

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

**RESPONSE OF SOUTH AYRSHIRE COUNCIL TO A PLANNING APPLICATION (18/00554/APP) SUBMITTED WITHOUT AN EIA REPORT.
THE PROPOSED DEVELOPMENT FALLS WITHIN THE SCOPE OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT
ASSESSMENT) (SCOTLAND) REGULATIONS 2017 AND MUST THEREFORE BE CONSIDERED IN TERMS OF THE NEED TO BE ACCOMPANIED BY
AN EIA REPORT.**

THE PROPOSED DEVELOPMENT SITE IS LOCATED AT WEST PARK FARM, COYLTON, SOUTH AYRSHIRE

The proposal is for the erection of a poultry shed, feed silos, fencing and entrance hut at West Park Farm, Coylton. The proposed development site extends to approximately 4.22 hectares inclusive of access as taken from the A70. The applicant’s agent has clarified the proposal’s numerical poultry housing capacity as 32,000 laying hens and on this basis it is ascertained the proposal does not qualify as Schedule 1 development under Schedule 1 of the above Regulations; category 17, threshold (a). Consequently the proposal is instead Schedule 2 development under the terms of the above Regulations (qualifying under category 1(c)) 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).

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1. Characteristics of development			
(a) Size and design of the development			
Will the development be out of scale with the existing environment?	Yes	The proposal comprises a particularly large steel-framed agricultural shed and a concrete-walled silage tank introducing a very substantial built mass within a rural, rolling agricultural setting.	No; whilst the shed is of considerable bulk and monotonous form – and its atypical size exacerbates the prominence and intensity of this – it is nevertheless a typical agricultural installation and remains identifiable as such. Furthermore its proposed situation integrates it sensibly between the existing farm steading cluster and the lower-lying, tree-lined burn to the north-west, thus mitigating effects.
Will it lead to further consequential development or works (e.g. new roads, extraction of aggregate, generation or transmission of power)?	Yes	Consequential works will be limited to those within the confines of the application site and those necessary and ancillary to the principal proposal elements. Of particular note amongst these are the sizeable hardstanding apron surrounding the proposed shed; run-off drainage solutions by way of swale; subterranean slurry collection tanking; and gravity-fed foul drainage system with an outfall to the adjacent burn.	No; whilst the sheer scale of the proposal relative both to local agribusiness norms and the size of the accommodating field will entail a substantial disruption to the natural absorption capacity of the field in its current baseline (arable) condition, and logically likely increase the stress / demand placed upon the burn and its carrying capacity, it is considered these effects are of a scale and level of significance best assessed through the development management process.
(b) Cumulation with other existing/approved development			
Are there potential cumulative impacts with other existing development or for proposed development in the planning system?	Yes	There is a potential that wind-borne smell nuisance originating from the proposal could cumulate with the adjacent sewage works	Given uncertainty surrounding the likelihood of the effect and the extent to which cumulative impact may arise, effects are not considered likely to be significant however it would be prudent to ask for expert comment to clarify this view as part of a consultation request to Environmental Health
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?	No	N/A	

(c) Use of natural resources			
<p>Will construction or operation of the development use natural resources i.e. land (especially undeveloped or agricultural land)?</p> <ul style="list-style-type: none"> • water or fisheries? • minerals or aggregates? • agriculture, forests and timber? • energy including electricity and fuels? • any other resources? 	Yes	<p>The proposed development will utilise energy during construction in both the building processes and the energy and resources embodied within the building materials. The site will occupy and encroach upon presently undeveloped 3.2-class agricultural land. Agricultural machinery and vehicles will variously consume fuels and lighting/cooling/ventilation apparatus in particular will cumulatively draw a very high electrical load in operations pertaining to the poultry shed, and poultry farming at this intensity will inherently consume significant continuous volumes of processed feedstock.</p>	<p>No, the land being conceded to development is not prime-quality agricultural land and the end-use remains inherently agricultural, albeit of a decidedly intensive/industrial scale with an attendant concentrated consumption of resources.</p>
(d) Production of waste			
<p>Will the development produce wastes during construction or operation or decommissioning?</p>	Yes	<p>Wastes will be producing during construction and occupation / operation of the development site. In particular, poultry are a major source of emitting ammonia and hydrogen sulphide which act as toxic smell nuisances and human health risks and in the case of ammonia and indirect greenhouse gas. Furthermore, slurry leachate from the subterranean conditions of the slurry tank is a potential pollutant which must be controlled, as is the waste sewage to be treated in the gravity-fed treatment system. Diffuse pollution from poultry manure excreted throughout the range area may percolate and cause ground / groundwater contamination at and below the field surface, as well as cause polluting run-off downhill towards the burn.</p>	<p>No, these matters will stand to be managed in accordance with prevailing agricultural best practice and it is noted that the slurry tank at underground level is to be an integral, fully connected part of the farm's existing slurry system. It is considered that assessment through the development management process is best-placed to ensure that the relevant safeguarding of the water environment is secured by way of proposal detail.</p>

(e) Pollution and nuisances			
Will the development cause noise and vibration or release of leachates, light, heat energy or electromagnetic radiation during construction, operation or decommissioning?	Yes	There will be temporary construction noise but moreover ongoing noise, heat, smell and gaseous emissions from the poultry occupying the agricultural shed. See (d) above re: leachates. Light pollution and (waste) heat energy will be emitted as by-products of powering the lighting and ventilation/cooling arrangements implemented to maintain an appropriate indoor environment for the poultry.	No, although consultation with Environmental Health is strongly recommended as part of the planning application assessment process.
(f) Risk of major accidents and/or disasters relevant to project concerned (including climate change-caused)			
Will there be a risk of accidents during construction or operation of the development which could have effects on people or the environment?	Yes	During construction there will be machinery, transport and construction equipment/materials on site which all present danger and accident hazard. Operation will present occupational hazard owing to the irritant and toxic nature of the gaseous emissions produced by and concentrated within an industrial-scale poultry farming environment, and the aforementioned biosecurity considerations / risks.	No, these risks will stand to be managed in accordance with industry standards and due protocol in safe agricultural working practice
(g) Risks to human health			
Will construction or operation of the development give rise to risks to human health, for example due to: <ul style="list-style-type: none"> • water contamination? • Air pollution? 	Yes	Operation will present health hazard owing to the nature of handling and working with animals; ensuring their proper care including management and treatment re: risk of diseases etc. There are biosecurity risks in highly intensive, concentrated poultry operations re: disease spread, bioaccumulation and antibiotic resistance. NH ₃ (ammonia) emissions indirectly exacerbate GHG effect. Groundwater and watercourse contamination is both a natural and human risk in the event of spillages / infrastructure (tank/piping) leaks when handling and disposing of slurry and waste leachate. Air pollution arising from poultry farming emissions (particularly arising from poultry manure) is a	No, these risks will stand to be managed in accordance with industry standards and due protocol in safe agricultural working practice. However it is important for the assessment of the planning application to consider whether the proposal as formulated takes appropriate safeguards and/or exhibits clear built-in mitigation to ensure that these risks are comprehensively accounted for. Again and in particular consultation with Environmental Health should be helpful in forming whether the specification of the poultry shed sufficiently inhibits risk and release of various air pollution sources. In particular, NH ₃ (ammonia) is noxious as previously described - exposure to even low concentrations may produce rapid skin or eye irritation – and it has further problematic properties in terms of impact spread;

		particular risk to human health both as a smell nuisance generally but also in NH ₃ (ammonia)'s capacity as a corrosive irritant.	ammonia is lighter than air and as such disperses very easily and does not settle in low-lying areas.
2. Location of the Development			
(a) Existing and approved land use			
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	There will be considerable impact upon the donor agricultural field, while the proposal use fundamentally complements the existing host agricultural concern at West Park. The nearest residential properties as the crow flies are Carbieston Byres 270m NW, Garton 320m NNE, Sundrum Smithy (420m) and Barclaugh (700m) NE, and the western boundary of Coylton itself is 600m to the East. In terms of prevailing wind only Carbieston Byres (the nearest) is upwind, with most or all remaining residential receptors largely or directly downwind of prevailing westerlies and south-westerlies.	No. The planning application process is the most suitable means of addressing these issues, and its capacity to do so will likely be well-served by consultation with Environmental Health with particular regard to likelihood and severity of both noise and, moreover, smell nuisance impacts upon neighbouring residential amenity.
(b) Relative abundance, quality and regenerative capacity of natural resources in the area / underground			
Are there any areas on or around the location which contain important, high quality or scarce resources (including soil, land, water and biodiversity) which could be affected by the development?	No	The entire application site is under coverage of agricultural land classification 3.2, therefore not considered 'prime quality'.	N/A
(c) Absorption capacity of the natural environment			
Are there any wetlands, riparian areas or river mouths which may be affected?	Yes	A burn runs the entire length of the application site's long, NW boundary. Situated in very close proximity of the course of same is an expansive swale proposed to accommodate roof-borne rainwater run-off. This and the sizeable apron of hardstanding surrounding the shed, in addition to the footplate of the shed itself, combine to reduce prior attenuation and increase stress upon this watercourse. Groundwater and watercourse contamination is at further risk in the event of spillages / infrastructure (tank/piping) leaks when handling and disposing of slurry and waste leachate. Furthermore, diffuse pollution from poultry manure	No; whilst the sheer scale of the proposal relative both to local agribusiness norms and the size of the accommodating field will entail a substantial disruption to the natural absorption capacity of the field in its current baseline (arable) condition, and logically likely increase the stress / demand placed upon the burn and its carrying capacity, it is considered these effects are of a scale and level of significance best assessed through the development management process which should seek to ensure that the relevant safeguarding of the water environment is seen to be secured by way of proposal detail.

		excreted throughout the range area may percolate and cause groundwater contamination at and below the field surface, as well as cause polluting run-off downhill towards the burn.	
Are there coastal zones / marine environment receptors which may be affected?	No	N/A	
Are there any nature reserves and parks which may be affected?	No	N/A	
Are there any European sites or other areas classified or protected under national legislation, which may be affected?	No	N/A	
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	Notwithstanding the site's otherwise rural setting, the A70 is a very heavily trafficked primary route within close proximity of the site. Furthermore, a dedicated pedestrian/cycle path built in recent years connecting Ayr to Coynton increases and encourages pedestrian and cyclist traffic in addition to vehicles. This in combination with the industrial scale of the poultry shed and its feed silos makes the proposal highly visible to many people.	No, effects in this regard are not considered likely to be significant owing variously to the application site and its surrounding vicinity sitting outside of the LDP-designated scenic area status extent; the mitigation afforded by the shed's 210m setback from the A70; and the partial concealment further afforded by the proposed shed's situation relative to the field topography (the land relief falls considerably towards the burn end of the field in which the shed would sit), and the screening of the tree belt that runs coterminous with the course of the burn. Views, and those in particular from vehicular traffic, will be fleeting owing to the above matters in conjunction with the roadside planting and/or rolling landform from the A70's western and eastern approaches respectively.
Are there landscapes and sites of historical, cultural or archaeological significance which may be affected?	Yes	There is an archaeological consultation zone centred upon the Witch Knowe land feature situated approximately 80m east of the footprint of the proposed poultry shed; contained within an adjacent field on the opposite side of the dog-legged access road.	No, given lack of clear physical connectivity – despite the proximity – between the application site and the proposed operations therein, and the Witch Knowe. However, consultation with WoSAS may be a worthwhile precautionary measure to validate this assessment as to minimal connectivity and thus impact; and in cognisance of the fact that the extent of the consultation trigger zone itself does clearly encroach into a fair portion of the application site.

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:

- Considerable potential for widespread smell nuisance arising from the toxic emissions causing point-source air pollution arising from the proposal, as may come to be experienced by residential receptors both immediately neighbouring and further afield within Coylton; and the amenity detriment and potential risk of statutory nuisance effected by same, particularly with regard to the dispersal characteristics of ammonia (NH₃) and the downwind situation of Coylton at large
- The human health risk posed by the irritant and corrosive qualities of ammonia NH₃ emissions, and the toxic and poisonous qualities of hydrogen sulphide, such as will be posed most specifically to the site's direct workforce but also in more diffuse terms to more exposed passers-by in the vicinity, particularly as may be entailed by cycling and pedestrian traffic on the A70 where they are downwind of these emissions
- Potential for noise nuisance arising from the intense scale and concentration of the proposals operations, as may come to be experienced by residential receptors both immediately neighbouring and further afield within Coylton; and the amenity detriment and potential risk of statutory nuisance effected by same
- The multi-faceted biosecurity risk arising from the intense scale and concentration of the proposals operations
- The risk of groundwater contamination and pollution of land associated with potential spillages and leakages of slurry and slurry leachate
- The risk of diffuse pollution as may arise from poultry manure excreted throughout the range area may percolate and cause groundwater contamination at and below the field surface, as well as cause polluting run-off downhill towards the adjacent burn
- The likely substantial disruption to the natural absorption capacity of the field in its current baseline (arable) condition, and in consequence the logically likely increase in stress / demand placed upon the adjacent burn and its carrying capacity
- The high visibility of the proposed development relative to the heavily-trafficked A70 primary route, and its provision of a dedicated cycle/pedestrian path, albeit the site and its surrounds are not considered to be of particularly high visual sensitivity

From the above assessment undertaken in accordance with the Regulations and Circular 1/2017, the Council concludes that the proposed development at West Park Farm, Coylton, South Ayrshire, as shown on the map overleaf, is unlikely to result in effects on the environment which are sufficiently significant to require the submission of an EIA Report.

