

SEA SCREENING REPORT (COVER NOTE)

PART 1

To: SEA.gateway@gov.scot

or

SEA Gateway
Scottish Government
Area 2 H (South)
Victoria Quay
Edinburgh EH6 6QQ

PART 2

An SEA Screening Report is attached for the plan, programme or strategy (PPS) entitled:

Biodiversity and Development - Supplementary Guidance SG07

The Responsible Authority is:

Falkirk 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 ***or***
- 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 ***or***
- an SEA is not required** because the PPS is unlikely to have significant environmental effects

PART 4

- The PPS does not require an SEA under the Act. However, we wish to carry out an SEA on a voluntary basis. We accept that, because this SEA is voluntary, the statutory 28 day 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

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PART 7

Signature
(electronic
signature
is acceptable)



Date

5 December 2019

SEA SCREENING REPORT - KEY FACTS

| | |
|--|---|
| Responsible Authority | Falkirk Council |
| Title of PPS | ‘Biodiversity and Development - Supplementary Guidance SG07’ |
| Purpose of PPS | SG07 provides updated guidance on how biodiversity should be safeguarded and promoted through development. On adoption, SG07 will supersede and replace the 2015 guidance: SG05 –Biodiversity and Development . |
| What prompted the PPS (e.g. a legislative, regulatory or administrative provision) | Public bodies have a duty under the Nature Conservation (Scotland) Act 2004 to further the conservation of biodiversity. SG07 will assist Falkirk Council in meeting that duty. The guidance is required to supplement the policies and proposals of the Proposed Falkirk Local Development Plan 2 , specifically Policy PE 19 – Biodiversity and Geodiversity. |
| Subject (e.g. transport) | Biodiversity and land-use planning |
| Period covered by PPS | July 2020 onwards, depending on the adoption date of the Proposed Falkirk Local Development Plan 2 |
| Frequency of updates | The guidance will be reviewed as and when necessary. |
| Area covered by PPS (e.g. geographical area – it is good practice to attach a map) | The guidance covers the entire administrative area of Falkirk Council. |
| Summary of nature/ content of PPS | This SG is intended to assist developers in making a planning application which will meet the Council’s biodiversity Objectives. It will include an introduction to key legislation, policy and guidance, an outline of the Council’s Biodiversity Objectives relating to biodiversity and development, details of how biodiversity conservation should be incorporated into development, and checklists for different development types. |
| Are there any proposed PPS objectives ? | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| Copy of objectives attached | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| Date | 5 December 2019 |

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Table 1 below summarises the findings of the screening exercise undertaken by Falkirk Council in determining the likelihood of significant environment effects from Biodiversity and Development - Supplementary Guidance SG07.

TABLE 1 – LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

| TITLE OF PPS | | |
|--|---|---|
| ‘Biodiversity and Development - Supplementary Guidance SG07’ | | |
| RESPONSIBLE AUTHORITY | | |
| Falkirk Council | | |
| Criteria for determining the likely significance of effects on the environment (1(a), 1(b) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005) | Likely to have significant environmental effects? YES/NO | Summary of significant environmental effects (negative and positive) |
| 1(a) the degree to which the PPS sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources | No | <p>The acceptability of the principle of development will be established by the policies and proposals of the Falkirk LDP2, which have already been the subject of a SEA.</p> <p>The principle of protecting and enhancing habitats and species of importance and promoting biodiversity through the planning process has already been established by Policy PE19 of the Falkirk LDP2. This policy has already been through a process of SEA.</p> <p>SG07 will demonstrate how the principles established in Policy PE19 should be applied in practice and will not, in itself, have significant adverse effect on the environment.</p> |
| 1(b) the degree to which the PPS influences other PPS including those in a hierarchy | No | SG07 will influence future development frameworks, design briefs and masterplans. However, the guidance will supplement but sit under the Falkirk LDP2 which has been subject to SEA, |

| <p>Criteria for determining the likely significance of effects on the environment (1(d) etc. refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)</p> | <p>Likely to have significant environmental effects? YES/NO</p> | <p>Summary of significant environmental effects (negative and positive)</p> |
|--|--|--|
| <p>1(c) the relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development.</p> | <p>No</p> | <p>SG07 will help promote the principles of sustainable development, clarifying policies of the Falkirk LDP2 requiring biodiversity interests to be taken into account within relevant planning application decisions.</p> |
| <p>1(d) environmental problems relevant to the PPS</p> | <p>No</p> | <p>Development can have a negative effect on existing biodiversity features. Development proposals can also miss opportunities to enhance existing biodiversity features. Although SG07 will help to address these environmental problems, its positive environmental effect will be guided by the application of Policy PE19 of the Falkirk LDP2. The same policy has already been subject to SEA.</p> |
| <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)</p> | <p>No</p> | <p>Public bodies have a duty under the Nature Conservation (Scotland) Act 2004 to further the conservation of biodiversity. The Habitats Directive is relevant as European Protected Species (EPS) may be present on or adjacent to sites identified for designation.</p> <p>Although SG07 is relevant for the implementation of the above legislation its positive environmental effect, its positive environmental effect will be secured by the implementation of Policy PE19 of the Falkirk LDP2. The same policy has already been subject to SEA.</p> |
| <p>2 (a) the probability, duration, frequency and reversibility of the effects</p> | <p>No</p> | <p>No such effects are discernible under this guidance.</p> |
| <p>2 (b) the cumulative nature of the effects</p> | <p>No</p> | <p>No such effects are discernible under this guidance.. .</p> |
| <p>2 (c) transboundary nature of the effects (i.e. environmental effects on other EU Member States)</p> | <p>No</p> | <p>SG07 will not have any significant transboundary environment effects. The guidance only considers the Falkirk area.</p> |
| <p>2 (d) the risks to human health or the environment (for example, due to accidents)</p> | <p>No</p> | <p>No risks to human or the environment are discernible under this guidance.</p> |

| <p>Criteria for determining the likely significance of effects on the environment (2(e), 2(f) etc refer to paragraphs in Schedule 2 of the Environmental Assessment (Scotland) Act 2005)</p> | <p>Likely to have significant environmental effects? YES/NO</p> | <p>Summary of significant environmental effects (negative and positive)</p> |
|--|--|--|
| <p>2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)</p> | <p>No</p> | <p>No such effects are discernible under this guidance.</p> |
| <p>2 (f) the value and vulnerability of the area likely to be affected due to- (i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use.</p> | <p>No</p> | <p>No such effects are discernible under this guidance.</p> |
| <p>2 (g) the effects on areas or landscapes which have a recognised national, Community or international protection status</p> | <p>No</p> | <p>No such effects are discernible under this guidance.</p> |

SEA SCREENING REPORT

Below is a summary of Falkirk Council's consideration of the significant environment effects of 'Biodiversity and Development - Supplementary Guidance SG07'.

TABLE 2 – SUMMARY OF ENVIRONMENTAL EFFECTS

SG07 is intended to assist developers in making a planning application which will meet the Council's biodiversity Objectives. It will include an introduction to key legislation, policy and guidance, an outline of the Council's Biodiversity Objectives relating to biodiversity and development, details of how biodiversity conservation should be incorporated into development, and checklists for different development types. The principle of protecting and enhancing habitats and species of importance and promoting biodiversity through the planning process has already been established by Policy PE19 of the Falkirk LDP. This policy has been through a process of SEA.

Against all the criteria listed within the Table 1, it was determined that the guidance will have no significant environmental effects. Falkirk Council therefore believes SG07 is a qualifying plan or programme which does not require a SEA.