

SEA SCREENING REPORT (COVER NOTE)

PART 1

To: SEA.gateway@scotland.gsi.gov.uk
or
SEA Gateway
Scottish Executive
Area 1 H (Bridge)
Victoria Quay
Edinburgh EH6 6QQ

PART 2

An SEA Screening Report is attached for the plan, programme or strategy (PPS) entitled:
Supplementary Guidance: Education and New Residential Development

The Responsible Authority is:

The Highland 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)	C. Farningham
Date	

SEA SCREENING REPORT - KEY FACTS

Responsible Authority	Highland Council
Title of PPS	Supplementary Guidance: Education and New Residential Development
Purpose of PPS	To provide guidance on issues related to developer contributions for education provision which may be applicable when determining a planning application for a new residential development.
What prompted the PPS (e.g. a legislative, regulatory or administrative provision)	A lack of guidance exists within the local plans. Under new planning regulations, supplementary guidance will become a legal part of the plan with the same legal standing as the local plan policies.
Subject (e.g. transport)	Town planning: Education and New Residential Development
Period covered by PPS	The period of the Supplementary guidance is uncertain as once the Highland Wide local plan is completed it will be replaced. Completion date of the Highland Wide Local Plan is expected to be November 2009.
Frequency of updates	It is not clear at this time if the Supplementary Guidance will be updated
Area covered by PPS (e.g. geographical area – it is good practice to attach a map)	Highland Council Area
Summary of nature/content of PPS	The Highland Council will seek financial contributions from developers of open market housing when new housing is proposed in the catchment areas of schools which will have inadequate or no capacity for additional pupils likely to be generated by the housing. The requirement for contributions can be triggered by two types of development: sites allocated for housing development within the Highland Local Plans, 'Windfall' proposals that come forward in the catchment areas of schools at or near capacity.
Are there any proposed PPS objectives?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Copy of objectives attached	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Date	

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Our determinations regarding the likely significance of effects on the environment of Education and New Residential Development is set out in Table 1.

TABLE 1 – LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT

TITLE OF PPS <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Supplementary Guidance: Education and New Residential Developments</div> RESPONSIBLE AUTHORITY <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Highland Council</div>		
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	The SG seeks financial contributions from developers and will influence the future local plan policies on new residential developments of 4 or more dwellings.
1(b) the degree to which the PPS influences other PPS including those in a hierarchy	No	The SG will influence the future direction of policy on developer contributions to education in both the emerging Developer Contributions SG and the Highland Wide Local Development Plan.
1(c) the relevance of the PPS for the integration of environmental considerations in particular with a view to promoting sustainable development	No	An SG which focused on developer contributions will have little or no relevance with regard to achieving or moving towards sustainable development.

Criteria for determining the likely significance of effects on the environment (1(d) etc. refer to paras 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(d) environmental problems relevant to the PPS	No	N/A
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)	No	It is not anticipated that the SG will not be relevant in this respect.
2 (a) the probability, duration, frequency and reversibility of the effects	No	Although the SG could potentially create additional development in areas of need. This is not however deemed to have a significant environmental effect.
2 (b) the cumulative nature of the effects	No	N/A
2 (c) transboundary nature of the effects (i.e. environmental effects on other EU Member States)	No	None
2 (d) the risks to human health or the environment (for example, due to accidents)	No	N/A

Criteria for determining the likely significance of effects on the environment (2(e), 2(f) etc refer to paras 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)
2 (e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	The guidance will cover the whole of the Highland except that covered by Cairngorms National Park Authority. However the guidance will be applied at every local level and therefore it is not anticipated that there will be a significant impact.
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.	No	While there is likely to be little environmental impact there is the potential that through the developer contributions sought through this guidance that land use around existing educational facilities may be intensified. However, design of new education provision is outwith the scope of this guidance.
2 (g) the effects on areas or landscapes which have a recognised national, Community or international protection status	No	This SG will not directly have an impact on areas of landscape or designated sites. However, the developer contributions sought through this SG may be used in a way which has an impact. However, this is outwith the scope of this SG.

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A summary of our considerations of the significant environmental effects of SG Education and New Residential Developments is given below.

TABLE 2 – SUMMARY OF ENVIRONMENTAL EFFECTS

The SG will have a positive impact upon the built environment by guiding and controlling levels of Developer Contributions. In particular, the SG will aim to seek developer contributions for new residential developments of 4 or more dwellings which are proposed in the catchment areas of schools which will have inadequate or no capacity.

In terms of impacts upon the environment in general, it is predicted that the SG will have little or no impact and whilst it may not contribute towards sustainable development, there is little to suggest that an SG providing guidance on developer contributions will have an adverse impact upon sustainable development and its associated aims and objectives.

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**TABLE 3
SUMMARY RECORD OF COMMENTS FROM CONSULTATION AUTHORITIES**

GUIDANCE NOTE

It is not a statutory requirement to include this section in the screening report. However, the Responsible Authority may find it useful for record purposes.

TITLE OF PLAN, PROGRAMME OR STRATEGY

Supplementary Planning Guidance: Education and New Residential Development

RESPONSIBLE AUTHORITY

The Highland Council

DATE COMMENTS RECEIVED FROM CONSULTATION AUTHORITIES

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Consultation Authority	Views (if known at this stage)
Scottish Environment Protection Agency	Significant environmental effects - YES/ NO
	If YES, note SEA topics/issues here (e.g. soil and water)
Scottish Natural Heritage	Significant environmental effects - YES/ NO
	If YES, note SEA topics/issues here (e.g. flora, fauna and biodiversity)
The Scottish Ministers (Historic Scotland)	Significant environmental effects - YES/ NO
	If YES, note SEA topics/issues here (e.g. landscape and cultural heritage)

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TABLE 4 – RECORD OF POST SCREENING ACTION

<p>GUIDANCE NOTE</p> <p>It is not a requirement to include this section in the screening report. However, the Responsible Authority may find it useful for record purposes.</p> <p>TITLE OF PLAN, PROGRAMME OR STRATEGY (PPS)</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">Supplementary Planning Guidance: Education and New Residential Development</div> <p>RESPONSIBLE AUTHORITY</p> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;">The Highland Council</div>	
<p>1 Responsible Authority and Consultation Authorities in agreement – PPS <u>is</u> likely to have significant environmental effects</p>	<div style="border: 1px solid black; height: 25px; width: 100%; margin-bottom: 5px;"></div> <div style="border: 1px solid black; height: 25px; width: 100%;"></div>
<p>2 Responsible Authority and Consultation Authorities in agreement – PPS <u>is not</u> likely to have significant environmental effects</p>	<div style="border: 1px solid black; height: 25px; width: 100%; margin-bottom: 5px;"></div> <div style="border: 1px solid black; height: 25px; width: 100%;"></div>
<p>3 Responsible Authority and Consultation Authorities cannot reach agreement – referred to the Scottish Ministers for their determination</p>	<div style="border: 1px solid black; height: 25px; width: 100%; margin-bottom: 5px;"></div> <div style="border: 1px solid black; height: 25px; width: 100%;"></div>
<p>4 Scottish Ministers' determination</p>	<div style="border: 1px solid black; height: 25px; width: 100%; margin-bottom: 5px;"></div> <div style="border: 1px solid black; height: 25px; width: 100%;"></div>
<p>5 Publicity requirements met</p>	<div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 5px; width: 40%;">YES</div> <div style="border: 1px solid black; padding: 5px; width: 40%;">NO</div> </div>
<p>6 Signature</p>	<div style="border: 1px solid black; height: 25px; width: 100%; margin-bottom: 5px;"></div>
<p>Date</p>	<div style="border: 1px solid black; height: 25px; width: 100%;"></div>

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