

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:

Houses in Multiple Occupation: Interim Supplementary Guidance (2012 Update)

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)	S. Hindson
Date	8 th October 2012

SEA SCREENING REPORT - KEY FACTS

Responsible Authority	The Highland Council	
Title of PPS	Houses in Multiple Occupation: Interim Supplementary Guidance (2012 Update)	
Purpose of PPS	Review of the existing Supplementary Guidance to provide guidance on issues related to Houses of Multiple Occupation which may be applicable when determining the granting of planning permission and what is considered an excessive concentration	
What prompted the PPS (e.g. a legislative, regulatory or administrative provision)	The Policy in the Highland wide Local Development Plan makes reference to the existing supplementary guidance, however this is requiring a review given the updated Circular on HMOs from the Scottish Government (02/2012), the policy context set by the Highland wide Local Development Plan and the move towards a single over provision of HMO policy covering both Planning and Licensing	
Subject (e.g. transport)	Town planning	
Period covered by PPS	2013 onwards	
Frequency of updates	The guidance will be reviewed as and when necessary and as a minimum every 5 years.	
Area covered by PPS (e.g. geographical area – it is good practice to attach a map)	The entire Highland Council area except that covered by the Cairngorms National Park.	
Summary of nature/content of PPS	Policy guidance setting out what is considered an excessive concentration of HMOs and why. Guidance on what issues will be considered when assessing a planning application for change of use to a HMO	
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	8 th October 2012	

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Our determinations regarding the likely significance of effects on the environment of Houses in Multiple Occupation: Interim Supplementary Guidance 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;">Houses in Multiple Occupation: Interim Supplementary Guidance (2012 Update)</div> RESPONSIBLE AUTHORITY <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">The 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 provides guidance on the relationship between Planning and Licensing on the issue of HMOs, sets what is an excessive concentration and outlines key considerations for assessing planning applications for change of use to HMO. The SG will not set a framework for any project or other activities.
1(b) the degree to which the PPS influences other PPS including those in a hierarchy	No	The SG gives guidance on the HMO policy of the Highland wide Local Development Plan. It is not anticipated this SG will influence the any PPS.
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 focuses on HMO will have little or no relevance with regard to achieving or moving towards sustainable development. However, it has the potential to restrict changes of use, which may prevent an increase parking and other pressures on residential amenities such as waste storage.

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	The SG will facilitate the change of use to high quality HMOs in the right location, by certain criteria being set out as key to the determination of planning applications. The SG will also ensure excessive concentrations of HMO have a detrimental impact on the amenity of an area. This is likely to have a slight positive impact on human health and population. It is not anticipated to be significant given the limited amount of HMOs within Highland.
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 be relevant in this respect.
2 (a) the probability, duration, frequency and reversibility of the effects	No	Although the SG will allow for planning permission for change of use to HMOs and this permission lasts indefinitely, HMO licenses can only be granted for a maximum of 3 years. Therefore if the license is not renewed a change of use application may be required in the future to change it back to its original use. This is not however deemed to have a significant environmental effect.
2 (b) the cumulative nature of the effects	Yes	Several HMOs in a particular area can have an adverse impact upon the amenity and character of a locality. The SG will ensure positive control of such circumstances.
2 (c) transboundary nature of the effects (i.e. environmental effects on other EU Member States)	No	N/A
2 (d) the risks to human health or the environment (for example, due to accidents)	No	The supplementary guidance takes into consideration the increased affect on amenity of an excessive concentration of HMO and the potential negative affect this can have on the cohesiveness of a community.

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 be applied Highland wide however the HMO market is driven by supply and demand therefore it is likely that the guidance will have more of an impact in areas where there is a greater demand for affordable accommodation.
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	The SG will prevent erosion of the character of an area and provides guidance on the matter. As it involves change of use to an existing building there it is presumed the built form of an area would be affected. The SG seeks to limit over intensification of land use through identifying what would be considered an excessive concentration of HMOs.
2 (g) the effects on areas or landscapes which have a recognised national, Community or international protection status	No	The SG will be monitored to prevent any erosion of character of areas including sensitive areas such as conservation areas.

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A summary of our considerations of the significant environmental effects of Houses in Multiple Occupation: Interim Supplementary Guidance (2011 Update) is given below.

TABLE 2 – SUMMARY OF ENVIRONMENTAL EFFECTS

The Houses in Multiple Occupation: Interim Supplementary Guidance will form part of the Highland wide Local Development Plan (HwLDP) which has been subject to Strategic Environmental Assessment and in doing so this guidance has effectively also been assessed.

The Highland Council do not believe that this guidance will have a significant environmental impact as it purely gives guidance and interpretation of Policy 34: Houses in Multiple Occupation of the Highland wide Local Development Plan, in terms of excessive concentration and affects HMOs may have on amenity. The reason that this is to be included in Supplementary Guidance rather than the plan itself is to ensure the development of a succinct local development plan and to ensure that the most relevant and up to date guidance on HMOs can be included as a statutory part of the HwLDP, rather than being reviewed with the HwLDP on a 5 year cycle.

The SG will have a slight positive impact upon the built environment by guiding and controlling levels of HMO concentration that would otherwise be difficult to prevent from becoming excessive. It will aim to mitigate potentially negative impacts from HMOs through the consideration of appropriate issues at a planning application stage. In particular, the SG will aim to protect established communities from potentially adverse impacts. Additional protection will be afforded to general population and the wider environment through measures to ensure a high standard of residential amenity is on offer.

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 houses in multiple occupation 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

Houses in Multiple Occupation: Supplementary Guidance

RESPONSIBLE AUTHORITY

The Highland Council

DATE COMMENTS RECEIVED FROM CONSULTATION AUTHORITIES

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

GUIDANCE NOTE	
It is not a 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 (PPS)	
Houses in Multiple Occupation: Supplementary Guidance	
RESPONSIBLE AUTHORITY	
The Highland Council	
1	
Responsible Authority and Consultation Authorities in agreement – PPS <i>is</i> likely to have significant environmental effects	
Date of determination	
2	
Responsible Authority and Consultation Authorities in agreement – PPS <i>is not</i> likely to have significant environmental effects	
Date of determination	
3	
Responsible Authority and Consultation Authorities cannot reach agreement – referred to the Scottish Ministers for their determination	
Date referred to the Scottish Ministers	
4	
Scottish Ministers' determination	
Date of determination	
5	
Publicity requirements met	<div style="border: 1px solid black; padding: 2px 10px;">YES</div> <div style="border: 1px solid black; padding: 2px 10px;">NO</div>
6	
Signature	
Date	

