

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:

Developer Contributions SG13

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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Job Title

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PART 7

Signature
(electronic
signature
is acceptable)



Date

6 December 2019

SEA SCREENING REPORT - KEY FACTS

Responsible Authority	Falkirk Council
Title of PPS	Developer Contributions - Supplementary Guidance SG13
Purpose of PPS	SG13 will set out Falkirk Council's approach to developer contributions. The purpose of the guidance is to provide greater clarity and transparency to applicants, planning officers and stakeholders regarding the basis on which contributions will be sought. The guidance will detail the type of contributions that may be required and, where appropriate, the standard formulae and charges to calculate the amounts payable. It will help landowners and developers establish the contribution requirements for specific sites or general locations so that the cost implications can be taken into account before the planning application is submitted or the land is purchased. It will cover contributions in a number of areas including open space, habitat creation, education, sustainable water and flood management, health care, community facilities, transport, placemaking and historic environment.
What prompted the PPS (e.g. a legislative, regulatory or administrative provision)	SG13 is required to supplement the policies and proposals of the Proposed Falkirk Local Development Plan 2 (LDP2), specifically Policy IR02 -Developer Contributions.
Subject (e.g. transport)	Land-use planning, infrastructure provision and developer contributions
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	SG13 explains its planning purpose and context, how and when contributions are payable for specific types of infrastructure, how much contributions are required and how they will be used and monitored.
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 Developer Contributions- Supplementary Guidance SG13.

TABLE 1 – LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

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	SG13 sets out the principles and mechanisms by which contributions will be calculated and collected to pay for necessary infrastructure, mitigating the negative impacts of new development. Crucially, the guidance will supplement relevant policies in the Falkirk LDP2, whose potential effects have been considered as part of the SEA for that plan. The acceptability of a development proposal would be determined by the application of relevant LDP2 policies.
1(b) the degree to which the PPS influences other PPS including those in a hierarchy	No	SG13 could influence masterplans and development briefs prepared by the Council. However, the guidance will supplement but sit under LDP2, which has been subject to SEA. The acceptability of a development proposal would be determined by the application of relevant LDP2 policy
1(c) the relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development	No	SG13 will support the principles of sustainable development, helping to secure developer funding toward infrastructure which is necessary to grow the Council area in a co-ordinated and sustainable manner, and also mitigate the negative impacts of developments on communities and the environment. However, the guidance does not actually propose additional development beyond LDP2 whose environmental affects have already y been considered through the SEA process. The guidance is guidance. The acceptability of a development proposal would be determined by the application of relevant LDP2 policy.

<p>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)</p>	<p>Likely to have significant environmental effects? YES/NO</p>	<p>Summary of significant environmental effects (negative and positive)</p>
<p>1(d) environmental problems relevant to the PPS</p>	<p>No</p>	<p>SG13 sets out a process of securing infrastructure to enable planned development and windfall development to proceed without unacceptably impacting upon communities and the environment. With respect to planned development, environment issues have been assessed as part of the SEA for the LDP2. Windfall development will be considered against relevant environmental protection policies of the LDP and, if necessary, through an Environmental Impact Assessment. No additional environmental problems are expected to result from the guidance's implementation. The acceptability of a development proposal would be determined by the application of relevant LDP2 policy.</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>SG13 does not concern itself with the implementation of any EU legislation</p>
<p>2 (a) the probability, duration, frequency and reversibility of the effects</p>	<p>No</p>	<p>SG13 will not impact upon this criterion. The guidance will supplement relevant policies in the Falkirk LDP2, whose potential effects have been considered as part of the SEA for that plan. The acceptability of a development proposal would be determined by the application of relevant LDP2 policy.</p>
<p>2 (b) the cumulative nature of the effects</p>	<p>No</p>	<p>In solely concerning the Falkirk Council area, the SG will not have any transboundary environmental effects.</p>
<p>2 (c) transboundary nature of the effects (i.e. environmental effects on other EU Member States)</p>	<p>No</p>	<p>SG09 will not have any significant transboundary environment effects. The guidance only concerns the Falkirk Council area.</p>

<p>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)</p>	<p>Likely to have significant environmental effects? YES/NO</p>	<p>Summary of significant environmental effects (negative and positive)</p>
<p>2 (d) the risks to human health or the environment (for example, due to accidents)</p>	<p>No</p>	<p>The process for securing developer contributions, as described in the SG13, and their use is unlikely to pose any risk to human health and the environment.</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>SG13 will apply to certain types of new development within the Falkirk Council area. However, the guidance will supplement relevant policies in the Falkirk LDP2, whose potential effects have been considered as part of the SEA for that plan. The acceptability of a development proposal would be determined by the application of relevant LDP2 policy.</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 significant effects identified. SG13 will apply to certain types of new development within the Falkirk Council area. However, the guidance will supplement relevant policies in the Falkirk LDP2, whose potential effects have been considered as part of the SEA for that plan. The acceptability of a development proposal would be determined by the application of relevant LDP2 policy.</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>SG13 will have no discernible impacts on landscapes or areas of protection.</p>

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Below is a summary of Falkirk Council's consideration of the significant environment effects of Developer Contributions- Supplementary Guidance SG13.

TABLE 2 – SUMMARY OF ENVIRONMENTAL EFFECTS

Providing further detail on the Falkirk Local Development Plan 2, SG13 sets out the mechanism by which developer contributions for infrastructure will be calculated and sought from development within the Falkirk Council area. The guidance concerns developer funding for infrastructure but crucially does not propose additional development. It will supplement several policies in the Falkirk LDP2, whose potential effects have been considered as part of the SEA for that plan.

Against all the criteria listed within the Table 1, it was determined that SG13 will have no significant environmental effects. Falkirk Council, therefore, believes that SG13 is a qualifying PPS which does not require a SEA.