultants and developers as well as local interested organisations and regard has been had to the responses and feedback which has been received and presented to elected members to consider via the Council Executive.

In conclusion, the Planning Guidance on the Management & After Use of Soils on Development Sites will result in minimal environmental effects and indeed should great positive benefits and therefore it is concluded a Strategic Environment Assessment is **NOT** required.

The guidance sets out detailed criteria and advice to assist the preparation and assessment of proposals for development across the plan area and specifically supports natural environment policies ENV 5 and ENV 6 of the adopted LDP which collectively seek to prevent and reduce environmentally intrusive development and seek better use of soils before, during, and after development and to reduce energy use and carbon emissions related to sustainable development.

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