

**DEVELOPER CONTRIBUTIONS
SUPPLEMENTARY GUIDANCE**

**SEA
SCREENING REPORT**

STEP 1 – DETAILS OF THE PLAN

Responsible Authority:

The Highland Council

Title of the plan:

Developer Contributions Supplementary Guidance

What prompted the plan:

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

Policy 31 of the Highland-wide Local Development Plan, Adopted 2012, commits the Council to preparing Developer Contributions Supplementary Guidance (DCSG). A review of the current DCSG (adopted in 2013) found that the methodology for calculating contributions required updated and there were opportunities for the guidance to be streamlined and presented in a more user friendly format.

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)

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Date:

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STEP 2 – CONTEXT AND DESCRIPTION OF THE PLAN

Context of the Plan:

The replacement DCSG will ultimately be adopted as Supplementary Guidance which forms part of the statutory Development Plan. It will provide detail on the principles of the guidance set out in Policy 31: Developer Contributions and Policy 32 Affordable Housing of the Highland-wide Local Development Plan (HwLDP), Adopted 2012.

It will also be used to assess required developer contributions for site allocations in the Council's three other area Local Development Plans: the Inner Moray Firth Local Development Plan (adopted July 2015) and the emerging Caithness and Sutherland Local Development Plan (Proposed Plan currently at examination) and West Highland and Islands Local Development Plan (Proposed Plan published May 2017). When determining planning applications these documents, together with other adopted Supplementary Guidance, will be read and considered as a whole alongside the DCSG.

The DCSG will apply to all development in the area covered by the HwLDP. In addition, this guidance will also be used to inform decision making within the Highland area of the Cairngorms National Park.

Description of the Plan:

The purpose of the DCSG will be to provide clear guidance on the methodology used to identify service and infrastructure requirements and the criteria that should be used to calculate developer contributions to support new development. It will also provide further detail on the application of Policy 32 Affordable Housing. The guidance is intended to update, strengthen and streamline the current approach.

The guidance would apply to most residential developments of one house or more as well as other commercial, business, retail and tourism developments.

The draft DGSC was approved by the 8 November 2017 Environment, Development and Infrastructure Committee for consultation which is anticipated to commence as soon as possible. The related committee report explains that the committee draft would incorporate any changes required as a result of SEA screening before the draft DCSG being published for consultation.

Following consultation, the finalised guidance is anticipated to be statutorily adopted in spring/summer 2018. Once adopted it will be reviewed within five years or possibly earlier to reflect progress with preparing a revised HwLDP.

What are the key components of the plan?

Section 1: Introduction explains the policy background, how to use the guidance, developments applicable to make contributions, variable rates based on household size, discounts for small scale housing sites and instances when contribution variations or exemptions maybe considered, including how development viability will be considered.

Section 2: Schools details how contributions towards school infrastructure will be calculated in areas of need. This is based on an updated methodology which includes provision for the recovery of new school construction costs and

associated land costs.

Section 3: Community Facilities details the requirements for residential developments to contribute towards indoor and outdoor community facilities, as well as healthcare.

Section 4: Affordable Housing makes provision for up to 25% of homes to be affordable and introduces a new proposed requirement for 15% of all affordable homes to be 'wheelchair livable'.

Section 5: Transport sets out that all developments will be assessed in terms of their impact on the road network. Standard requirements for transport provision are set out together with a methodology for cumulative transport contributions where strategic transport interventions are required. These contribution zones are intended to be developed and specified as a future appendix to the DCSG.

Section 6: Green Infrastructure explains the Council's standards for open space, green networks and built and natural heritage. This includes provision for developer contributions where insufficient onsite provision is being made. Cross references are provided to guide developers towards other extant Supplementary Guidance which will be applied.

Section 7: Water and Waste again sets out instances where developer contributions are required towards this infrastructure. This includes strategic flood schemes, maintenance and repair of SuDS and well as adequate recycling provision.

Section 8: Public Art explains the Council's expectations for public art provision and outlines circumstances where such contributions are required.

Section 9: Community Benefit and Emerging Policy Requirements explains how voluntary community benefits will be treated and sets out further emerging policy requirements where the Council strongly encourages developers to make on site provision for fibre broadband and the provision of district heating networks.

Section 10: Payment and Administration explains the process to be followed by developers when making payments or entering into legal agreements.

Further appendices outline the requirements for development viability assessments, provide infrastructure assessment methodologies and set out hypothetical worked examples to demonstrate how the DCSG may be applied.

Have any of the components of the plan been considered in previous SEA work?

The parent plan for the DCSG, the HwLDP, was subject to Strategic Environmental Assessment (finalised SEA published 2012). The assessment of Policy 31: Developer Contributions did not anticipate this policy would deliver an effect on any of the SEA objectives in isolation. It did however find that when working in conjunction with other policies of the plan, and Supplementary Guidance, there may be a positive effect on a number of the SEA objectives relating to infrastructure.

The assessment of Policy 32: Affordable Housing did not anticipate this policy would have a significantly positive or negative effect on any of the SEA objectives, but did find that this policy would give rise to a number of lesser positive affects, particularly in relation to the SEA objectives associated with human health.

The existing adopted DCSG was also subject to SEA Screening (August 2011). At that time the Consultation Authorities were in agreement that there was no likelihood of significant environmental effects. This concurred with The Highland Council's former screening determination.

In terms of your response to Boxes 7 and 8 above, set out those components of the plan that are likely to require screening:

Given the above, and that the DCSG is non-spatial, the Council are of the view that no components of the updated guidance require screening.

The following section 'Step 3' of this report is therefore intentionally left blank.

**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		
Component 1	This table is intentionally left blank.											

STEP 4 – STATEMENT OF THE FINDINGS OF THE SCREENING

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.)

Previous SEA work on the parent HwLDP policies and on the existing adopted DCSG found that there was no likelihood of significant environmental effects resulting from the policy or the SG itself.

It is therefore the view of the responsible authority that SEA is not required for the following reasons:

- The refreshed DCSG will not create a new policy framework but provide updated detail and clarification to inform the application of HwLDP Policies 31 and 32;
- The refreshed DCSG is considered to have limited influence on the content of the emerging Local Development Plans and other Supplementary Guidance. It will primarily inform the assessment of individual planning applications where developer contributions will be required in accordance with extant policies and provisions contained within the Development Plan.
- Major developments, in certain cases, can give rise to significant environmental impacts and developer contributions can occasionally help to mitigate such impacts. Developer contributions are not however an overriding factor in the planning application decision making process as proposals require to be assessed against the provisions of the Development Plan as a whole (which have been subject to SEA and where required, appropriate mitigation has already been incorporated).

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

