

**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 (18/00582/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 AUCHENKYLE, SOUTHWOOD ROAD, TROON, SOUTH AYRSHIRE

The proposal is for the erection of a stable building at Auchenkyle, Southwood Road, Troon. The proposed development site extends to some 6.54 hectares inclusive of site curtilage in its entirety. The proposal is Schedule 2 development under the terms of the above Regulations (qualifying under category 10(b)) 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).
1. Characteristics of development			
(a) Size and design of the 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).
Will the development be out of scale with the existing environment?	No	N/A	
Will it lead to further consequential development or works (e.g. new roads, extraction of aggregate, generation or transmission of power)?	No	N/A	
(b) Cumulation with other existing/approved development			
Are there potential cumulative impacts with other existing development or for proposed development in the planning system?	No	N/A	
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			
Will construction or operation of the development use natural resources i.e. land (especially undeveloped or agricultural land)? <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	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 the (fairly bare) periphery of an informal, sparsely wooded paddock and whilst not literally supplanting the existing stable footprint, effectively proposes to replace it at that locus. The stable will draw electrical load for lighting. Keeping of horses will entail consumption of feedstock and bedding materials.	No, the land being conceded to development is within an expansive yet ultimately domestic curtilage and in terms of the footprint of the proposal it is not conceivable that effects are likely to be significant. Further underlining this view is the arboricultural report asserting that no trees require removal, root severance or facilitation / canopy pruning consequent to the proposed development. Consumptive patterns are quasi-agricultural nature and furthermore will occur within the context and scale of being incidental to the enjoyment of the dwellinghouse – and as such, fundamentally domestic in nature/intent.
(d) Production of waste			
Will the development produce wastes during construction or operation or decommissioning?	Yes	Wastes will be producing during construction and occupation / operation of the development site. Equine manure will be a waste byproduct of the operation of the development, however this is	No.

	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).
		recognised as a valuable and effective fertiliser.	
(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, smell and gaseous emissions from the horse/s occupying the stable block. 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 horse/s.	No, consumptive and emission patterns are quasi-agricultural in nature and furthermore will occur within the context and scale of being incidental to the enjoyment of the dwellinghouse – and as such, fundamentally domestic in nature/intent.
(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 domestic / personal hazard to the owner/occupier insofar as injuries when handling and riding horses are not uncommon	No, these risks will stand to be managed in accordance with industry standards and due protocol in safe working practice, while it is not possible or appropriate for the planning system to seek to legislate for matters of personal risk
(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	Risks to human health will be those appertaining to accidental injury; see (f) above.	No, see (f) above.
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?	No	The site will occupy the (fairly bare) periphery of an informal, sparsely wooded paddock and whilst not literally supplanting the existing stable footprint, effectively proposes to replace it at that locus.	N/A

	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) 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?	Yes	The site is ensconced within a blanket coverage of extant Tree Preservation Order No. 25, as designated by Kyle and Carrick District Council (as was).	No; the arboricultural report asserts that no trees require removal, root severance or facilitation / canopy pruning consequent to the proposed development.
(c) Absorption capacity of the natural environment			
Are there any wetlands, riparian areas or river mouths which may be affected?	No	N/A	
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?	No	Notwithstanding the passing of the Smuggler's Trail coterminous with the NW site boundary, and the relevant section of which is a South Ayrshire-designated Core Path (applicable section under ref. SA6), the site is thoroughly concealed well within an unusually expansive private domestic curtilage and furthermore surrounded by extensive, mature tree planting.	N/A
Are there landscapes and sites of historical, cultural or archaeological significance which may be affected?	No	N/A	

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. No primary noteworthy effects have been noted as arising from the checklist.

From the above assessment undertaken in accordance with the Regulations and Circular 1/2017, the Council concludes that the proposed development at Auchenkyle, Southwood Road, Troon, 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.

