

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017  
SCOTTISH GOVERNMENT CIRCULAR 1/2017**

**RESPONSE OF SOUTH AYRSHIRE COUNCIL TO A REQUEST FOR A SCREENING OPINION SUBMITTED UNDER  
THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017  
THE PROPOSED DEVELOPMENT SITE IS LOCATED AT HOWMOOR QUARRY, MAYBOLE, SOUTH AYRSHIRE**

The proposal is for the recommencement of the winning and working of hard rock, whinstone, at Howmoor Quarry 2.3km to the north-west of Maybole. The proposed development site extends to approximately 2.45 hectares inclusive of access. The proposal is Schedule 2 development under the terms of the above Regulations (qualifying under category 2(a)) and must therefore be screened in order to determine whether the proposal constitutes 'EIA development'.

This determination is referred to as a '**screening opinion**'. In each case, the basic question to be asked is: 'would this particular development be likely to have significant effects on the environment?'

For many, perhaps most, types of development, its characteristics require consideration in combination with its proposed location in order to identify the potential for interactions between a development and its environment and therefore determine whether there are likely to be significant environmental effects. In determining whether a particular development is likely to have such effects, the Council has taken account of the selection criteria in Schedule 3 to the Regulations (reproduced at Annex A to Circular 1/2017). Three categories of criteria are listed:-

- Characteristics of the development
- Location of the development
- Characteristics of the potential impact

Consideration of the third of these categories is designed to help in determining whether any interactions between the first two categories (i.e. between a development and its environment) are likely to be significant.

The content of this checklist meets the requirements of the Town and Country Planning (Environment Impact Assessment) (Scotland) Regulations 2017 – Schedule 3 selection criteria for screening Schedule 2 development.

	Yes/No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
<b>1. Characteristics of development</b>			
<b>(a) Size and design of the development</b>			
Will the development be out of scale with the existing environment?	Yes	The three phases of extractive operations proposed would culminate in a quarry floor of 200	No, owing to site history as a former quarry, the time-limited nature of the works and the prospects and intent

	Yes/No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
		AOD (Above Ordnance Datum)	for the restoration of the site upon completion of works
Will it lead to further consequential development or works (e.g. new roads, extraction of aggregate, generation or transmission of power)?	Yes	Extraction recommencement is intended to supply and therefore facilitate the A77 bypass upgrade, and the proposal itself necessitates upgrades to the adjacent public unclassified road to include passing places	No, the A77 bypass upgrade will be implemented even if aggregate demand is met by more distant sources; whilst the passing places will be of minor consequence so long as the adjacent local service reservoir is not compromised
<b>(b) Cumulation with other existing/approved development</b>			
Are there potential cumulative impacts with other existing development or for proposed development in the planning system?	Yes	Noise, air quality and traffic movement impacts will all cumulate in combination with the bypass works	No, as both works will be time-limited and comparable localised traffic impacts would occur as a result transporting aggregates in from elsewhere
Should the application for this development be regarded as an integral part of a more substantial project? If so, can related developments which are subject to separate applications proceed independently?	Yes	Extraction recommencement is intended to supply and therefore facilitate the A77 bypass upgrade, however the A77 bypass upgrade will be implemented even if aggregate demand is met instead by more distant sources	No, as both works will be time-limited and comparable localised traffic impacts would occur as a result transporting aggregates in from elsewhere
<b>(c) Use of natural resources</b>			
Will construction or operation of the development use natural resources i.e. land (especially undeveloped or agricultural land)? <ul style="list-style-type: none"> <li>• water or fisheries?</li> <li>• minerals or aggregates?</li> <li>• agriculture, forests and timber?</li> <li>• energy including electricity and fuels?</li> <li>• any other resources?</li> </ul>	Yes	The extraction proposed will consume whinstone reserves on-site, and the extraction and processing methods will be energy-intensive	No, owing to site history as a former quarry, the time-limited nature of the works and the prospects and intent for the restoration of the site upon completion of works
<b>(d) Production of waste</b>			
Will the development produce wastes during construction or operation or decommissioning?	Yes	It is assumed there will be tailings and waste water as a result of extractions and crushing / processing	No, owing to site history as a former quarry, the time-limited nature of the works and the prospects and intent for the restoration of the site upon completion of works
<b>(e) Pollution and nuisances</b>			
Will the development cause noise and vibration or release of leachates, light, heat energy or electromagnetic radiation during construction, operation or decommissioning?	Yes	Noise, vibration and air pollution will be the significant nuisances generated on-site both in general operation and particularly during the	Yes, blasting will cause a wide-reaching noise and vibration nuisance the latter of which is of especial concern in context of the immediate proximity of the

	Yes/No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
		requisite occasional blasting procedures	scheduled monument SM2193, Howmoor Quarry dun
<b>(f) Risk of major accidents and/or disasters relevant to project concerned (including climate change-caused)</b>			
Will there be a risk of accidents during construction or operation of the development which could have effects on people or the environment?	Yes	There will be heavy machinery, transport and mobile processing plant on site all of which present danger and accident hazard	No, these risks will stand to be managed in accordance with industry standards and due protocol in safe working practice
<b>(g) Risks to human health</b>			
Will construction or operation of the development give rise to risks to human health, for example due to: <ul style="list-style-type: none"> <li>• water contamination?</li> <li>• Air pollution?</li> </ul>	Yes	There is some concern over leaching of surface-borne pollutants occurring from the development, according to BGS groundwater vulnerability data for the site and its immediate surrounds. Winning and working activities will generate substantial dust volumes.	No, these risks will stand to be managed in accordance with industry standards and due protocol in safe working practice
<b>2. Location of the Development</b>			
<b>(a) Existing and approved land use</b>			
Are there existing land uses on or around the location which could be affected by the development, e.g. undeveloped land, greenfield land, homes, other private property, industry, commerce, tourism and recreation, public open space, community facilities, agriculture, forestry, tourism, water catchments, functional floodplains, mining or quarrying?	Yes	Immediately adjacent land is in agricultural use, while there are several farm-based residences within intermediate proximity of the site – the nearest of which is some 620m distant.	No, negative effects will stand to be managed in accordance with industry standards and due protocol in safe working practice – whilst the development management process should be sufficient to secure mitigating measures proposed to the degree deemed appropriate, eg operating hours, notice of blasting.
<b>(b) Relative abundance, quality and regenerative capacity of natural resources in the area / underground</b>			
Are there any areas on or around the location which contain important, high quality or scarce resources which could be affected by the development?	No	N/A	
<b>(c) Absorption capacity of the natural environment</b>			
Are there any wetlands, riparian areas or river mouths which may be affected?	Yes	There are upland stream courses running towards the vicinity of the proposed development from the hillsides to the north	Potentially; whether such watercourses were diverted away from the quarry workings or not, any interactions may exacerbate groundwater vulnerability to percolation of surface pollutants. Diversion may have

	Yes/No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
			consequent impact upon adjacent receiving land.
Are there costal zones / marine environment receptors which may be affected?	No	N/A	
Are there any nature reserves and parks which may be affected?	Yes	Provisional wildlife site no.69 – Carrick Hills – is set approximately 900m to the north-west of the proposed development, at its nearest point. In terms of protected natural heritage resources, the existing disused quarry face may currently present a habitat for European protected species.	Yes. Whilst the wildlife site boundary is likely sufficiently remote and disconnected from the proposed development site to suggest significant connectivity, the likely potential habitat of the site for European Protected Species – particularly bats – is a significant concern which warrants comprehensive investigation.
Are there any European sites or other areas classified or protected under national legislation, which may be affected?	Yes	Scheduled Ancient Monument SM2193, Howmoor Quarry dun is a prehistoric domestic / defensive dun situated 63m SW of the quarry site	Yes, there is concern over likely significant effects arising both from: the potential for serious impairment of the scheduled monument's setting by virtue of both the substantial expansion of worked quarry area and the additional depth of the quarry floor, and noting this same setting is within a notably open landscape of a coastal headland character; and the immediate vicinity to the site and therefore the source of blasting which may weaken the form and structure of the monument
Does the location include or affect areas in which there has already been a failure to meet relevant environmental quality standards (laid down in Union legislation and relevant to the project), or in which it is considered that there is such a failure?	No	N/A	
Is the development in a location where it is likely to be highly visible to many people?	Yes	The upland contours of the site are such that it sits above, and largely beyond view from, the nearest public roads to the SW (A719) and East (unclassified; National Byway at Preaching Brae).	No; whilst it is noted that the unclassified road to the East forms part of the National Byway (representing a tourist and leisure resource), the site will form a fleeting setting from same, and only in passing.
Are there landscapes and sites of historical, cultural or archaeological significance which may be affected?	Yes	There is an archaeological trigger zone pertaining to the Scheduled Ancient Monument referenced above. The location and surrounding landscape is covered by Scenic Area status as designated in the South Ayrshire Local Development Plan	Yes, there is concern over likely significant effects upon the scheduled monument arising both from: the potential for serious impairment of the scheduled monument's setting by virtue of both the substantial expansion of worked quarry area and the additional depth of the quarry floor, and noting this same setting is

	Yes/No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
			within a notably open landscape of a coastal headland character; and the immediate vicinity to the site and therefore the source of blasting which may weaken the form, structure and integrity of the monument

## **Conclusions**

The checklist is a useful tool for the purposes of identifying the wide range of environmental receptors which could be affected by proposed development. The main effects arising from the checklist are:

- Potential impact upon and indeed any disruption to any European Protected Species which may be established to have made habitat on the site as existing
- Scheduled monument impact, in terms of both setting and physical integrity
- Air and noise pollution, and traffic movement impact; especially insofar as cumulating with same arising from the associated trunk road upgrade which provides the context for this proposed development
- Landscape impact: visual effect, taking cognisance of landscape character / scenic area designation, in combination with prominent cycle route / access status of unclassified road
- Hydrogeology impact: groundwater sensitivity to leachate of surface pollutants arising from extractive operations, especially in conjunction with any interactions with / interventions upon water shedding towards the site from hillside streams to the north
- Periodically significant and/or ongoing impact, most especially noise, upon residential receptors within reasonable proximity of the application site

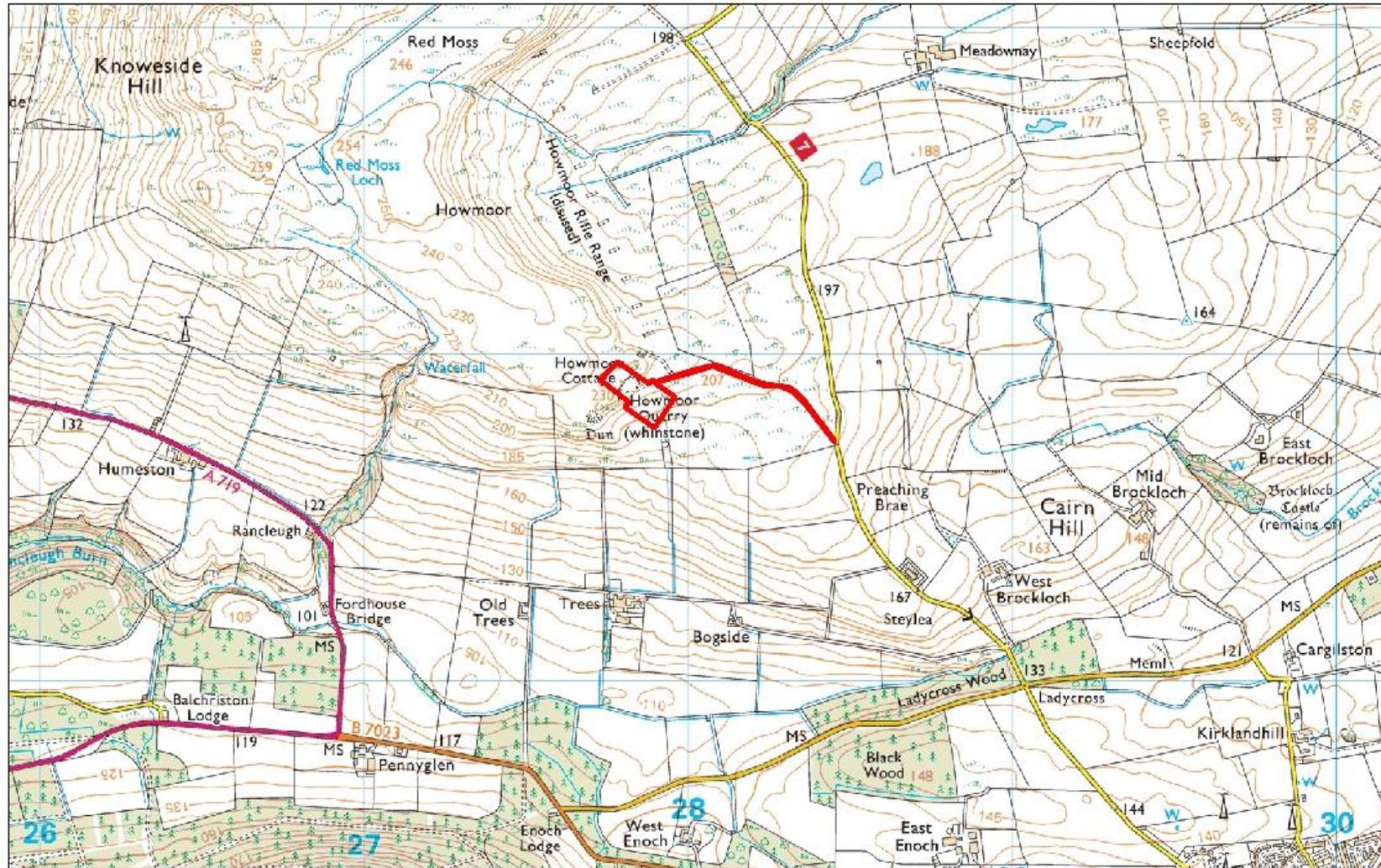
The following assessment considers characteristics of the potential impact – a function of the relationship between a proposed development and its location – which are considered most significant. These are centred upon impacts on the adjacent scheduled ancient monument. There is concern that the monument's particularly acute proximity to the proposed development site significantly heightens its sensitivity to the proposals especially as contextualised in conjunction with the scale of the proposed works; the proportional extent of the expansion of the worked area relative to the disused site as-is; that such expansion will be occurring in a direction more directly exposed to and from the scheduled monument's situation; and the notable openness of the coastal headland landscape which provides the monument's setting and in which this expansion of operations and site extent will occur. Additionally, the multiple nature of the impact – upon both the monument's setting, and on its likely significant exposure to physical forces which may weaken or undermine it physically, especially were blasting to trigger localised subsidence in adjacent landforms / levels – further compounds the concern.

It is clearly stated within the EIA Circular 1/2017 that the more environmentally sensitive the location, the more likely it is that the effects will be significant and will require EIA. A Scheduled Monument receives definition as a 'sensitive area' within the EIA Regulations, and special consideration applies to such areas extending to 'any connectivity where a proposal is located close to, but not in, a sensitive area'. Furthermore, in having taken account of the information supplied in accompaniment to the screening request, it is incumbent on the planning authority to 'interpret this in light of the precautionary principle' – particularly to the effect that uncertainty in relation to environmental impact may in fact contribute to cases 'where the uncertainties are such that Environmental Impact Assessment is required'.

In summary, the development's clear, extensive and varied connectivity to the scheduled monument's setting and structure, and the 'sensitive area' status of this receptor, sufficiently increases the likelihood of significant environmental effects as a consequence, and further merits invocation of the precautionary principle in connection with uncertainties over the severity of potential physical impacts from blast shock – especially given that effects arising from the latter were only discussed in relation to more distant residential receptors, in the information supplied accompanying the screening request.

From the above assessment undertaken in accordance with the Regulations and Circular 1/2017, the Council concludes (with particular reference to the justification outlined above) that the proposed development at Howmoor Quarry, South Ayrshire, as shown on the map attached to this document, is likely to result in effects on the environment which are sufficiently significant to require the submission of an EIA Report.

**In consequence the Council is of the opinion that the proposed development qualifies as EIA development.**



### Howmoor Quarry, NW of Maybole

Scale 1:15000@ A4



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