



**Strategic Environmental Assessment
Screening Report and Determination**

**Non- Statutory
Planning Guidance - Minerals
2017**

August 2016

If you want this information in a different format or language, phone 0303 123 1015 or email equalities@southlanarkshire.gov.uk

Cover note

Part 1

To: SEA.gateway@gov.scot
or
SEA Gateway
Scottish Government
Area 2H South
Victoria Quay
Edinburgh EH6 6QQ

Part 2

An SEA Screening Report is attached for the Plan, entitled:

Non-Statutory Planning Guidance - Minerals

The responsible Authority is:

South Lanarkshire Council

Complete part 3 or 4 or 5

Part 3

Please tick the appropriate box

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 days timescale for views from the Consultation Authorities cannot be guaranteed

Part 5

None of the above apply
 We have prepared this screening report because:

Part 6

Contact name

Job title

Contact address

Contact phone

Contact email

Part 7

Signature
(electronic signature is acceptable)

Date

SEA Screening Report

South Lanarkshire Council has undertaken screening for the proposed Non-Statutory Planning Guidance - Minerals with regard to the requirements of section 9 of the Environmental Assessment (Scotland) Act 2005. The Screening Report has been submitted to the Scottish Government's SEA Gateway, setting out the views of South Lanarkshire Council on the likelihood of significant environmental effects for the proposed guidance and the potential for requiring an SEA.

1. Key facts

Responsible authority

South Lanarkshire Council

Title of Plan

Non-Statutory Planning Guidance – Minerals

Purpose of Plan

It will provide detailed guidance on how the Council will assess minerals applications within South Lanarkshire. This Planning Guidance will be non-statutory.

What prompted the Plan

In June 2017 it will be five years since the adoption of the current South Lanarkshire Minerals Local Development Plan (SLMLDP). The Council, however, has decided not to replace the current SLMLDP but rather to include policy guidance on minerals within the new South Lanarkshire Local Development Plan (SLLDP2). This policy will also be supported by statutory Supplementary Guidance. Work has recently started on the preparation of SLLDP2 and it is currently anticipated that the Main Issues Report should be published early in 2017. Thereafter, a Proposed Plan will be prepared and approved by October 2017 with the Plan and its associated Supplementary Guidance adopted in 2020.

In lieu of opting not to replace the SLMLDP when it expires and pending the approval of the Proposed Plan, the Council proposes to produce non-statutory planning guidance on minerals developments which would also be a material consideration in the determination of relevant planning applications within the interim period of June to October 2017.

Plan subject

Planning - Minerals

Period covered by the Plan

The Guidance will be interim until the forthcoming proposed SLLDP2 is published (in October 2017); and subsequently the plan, plus its associated Supplementary Guidance, is adopted.

Frequency of updates

It is proposed that the Guidance will be used to provide interim advice on how the Council will assess applications for minerals applications pending the publication of the proposed SLLDP2.

Area covered by the Plan

The Strategy will cover the whole geographical area of South Lanarkshire (1,772 km²).

Summary of nature/content of the Plan

The Non-Statutory Planning Guidance – Minerals will provide guidance on how mineral planning applications would be considered and assessed by the Council. It will be a material factor in the determination of these applications.

It is anticipated that it would effectively reiterate the current minerals policies within the current Minerals Local Development Plan and not introduce new policies or coverage. It would also take cognisance of any relevant policies and Supplementary Guidance within the current adopted SLLDP.

Date

23 June 2016

2. Consideration of the likely significant environmental effects

Our determinations regarding the likely significance of effects of the Non-Statutory Planning Guidance - Minerals on the environment of South Lanarkshire are set out below. The screening was undertaken with reference to the criteria in Schedule 2 of the 2005 Act.

Title of plan/programme/strategy		
Non-Statutory Planning Guidance - Minerals		
Responsible Authority		
South Lanarkshire Council		
Criteria for determining the likely significance of effects on the environment (para numbers refer to Schedule 2 of the Act)	Likely to have significant environmental effects? (Yes/No)	Summary of significant environmental effects (positive and negative)
The characteristics of plans and programmes		
1(a): The degree to which the Strategy sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	No	Minor positive effects The Planning Guidance – Minerals is non statutory. It will provide interim guidance on how the Council will assess applications. It will not change current policies set out within the SLMLDP other than minor changes required to reflect policy wording within the SLLDP, nor will it detract from the policy approach taken in the current SLLDP, both of which have undergone SEA.
1(b): The degree to which the Strategy influences other PPS including those in a hierarchy	No	Minor positive effects It sits under the hierarchy of the SLLDP and the Glasgow and the Clyde Valley Strategic Development Plan. It will also be influenced by the Council Plan 'Connect' and aligns with the Council's Sustainable Development Strategy. All these Strategies and Plans have undergone separate SEAs and the Guidance could take cognisance of any important findings from these assessments, where appropriate.
1 (c): The relevance of the Strategy for the integration of environmental considerations in particular with a view to promoting sustainable development	No	Minor positive effects It will influence decisions around minerals development and promote sustainable development in appropriate locations, whilst protecting natural and built heritage resources.
1(d): Environmental problems relevant to the	No	Minor positive effects It could take due regard to the environmental

Strategy		factors identified within the SEA of the current SLMLDP and the SLLDP. It could also take cognisance of the relevant mitigation and enhancement measures identified in these assessments.
1(e): The relevance of the Strategy for the implementation of Community legislation on the environment (e.g. PPS linked to waste management or water protection)	No	None identified.
Characteristics of the effects and of the area likely to be affected		
2(a): The probability, duration, frequency and reversibility of the effects	No	None identified.
2(b): The cumulative nature of the effects	No	Cumulative effects were considered in the SEA of the SLMLDP and the SLLDP. No further effects have been identified.
2(c): Trans-boundary nature of the effects (i.e. environmental effects on other EU Member States)	No	None identified.
2(d): The risks to human health or the environment (for example, due to accidents)	No	None identified.
2(e): The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	No	It will only apply to the geographical area of South Lanarkshire.
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	It is not anticipated to identify any additional effects other than those assessed within the SEA of the SLMLDP.
2(g); The effects on areas or landscapes which have a recognised national, Community or international protection status	No	It is not anticipated to identify any additional effects other than those assessed within the SEA of the SLMLDP. There are no landscapes in South Lanarkshire which have a recognised national, Community or international protection status.

3. Summary of environmental effects

The Non-Statutory Planning Guidance - Minerals will be informed by other policies, plans and strategies, all of which have undergone SEA. These are:

Council Plan	- (SEA\00572)
Minerals Local Development Plan	- (SEA\00411)
Local Development Plan	- (SEA\00672)
Sustainable Development Strategy	- (SEA\00580)

The Council does not consider that new significant environmental effects will be identified through the preparation and implementation of the Guidance. As it is an interim measure no new effects are anticipated. The Guidance would have due regard to the Consultation Authorities comments received during consultation on the Environmental Report for the SLMLDP and for the Reporter's recommendations prior to post adoption. Due regard will also be taken of the identified mitigation and enhancement measures as set out in the SEA Post Adoption Statement of the SLMLDP and any relevant measures within the SEA of the SLLDP, and of the findings from the SEAs of the plans and strategies listed above.

It is considered that no additional effects from the Guidance will be evident and therefore effects will not be significant, cumulative or trans-boundary in nature, with no additional risk identified to either human health, natural or historic and/or the wider environment.

In light of this the Council seeks the views of the Consultation Authorities on the requirement for SEA on the Non-Statutory Planning Guidance - Minerals. If SEA is considered necessary, the Council would appreciate views as to the extent of future assessment.

Record of comments from consultation authorities

Title of plan, programme or strategy

Non-Statutory Planning Guidance - Minerals

Responsible authority

South Lanarkshire Council

Summary of consultation authority comments

Historic Environment Scotland

Date comments received	Significant environmental effects	If Yes, note SEA topics/ issues here
18 July 2016	No	It is my understanding that the Non Statutory Planning Guidance on Minerals (the PG) will be interim guidance, created to replace the current South Lanarkshire Minerals Local Development Plan (SLMLDP). It will be in place until it is replaced by policy and supplementary guidance on minerals, which will form part of the South Lanarkshire Local Development Plan 2 (SLLDP2). The PG will reiterate current minerals policies (which have been subject to SEA) and will not introduce new policy. You consider that there will not be significant environmental effects as a result of the PG. I agree that it is unlikely that the PG itself will have significant environmental effects on the historic environment.

Scottish Environment Protection Agency

Date comments received	Significant environmental effects	If Yes, note SEA topics/ issues here
18 July 2016	No	Having reviewed the Screening Report, we consider that in respect of our main areas of interest (air, water, soil, human health, material assets (of which we have a specific interest in waste) and climatic factors) the guidance is unlikely to have significant environmental effects.

Scottish Natural Heritage

Date comments received	Significant environmental effects	If Yes, note SEA topics/ issues here
18 July 2016	No	We understand that the document will be interim guidance until the forthcoming proposed South Lanarkshire LDP2 is published and, together with its associated Supplementary Guidance, subsequently adopted. We fully understand that the guidance will reiterate the current policies of the existing Minerals Local Development Plan, will not introduce new policies or coverage and that the Minerals LDP itself was subject to a full SEA. On this basis we agree that the above Plan is not likely to have significant environmental effects.

Record of determination and post screening action

Title of plan, programme or strategy

Non-Statutory Planning Guidance - Minerals

Responsible authority

South Lanarkshire Council

Record of determination

In accordance with section 9(1) of the 2005 Act South Lanarkshire Council submitted for consultation a screening report summarising its views as to whether the Non-Statutory Planning Guidance - Minerals will have significant environmental effects. In formally determining whether an SEA is required, the Council has taken into account the views of the Consultation Authorities. South Lanarkshire Council and the Consultation Authorities are in agreement that the Non-Statutory Planning Guidance - Minerals is **unlikely** to have significant environmental effects.

Formal determination	Statement of reason	Date
The Non-Statutory Planning Guidance – Minerals is unlikely to have significant environmental effects and therefore an SEA will not be undertaken	No additional significant environmental impacts are likely to arise as result of the guidance beyond those already identified through the SEA of South Lanarkshire Minerals Local Development Plan.	18 August 2016

Publicity requirements for the determination

In accordance with section 10(1) of the 2005 Act, within 28 days of the determination having been made, the Council will send a copy of the formal determination and related statement of reasons (prepared in accordance with section 8(2)(b)) to the Consultation Authorities.

Have the above requirements been undertaken? **Yes**

In accordance with section 10(2) of the 2005 Act, within 14 days of the determination having been made, the Council will make available to the public a copy of the determination and related documents (this must include; a copy publicly available at the principal office, a copy displayed on the Council's website and a notice secured in at least one newspaper circulated in the area relating to the PPS).

Have the above requirements been undertaken? **Yes**

Lindsay Freeland
Chief Executive

18 August 2016