

**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 LAND TO THE NORTH OF MONKTON BETWEEN KILMARNOCK ROAD AND MONKTON  
CEMETERY**

The proposal concerns the use of the land for a housing development (including affordable housing) to include associated access, roads, open space, landscaping, drainage and other ancillary development, and potentially to include a park and ride facility, a zone for community/commercial use and land for a cemetery extension.

The proposal is Schedule 2 development under the terms of the above regulations (falling within 10(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 types of development, perhaps the majority, it will be necessary to consider the characteristics of the development 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.

	<b>Yes/ No</b>	<b>Briefly describe</b>	<b>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>
<b>1. Characteristics of the Development</b>			
<b>(a) Scale of the development</b>			
Will the development be out of scale with the existing environment?	Yes	The proposed development would extend the settlement of Monkton to the north	It is not considered that solely on the basis of the scale of the proposed development that the effects would be significant

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		<p>west. The proposed development site is located outwith the settlement boundary and is currently used for agricultural purposes.</p> <p>It is noted that the northern section of the site is allocated within the LDP for a park and ride facility.</p>	within the context of EIA regulations.
Will it lead to further consequential development or works (e.g. new roads, extraction of aggregate, generation or transmission of power)?	No	Other than the proposed development, the proposal will not result in further consequential development.	
<b>(b) Cumulation with other development</b>			
Are there potential cumulative impacts with other existing development or for proposed development in the planning system?	Yes	The site is located close to other sites within Monkton that are allocated in the LDP for residential and industrial/business purposes. The proposed development together with other potential developments may result in cumulative impacts.	It is considered that any cumulative impacts with potential developments located within the vicinity of the proposed application are unlikely to be of a significant nature although appropriate assessments such as a transport assessment may assist to confirm this.
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		
<b>(c) Use of natural resources</b>			
<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"> <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 proposed development will utilise land which is currently undeveloped.	Proposals to develop on land which is currently undeveloped is not considered sufficient for the purposes of giving rise to 'significant' effects under the terms of the EIA Regulations.

	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>(d) Production of waste</b>			
Will the development produce wastes during construction or operation or decommissioning?	Yes	As with most construction processes, the production of waste is inevitable.	No significant effects in this regard.
<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 or operation or decommissioning?	Yes	There will be noise and vibration as a result of construction works while noise associated with the proposed development is likely to be acceptable residential noise levels.	The noise and vibrations associated with the site are not considered to be significant within the context of surrounding area which includes Prestwick Airport.
<b>(f) Risk of accidents, having regard in particular to substances technologies used</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	The site would be developed and as such risk of accidents would exist.	Safety within the site during construction and operation should be managed by contractors/operators.
<b>(g) Other characteristics: potential physical changes (topography, land use, changes in waterbodies etc) from construction, operation or decommissioning of the development</b>			
<ul style="list-style-type: none"> <li>permanent or temporary change in land use, landcover or topography including increases in intensity of land use?</li> </ul>	Yes	The site is currently undeveloped and as such the proposed housing development, commercial/community use, park and ride facility and cemetery extension will result in a permanent change.	The proposed change of use of the land in question will require to be supported by appropriate documentation such as details relating to drainage and hydrology, access etc. It is not considered that the proposed development will result in any significant effects.
<ul style="list-style-type: none"> <li>peat land disturbance and/ or degradation leading to: carbon release, damage to habitats, affecting land stability or hydrology?</li> </ul>	Unkn own	The development site is bound by the A78 to the north, Kilmarnock Road to the east, existing residential properties to the south and the Dow Burn and the existing cemetery to the west. The site is currently used for agricultural purposes.	It is considered that any impacts as a result of the proposed development are unlikely to be significant. It is advised that appropriate supporting documentation to consider such effects.

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		The development of the site may result in effects to habitats and have an impact on the drainage/hydrology of the area. Appropriate assessments may be required in this regard.	
<ul style="list-style-type: none"> <li>pre-construction investigations e.g. boreholes, soil testing?</li> </ul>	Poten- tially	The applicant has indicated that boreholes and soil testing may be required.	It is considered that this is of a nature that will not result in a significant effect.
<ul style="list-style-type: none"> <li>construction, demolition, reclamation or excavation works?</li> </ul>	Yes	The proposal involves the construction of residential units and potentially other buildings.	It is considered any construction undertaken will not result in a significant effect.
<ul style="list-style-type: none"> <li>underground works ?</li> </ul>	Unlike- ly	There may be small-scale underground works to install foundations for the proposed buildings.	No.
<ul style="list-style-type: none"> <li>facilities for storage of goods or materials?</li> </ul>	No		
<ul style="list-style-type: none"> <li>new road, rail, air or sea traffic or infrastructure during construction, operation or decommissioning?</li> </ul>	Yes	<p>There will be additional road traffic during the construction and operation of the proposed development.</p> <p>The proposal includes a residential development which will include appropriate access roads.</p> <p>A traffic management plan and suitable supporting information will be required to fully assess the impact of any proposed development.</p>	No. Construction traffic will be temporary and operational traffic can be addressed as part of the conventional planning application process.
<ul style="list-style-type: none"> <li>new or diverted transmission lines or pipelines?</li> </ul>	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).
<ul style="list-style-type: none"> <li>any works requiring an authorisation under the Water Environment (Controlled Activities)(Scotland) Regulations 2005</li> </ul>	Unkn own		
<ul style="list-style-type: none"> <li>long-term/ongoing activity during restoration or decommissioning which could have an impact on the environment?</li> </ul>	No	The proposed development is permanent.	Given that the proposed development is permanent there are no restoration proposals at present.
<ul style="list-style-type: none"> <li>influx of people to an area either temporarily or permanently?</li> </ul>	No	It is accepted that a small increase in people may be experienced during the construction and operation of the facility.	
<ul style="list-style-type: none"> <li>any other changes?</li> </ul>	No		
<b>2. Location of the Development</b>			
<b>(a) Existing 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	The development site is bound by the A78 to the north, Kilmarnock Road to the east, existing residential properties to the south and the Dow Burn and the existing cemetery to the west. The site is currently used for agricultural purposes.	It is considered that the effects of the proposed development on neighbouring uses are unlikely to significant.
<b>(b) Relative abundance, quality and regenerative capacity of natural resources in the area</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	The proposed development site is located to the north of Monkton Conservation Area.	
<b>(c) Absorption capacity of the natural environment</b>			
Are there any areas on or around the location which are protected under international or national or local legislation for their ecological, landscape and visual, cultural or other value, which could be affected by the development? Particular attention should be paid to wetlands, watercourses or other waterbodies, the coastal zone, mountains, forests or woodlands, nature reserves and parks.	No		
Are there any groundwater source protection zones or areas that	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).
contribute to the recharge of groundwater resources?			
Are there protected species in or around the location, for example European Protected Species, which could be affected?	Unkn own	The proposed development site could potentially provide a suitable habitat to protected species, however, this is unknown at present.	For the purposes of this assessment, it is considered that the planning application process provides sufficient scope for the consideration of any required survey work and the input of consultation authorities.
Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected?	Yes	A core path exists on the eastern boundary of the site and runs in a north south direction.	It is considered that any development could accommodate and protect the core path thus ensuring any effects are not significant.
Are there any areas or features of historic or cultural importance on or around the location which could be affected?	Yes	The proposed development site is located adjacent to Monkton Conservation Area. Two 'A' listed buildings (Macraes monument and whiteside windmill) are located to east of site on the opposite side of Kilmarnock Road. Development has potential to affect the setting of these heritage assets	Any proposed development will require to take account of the adjacent Conservation Area and the identified heritage assets. These are important considerations which it is considered can be properly considered through a heritage impact appraisal as part of any planning submission. It is considered that the proposed development is unlikely to result in any significant effects.
Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected?	No		
Is the development in a location where it is likely to be highly visible to many people?	Yes	The site is found to be sloping and any development will be visible to adjacent residential properties and the local area.	It is considered that the visibility of the proposed development on the site in question is unlikely to give rise to significant effects.
Is the location of the development susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions which could cause the development to present environmental problems?	No		

## **Conclusions**

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

- Potential impact on the local road network as a result of the proposed development. The applicant should consider the impact on the local transportation network as a result of the proposed development as well as the cumulative impact which may be experienced as a result of other developments within the vicinity of the application.
- The potential impact on the setting of 'A' listed heritage assets (Macraes monument and Whiteside windmill) should be considered through a heritage impact appraisal

From the assessment undertaken in accordance with the Regulations and Circular 01/2017, the Council concludes that the proposed development as shown on the map forming part of the screening request and attached as an appendix, is unlikely to result in effects on the environment which are sufficiently significant to require the submission of an environmental statement.

