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Dear Alan

Land Energy, Briquette Plant – Request for EIA Screening Opinion

Land at Ladywell Avenue, Grangestone Industrial Estate, Girvan, KA26 9PF

Further to recent telephone conversations regarding the above matter, I would be grateful if you would accept this letter as a request for a Screening Opinion under Regulation 8(2) of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, associated with a planning application for the construction of a briquette manufacturing facility at land at Ladywell Avenue, Grangestone Industrial Estate, Girvan, KA26 9PF.

Background

On 26 July 2018, South Ayrshire Council granted planning permission to Land Energy for the following development:-

‘Erection of buildings to house Combined Heat and Power plant, dryer, associated plant and storage facilities’.

On 10 May 2019, Savills submitted a Screening Request letter to South Ayrshire Council for revisions to planning permission 18/00541/APP. South Ayrshire Council issued a Screening Opinion on 24 May 2019 which concluded that an Environmental Impact Assessment (EIA) was not required for the revised development. A planning application was never submitted for the revised development.

Since this Screening Opinion was issued by South Ayrshire Council, Land Energy have revised their proposals and are now proposing to construct a briquette manufacturing facility, rather than a new wood pellet plant. The end product will be a wood fuel, and therefore very similar to the operational wood pellet manufacturing facility (and its consented expansion); however, there are some differences in the production processes which necessitate a new planning application.

As the area of the site exceeds 0.5 hectares (ha), the proposed briquette manufacturing facility falls to be considered for EIA under Part 10(a) of Schedule 2, to the 2017 EIA Regulations *‘industrial estate development projects’*.

Details about the proposed development are set out below and a location plan has been provided for information. These plans may change as the site design process evolves but not to any great degree.

The Proposed Development

The proposed development involves the processing of local timber to manufacture briquettes, a wood fuel. In that regard, it is a very similar development to that approved under planning application 18/00541/APP. The plant and machinery required to manufacture the briquettes is different from that required to manufacture wood pellets and the site layout has therefore been reconfigured to take account of these changes.

Importantly, the scale of development now proposed is smaller than that associated with permission 18/00541/APP. Of particular note, there is no longer a requirement for a new combined heat and power facility (CHP), which forms an integral part of permission 18/00541/APP. The following plant and machinery, approved under planning application 18/00541/APP, have also not been included in the proposed development:-

- 3 dry silos;
- 1 finished pellet store;
- 1 Furnace Fuel Infeed;
- 1 ESP Electro Static Precipitator and Condenser; and
- 1 Furnace Fuel Store.

Land Energy are now proposing to situate a production hall in the centre of the site which will also include photovoltaics. A new vehicle turning point and pallet storage is proposed to the north of the production hall. A chip infeed bin, heat recovery facility, conveyor bridge, ramp and HV sub-station are also now proposed. A dryer, out-loading station and wet grinder were approved under planning application 18/00541/APP and they have been retained.

The table below compares the approved and proposed developments.

Approved Development - 18/00541/APP	Proposed Development
<ul style="list-style-type: none"> • 1 Dryer; • 1 Out-Loading Station; • 1 Wet Grinder; • 1 Furnace Fuel Store; • 1 ESP Electro Static Precipitator and Condenser; • 1 Furnace Fuel Infeed; • 1 Furnace and Turbine (CHP plant); • 3 Dry Silos; • 1 Finished Pellet Store; • 1 Pipe Bridge; and • 2 Weigh Bridges. 	<ul style="list-style-type: none"> • 1 Dryer; • 1 Out-Loading Station; • 2 Wet Grinders; • 1 Chip Infeed bin; • 1 Heat Recovery; • 1 Production Hall; • 1 Photovoltaics; • Pallet storage; • Vehicle turning; • 1 Conveyor Bridge; • 1 Ramp; and • 1 HV Sub Station.

Finally, and for the avoidance of any doubt, the new proposal would not see an increase in the scale of the operations at the site or an intensification of the use. The site would still process the same quantity of wood as approved under planning permission 18/00541/APP (approximately 400,000 tonnes per annum) and would produce approximately 35,000 tonnes per annum of briquettes.

EIA Screening Review

In considering the need for EIA, paragraph 28 of Circular 1/2017 confirms that the basic question to be addressed by the Council is: *'Would this particular development be likely to have significant effects on the environment?'*

While each screening request must be considered on its own merits, it is relevant to note that two previous screening requests for similar, but larger scale, developments on the same site have confirmed EIA is not required. As part of planning application 18/00541/APP South Ayrshire Council adopted a Screening Opinion dated 26 February 2018 which concluded that an EIA was not required. Savills then submitted an EIA Screening request letter to South Ayrshire Council for a revised scheme in 2019. South Ayrshire Council adopted a Screening Opinion dated 24 May 2019 which concluded that an EIA was not required for the revised scheme.

The EIA Regulations and accompanying Circular make it clear that for all projects listed in Schedule 2 of the EIA Regulations, the planning authority must make its own formal determination of whether or not EIA is required. In this regard, it is important to note that Paragraph 10 of the Circular confirms that *'only a small proportion of development will require EIA'*, but it is equally stressed that EIA is not discretionary. For Schedule 2 projects, this means that those which are considered likely to have significant effects on the environment will require EIA. The emphasis throughout the Regulations and Circular is upon the potential for significant environmental effects.

In considering the potential for significant environmental effects associated with Schedule 2 projects, the Circular confirms in paragraph 31 that the potential for significant environmental effects should be considered in light of factors such as the nature, size and location of the proposed development.

Paragraph 32 of the Circular states that *'In the majority of cases, it will however be necessary to consider the characteristics of the proposed development in combination with its proposed location in order to identify the potential for interactions between it and its environment and therefore determine whether there are likely to be significant environmental effects'*.

In considering screening requests, the Circular emphasises in paragraph 35 that the basic test of the need for EIA in a particular case is the likelihood of significant effects on the environment. In some cases, a large scale and complex development in a non-sensitive location may result in EIA being requested. In all cases, paragraph 37 of the Circular confirms that the relationship between a proposed development and its location is a crucial consideration. The same paragraph states that for any given development proposal, the more environmentally sensitive the location the more likely it is that the effects will be significant and will require EIA.

Paragraph 37 of the Circular confirms that for the purposes of the EIA Regulations, 'sensitive areas' comprise:

- Sites of Special Scientific Interest;
- Land subject to Nature Conservation Orders;
- European Sites;
- National Scenic Areas;
- World Heritage Sites;
- Scheduled Monuments;
- National Parks; and
- Marine Protected Areas.

Paragraph 41 states that the Planning Authority must take in to account any proposed mitigation measures, as well as the description of the proposed development, in reaching their Screening Opinion. The information about the proposed development and the site set out in this document should provide sufficient information to enable the Council to adopt its Screening Opinion.

This document is set out in a systematic manner to aid the screening process and provide the information required by the EIA Regulations:

- Section A provides a description of the nature and purpose of the development and the project site.
- Section B considers the potential for significant effects on the environment.
- Section C concludes the review.

A plan identifying the site is appended to this letter.

Section A: Nature and Purpose of the Development and Site Description

The proposed development involves the processing of local timber to manufacture briquettes, a wood fuel. The plant and machinery required to manufacture the briquettes is different from that required to manufacture wood pellets and the site layout has therefore been reconfigured to take account of these changes.

The proposed development is essentially a similar development to that approved under planning application 18/00541/APP, however, the scale of development now proposed is smaller than that associated with permission 18/00541/APP. Of particular note, there is no longer a requirement for a new CHP plant, which forms an integral part of permission 18/00541/APP and the height of the proposed new buildings are significantly smaller than those approved under the existing permission. The proposed new production hall will be approximately 11 metres (m) in height, whereas the CHP building that forms part of the existing permission measures 20m in height.

The application site forms part of the existing Land Energy wood pellet production facility within Grangestone Industrial Estate in Girvan. The site is zoned for industrial uses in the Local Development Plan (LDP) and the proposed development will not change the nature of the site or surroundings or extend industrial uses beyond the industrial land use zoning in the LDP.

As noted in the previous 2018 and 2019 EIA Screening Requests, the proposed development aims to build on the success of the existing wood pellet manufacturing plant, increasing production and distribution as well as increasing the number of jobs on site. There are currently around 40 employees at the facility and the extended plant would employ a further 10 people.

The new proposal would not see an increase in the scale of the operations at the site or an intensification of the use. The site would still process the same quantity of wood as approved under planning permission 18/00541/APP (approximately 400,000 tonnes per annum) and would produce approximately 35,000 tonnes per annum of briquettes.

The site enjoys good access from the B741, leading from the main A77 route to the west of the industrial estate. The existing local road junctions into the site would continue to be used for deliveries and distribution vehicles. The main access and egress arrangements from the site to Ladywell Avenue would remain the same as existing. A new vehicle turning point is proposed on the north west corner of the site.

There are no statutory environmental designations covering the site and the Council's Screening Opinion from February 2018 notes that the '*nearest protected area is a SSSI some 3km to the south-east, designated for geological interest*'.

Section B: Possible Effects on the Environment	
Section B.1: Applicable Thresholds	
i. Does the Project fall within Schedule 1 (Y/N)?	No
ii. If yes, what is the applicable description?	N/A
If yes, the Project automatically requires EIA	
iii. If no, does the Project fall within Schedule 2 (Y/N)?	Yes
iv. If yes, what is the applicable description?	<i>10 (a) – Industrial Estate Development Projects.</i>
v. Is any part of the project to be carried out in a defined Sensitive Area (see Reg 2(1))	No
vi. What is the applicable threshold/criteria in Schedule 2?	<i>The area of development exceeds 0.5 hectare</i>
vii. Does the Project meet/exceed the applicable threshold (Y/N)?	Yes
Section B.2: Possible effects on the environment	
<p>The following information has been prepared with reference to the selection criteria for screening Schedule 2 development, provided in Schedule 3 of the EIA Regulations:</p> <ol style="list-style-type: none"> 1. Characteristics of development (a) – (g) 2. Location of development (a) – (c) 3. Characteristics of the potential impact (a) – (h) 	
Topic	Analysis
Transport and Access	<p>The proposed development would result in an increase in vehicular movements into and out of the site, but these increases would be in line with those reported as part of planning permission 18/00541/APP. As part of the previous planning application, a Transport Statement (TS) was undertaken which considered potential impacts of the enlarged wood pellet facility upon operation of the road network. The TS concluded that <i>‘the road network in the area offers a level of capacity that will be sufficient to accommodate the modest uplift in trip generation associated with the proposed expansion’</i>.</p> <p>There were no objections to the approved development from the Ayrshire Roads Alliance subject to the imposition of conditions on any planning permission. Transport and traffic related conditions were imposed on planning permission 18/00541/APP and given the similarities between the proposed and consented uses, it is not anticipated that any significant transport related impacts would arise that were not considered as part of the previous proposal.</p> <p>The proposed development will not intensify site operations beyond those approved by planning permission 18/00541/APP.</p>

<p>Flood Risk & Hydrology</p>	<p>The SEPA flood map confirms that no part of the site is within a flood risk area in relation to rivers, surface water or coastal conditions. No significant impacts arising as a result of flooding are predicted and there were no comments from SEPA to application 18/00541/APP on flooding related issues. As flooding is not considered to have any potential impact on the site, it is not anticipated that any flood reporting will be required to support the proposals.</p>
<p>Cultural Heritage</p>	<p>The site does not contain any designated protected areas. Closest Scheduled Ancient Monuments (SAMs) to the site lie around 1km to the south west, just north of Girvan, where there are some Roman Camp remains. The town of Girvan itself has a number of listed buildings.</p> <p>As with the 2018 planning permission, the proposed development is not expected to have any direct impact upon these receptors nor would it significantly affect their setting.</p>
<p>Ecology</p>	<p>The site is not covered by any ecological designations and none are in close proximity, the nearest being around 3km to the south east of the site which is a geological Site of Special Scientific Interest.</p> <p>A Preliminary Ecological Appraisal and Preliminary Roost Assessment was submitted with the previous planning application 18/00541/APP. This work looked at nature conservation designations, habitats and species potentially affected by the proposed development. This concluded that the site and surrounding environment was of relatively low ecological interest. No significant ecological interests were present that would either trigger EIA or prevent the development from proceeding. A number of best practice measures were identified and these were carried forward into planning conditions.</p> <p>The area covered by the previous studies includes all land within the proposed application site and it is not therefore anticipated that any new ecological interests will be identified.</p>
<p>Noise</p>	<p>The site is located within Grangestone Industrial Estate immediately adjacent to the existing wood pellet plant in a location where planning policy supports industrial and business uses. It is to be expected that uses within industrial estates may give rise to some noise associated with manufacturing activities.</p> <p>A noise assessment was submitted with planning application 18/00541/APP which considered baseline noise levels, noise sensitive receptors and construction and operational noise predictions. The predicted noise at all locations during construction and operational activities was considered to be 'not significant' and there were no objections to that planning application from the Council's Environmental Health Officer.</p> <p>The proposed development is essentially a similar development to that approved under planning application 18/00541/APP, however, the scale of development now proposed is smaller than that associated with permission 18/00541/APP. Of particular note, there is no longer a requirement for a new CHP plant, which forms an integral part of permission 18/00541/APP. Other plant and machinery, approved under planning application 18/00541/APP, have also not been included in the proposed development including, 3 dry silos, 1 finished pellet store, 1 Furnace Fuel Infeed; 1 ESP Electro Static Precipitator and Condenser and 1 Furnace Fuel Store.</p> <p>Given that the proposed development involves less plant and machinery compared to the permitted development and there will be a decrease in the scale of development, the</p>

	<p>noise levels associated with the proposed development will be lower than those associated with the approved development which were considered to be 'not significant'.</p>
<p>Air Quality</p>	<p>The site is located within an established industrial estate and is not located within an area deemed sensitive to changes in air quality e.g. an Air Quality Management Area. An Air Quality Impact Assessment was submitted as part of the previous planning application 18/00541/APP, which concluded that the air quality impact from the proposed development was not significant.</p> <p>In its consultation response, the Council's EHO confirmed that no pollutant levels were nearing target levels in the area around the site and that it did not foresee any air quality issues associated with the application. The proximity of the site to the coast was noted as a factor that would help with air pollution dispersal.</p> <p>Given the findings of the previous assessments and comments from the EHO, no significant air quality issues are predicted for the proposed development.</p>
<p>Landscape and Visual Impact</p>	<p>The site is not located within an area designated for landscape or visual qualities. It is located within Grangestone Industrial Estate and is surrounded by industrial uses, including tall buildings associated with the existing wood pellet plant. It was previously considered that the addition of a new CHP facility and associated structures would give rise to some landscape and visual effects but these will be viewed in the context of similar structures already on site and other industrial buildings associated with nearby industrial uses.</p> <p>A landscape and visual appraisal was submitted with the previous application 18/00541/APP which concluded that the landscape has the capacity to readily absorb the level of development proposed.</p> <p>A key change between the approved and proposed developments is that much smaller building heights are now proposed. The CHP facility that forms part of the consented development is 20m in height, whereas the height of the proposed production hall is likely to be approximately half of this. Given these changes and considering that fewer plant and machinery is now proposed, it is not considered that any significant landscape and visual effects would arise as a result of the proposed development that were not previously identified.</p>

Section C: Conclusions

The above commentary reaffirms many of the comments made in 2018 regarding planning application 18/00541/APP when it was considered for EIA. The Council concluded that an EIA was not required and it is considered that the facts of the case now under consideration would lead to similar conclusions being reached. The following key considerations should be considered in reaching a Screening Opinion:-

- The site area has not increased from planning application 18/00541/APP and all of the land is within the current Land Energy ownership and within the LDP industrial allocation;
- Less plant and machinery is proposed in the proposed development and therefore the scale of development is considered to be smaller than the approved development;

- The proposed development involves the processing of local timber to manufacture briquettes, a wood fuel. In that regard, it is essentially a similar development to that approved under planning application 18/00541/APP; and
- Previous environmental reports submitted with application 18/00541/APP did not identify any significant environmental effects and there is no reason to believe that the proposals now under consideration would give rise to 'significant environmental effects' sufficient to warrant an EIA.

In terms of the 2017 EIA Regulations, the potential for significant environmental effects can be summarised under the following headings:

i) The magnitude and spatial extent of the impact

The proposed development has the potential to give rise to environmental impacts during the construction and operational phases. However, these are considered to be localised to either the immediate site environs or within the wider Grangestone Industrial Estate.

It is not anticipated that the environmental effects associated with the proposed development would be any more complex or widespread than those considered as part of application 18/00541/APP.

The magnitude and spatial extent of impacts has already been considered through application 18/00541/APP and no significant effects were found. Given that the proposed development is a smaller scale development than the approved development and there are similarities between the developments, there is no indication to suggest that the extent of any environmental impacts will be so great such that EIA is required.

ii) The nature of the impact

No significant environmental effects were identified as part of permission 18/00541/APP, confirmed by the applicants own submissions and responses from consultees. Some additional traffic will be generated and there will be noise during the construction and operational periods. However, these will all be within the parameters of permission 18/00541/APP and will not be significant in EIA terms.

iii) The transboundary nature of the impact

No such impacts are considered likely with this development proposal.

iv) The intensity and complexity of the impact

The environmental impacts likely to arise from the proposed development will be no more intense or complex than those considered as part of the previous application. The scale of development will be smaller than that approved under application 18/00541/APP.

Given these factors and the low environmental sensitivity of the site, the intensity and complexity of the environmental impacts are not considered to be particularly unique, hazardous or severe such that EIA is required to explore these in greater depth.

v) The probability of the impact

The proposed development will likely give rise to some minor environmental impacts but not of such significance to warrant an EIA. Planning conditions similar to those imposed on permission 18/00541/APP could be imposed on a future planning permission to mitigate the effects of construction and operational activities, but any residual impacts that do remain are likely to be non-significant in nature and would not require to be assessed through EIA.

- vi) The expected onset, duration, frequency and reversibility of the impact

Some impacts will be temporary in nature associated with the construction phase but others will be longer term associated with the proposed development. However, impacts will be generated within and confined to a site located on an industrial estate and allocated for industrial and manufacturing activities. None of these impacts are considered to be so complex or significant to warrant EIA.

- vii) The cumulation of the impact with other existing and/or approved development

The potential for significant cumulative effects is considered to be negligible taking cognisance of the site characteristics and planning history.

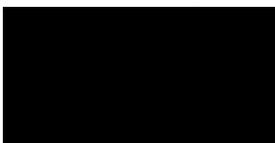
- viii) The possibility of effectively reducing the impact.

Planning conditions similar to those imposed on permission 18/00541/APP could be attached to any permission to mitigate any environmental effects.

Taking account of the foregoing factors, notably the recent planning history, it is considered that the potential for 'significant environmental effects' associated with the proposed development is considered to be negligible and EIA is not required in this case.

Please do not hesitate to contact me should you require additional information prior to forming the Screening Opinion.

Yours sincerely



Simon Herriot
Director - Planning
cc. Land Energy