**PRE-SCREENING**

**NOTIFICATION**

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| **SEA PRE-SCREENING DOCUMENT** | | |
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| **Responsible Authority:** | [Box 1.](#Box1)  Inverclyde Council |
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| **Title of the plan:** | [Box 2.](#Box2)  Inverclyde Local Housing Strategy 2023-2028 |
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| **What prompted the plan:**  (e.g. a legislative, regulatory or administrative provision) | [Box 3.](#box3)  The Housing (Scotland) Act 2001 (‘the 2001 Act’) places a statutory  requirement on local authorities to produce a LHS that sets out its strategy,  priorities and plans for the delivery of housing and related services. The  2001 Act states that the LHS must be supported by an assessment of  housing provision including the need and demand for housing and related  services, that it must be submitted to Scottish Ministers, and that local  authorities must keep their LHS under review.  The previous Inverclyde Local Housing Strategy covered the period 2017 to 2022 and a new strategy is now required to cover the period 2023-2028 |
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| **Plan subject:**  (e.g. transport) | [Box 4.](#box4)  Housing and related services (i.e. not one of the sectors explicitly outlined in the  2005 Act). |
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| **Brief summary of the plan:**  (including the area or location to which the plan related) | [Box 5.](#box5)  The Local Housing Strategy (LHS) sets out the strategic direction, policies and plans that will enable Inverclyde Council and partners to deliver high quality housing and housing services to meet the needs of local people across all housing tenures. The LHS also sets out the important contribution that housing makes to enabling economic growth and regeneration, improving health and wellbeing, creating connected and sustainable places, reducing climate change and tackling poverty across Inverclyde. |
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| **Brief summary of the likely environmental consequences:**  (including whether it has been determined that the plan is likely to have no or minimum effects, either directly or indirectly) | [Box 6.](#box6)  Given the LHS relationship with the Local Development Plan (LDP), it is the informal view of the SEA Gateway, that generally only a pre-screening notification would be required for a LHS. This is based on the assumption that all decisions and options surrounding housing would be assessed and consulted upon through the LDP process and so can avoid potential assessment duplication (Scottish Government, Local Housing Strategy Guidance, 2019). The LDP therefore serves as a delivery mechanism for new housing via the assessment of sites which are suitable and allocated for the delivery of housing.  A Strategic Environmental Assessment scoping report was prepared to support the Inverclyde Local Development Plan, Proposed Plan 2021, which set out the methodology for undertaking the environmental assessment of the LDP.  The report submitted to the consultation authorities (Scottish Environment Protection Agency, NatureScot and Historic Environment Scotland) on 9 September 2021. A summary of their comments and the Council’s  response to them is set out in Appendix A of the scoping report.  The decision by the Court of Session in July 2020 to uphold an appeal by various parties against Inverclyde Council and Scottish Ministers, brought under section 238 of the Town and Country Planning (Scotland) Act 1997, resulted in chapter seven of the proposed Inverclyde LDP, ‘Homes and Communities’, being quashed. The removal of chapter seven meant that the Plan did not, to a large extent, provide a planning policy and land allocation context for directing housing and community facility development to sustainable locations. Without the  preparation of a new Plan, to include housing policies and land allocations, there was a risk that housing development could be located in areas where it would have significant adverse impacts on a number of environmental topics. For example, large scale housing development in the greenbelt could have  significant negative effects on biodiversity, water, landscape, soil, climatic factors and soil.  After taking account of consultation comments on the Main Issues Report and the Interim Environmental Report, a Proposed Plan was prepared. The Proposed Plan is the Councils settled view on what the LDP should look like. The Proposed Plan is accompanied by the Environmental Report, which identifies significant effects and suitable mitigation and enhancement measures. The Proposed Plan, supporting document and Environmental Report were published for a 7 week consultation on the 17th May 2021. |
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| **Date of opinion:** | 28/07/2023 |
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| When completed send to: [SEA.gateway@scotland.gsi.gov.uk](mailto:SEA.gateway@scotland.gsi.gov.uk) or to SEA Gateway, Scottish Government, Area 2H (South), Victoria Quay, Edinburgh, EH6 6QQ | |

**Completion guidance (Please delete before submission)**

**Link to SEA Guidance:** [**http://www.gov.scot/Resource/0043/00432344.pdf**](http://www.gov.scot/Resource/0043/00432344.pdf)

Please note: (A) The plan has to fall into Section 5(4) of the Environmental Assessment (Scotland) Act 2005 & (B) you should apply the criteria specified within Schedule 2 of this Act to reach a conclusion on no or minimal environmental effects: [www.legislation.gov.uk/asp/2005/15/contents](http://www.legislation.gov.uk/asp/2005/15/contents) ***(delete this note before submission)***

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| Box 1 | Name of the organisation that is responsible for the plan.  **Note:** The Responsible Authority is any person, body or office holder exercising functions of a public character. Where more than one authority is responsible for a plan they should reach an agreement as to who is responsible for the SEA. Where an agreement cannot be reached, the Scottish Ministers can make the determination (Extract from SEA Guidance: Glossary (Page 50)). |
| Box 2 | Name of the plan.  **Note:** The 2005 Act applies to plans which relate to matters of a public character. The term ‘plan’ within guidance also covers policy, programme and strategy (Extract from SEA Guidance: Glossary (Page 50)). |
| Box 3 | In terms of pre-screening, knowing why a plan is being produced is one of the key components in understanding whether exemption is an option. |
| Box 4 | The 2005 Act outlines the sectors as agriculture, forestry, fisheries, energy, industry, transport, waste management, water management,  telecommunications, tourism, town & country planning and land use. |
| Box 5 | The name of the plan alone can seldom offer sufficient information to understand what it covers and why it has been considered suitable for pre-screening.  The description of the plan being pre-screened has to contain sufficient information to allow those reading the notification to understand the objectives of the plan and how the Responsible Authority aims to deliver them. Brief descriptive information such as the area or location of the plan is required by the 2005 Act, but it can also prove helpful to include additional information in a summary, such as whether the plan is expected to improve or strengthen the current approach, the reason the plan is being prepared, who it would apply to and the timescale for delivery. This type of information can help paint a clear picture of whether pre-screening was suitable in the circumstances. |
| Box 6 | As only those plans that have no or minimal effects on the environment can be pre-screened, it is important for a Responsible Authority to use the criteria detailed in [Schedule 2 of the Environmental Assessment (Scotland) Act 2005](http://www.legislation.gov.uk/asp/2005/15/schedule/2) as a guide to providing a description of the likely environmental effects. This approach supports the transparency of the assessment process, whilst helping to ensure Responsible Authorities remain compliant with the requirements of this self-exemption route.  Similarly to Box 5 above, it can prove helpful if a Responsible Authority provides additional information, such as a summary of the reasons why the plan will have no more than minimal effects on the environment, including any intrinsic mitigation, as well as any existing or future assessment needs within the plan hierarchy.  In those cases where a Responsible Authority is uncertain of the scope of the likely environmental effects, pre-screening is not recommended. In this scenario, screening the plan is likely to be a better option. |