

**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 ENERGY, GRANGESTONE INDUSTRIAL ESTATE, GIRVAN, SOUTH AYRSHIRE**

The proposal is for the expansion and diversification of an existing wood pellet production facility to comprise the construction of a parallel manufactory processing wood fuel briquettes at Land Energy, Ladywell Avenue, Grangestone Industrial Estate, Girvan. The proposed development site extends to approximately 1.78 hectares inclusive of access. The proposal is Schedule 2 development under the terms of the above Regulations (qualifying under category 13 re: category 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, 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	The proposed development will introduce additional industrial built form proportionate to the existing site and in the context of a large industrial estate as the receiving environment	No.
Will it lead to further consequential development or works (e.g. new roads, extraction of aggregate, generation or transmission of power)?	Yes	Whilst the site is predominantly brownfield, there will be some encroachment upon the current vegetated western boundary of the site which may require some excavation or levelling. New buildings and plant will warrant extension of existing service networks and means of internal vehicular access will be altered and added to.	No, the size of the site and the scale of proposed works indicate an unlikelihood of significant effects.
(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 has been significant expansion at the predominant neighbour Grants Distillery, both to the north and south of the subject site; the former comprising an expansive complex of large-scale warehouses. Large-scale commercial investments in and around Grangestone in recent time will variously entail additional cumulative traffic demand, noise and air pollution and GHG emission impacts.	No, given the context of the intensity of the CHP scheme at the site which still has extant permission (18/00541/APP). It is considered both the extent and mitigation of cumulative impacts, and the acceptability thereof, is best assessed via the intended Transport Statement/Assessment through the Development Management process, in consultation with Ayrshire Roads Alliance and Environmental Health as appropriate regulating authorities
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	The subject proposal would supersede an extant permission 18/00541/APP which was for an expansion and intensification of the existing wood pellet production plant, centred upon a CHP plant. The diversifying briquette scheme is considered mutually exclusive with the former. Either scheme relates to the existing complex and entails westward expansion of industrial development beyond the existing site with an array of plant.	No. A negative screening opinion (18/SCR/06) was issued relative to permission 18/00541/APP, and while total overall industrial intensity in terms of raw material processed (400,000 tonnes/annum) is equivalent, it is noted the proposal scheme is of lesser scale regards built mass and plant requirement. It is anticipated effects are therefore equally or less likely to be significant than the extant scheme.

(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, both in its construction but moreover in operation as there will be great energy input via the processes to produce the briquette end product. The business fundamentally concerns the energy-intensive processing and conversion of natural resource timber into a processed end-user fuel.	No.
(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.	No, this should be managed within the scope of any construction contract and the operator's responsibility to comply with existing commercial waste management requirements upon occupation of the development.
(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 noise during the construction of the development; these works will be temporary. There will be industrial-scale noise, light and heat energy emitted consequent to operation of the site as expanded/intensified.	No; post-construction effects should be equivalent to and reflective of the industrial character of both the existing site and wider industrial estate; while there are no noise sensitive receptors nearby (closest residence >700m). Any adverse effects should be managed by SAC's Environmental Health service.
(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 heavy machinery, transport and construction equipment/materials on site which all present danger and accident hazard. Operation will likewise present similar risks and involve frequent vehicular movements / deliveries on-site, and large-scale temporary storage and transit of both input materials and output products.	No, these risks will stand to be managed in accordance with industry standards and due protocol in safe 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	During construction there will be air pollution arising from dust generation on site. Air pollution may be further exacerbated by the additional vehicular trip generation of the site, and dust, smoke and steam from the handling / processing of raw materials.	No, these risks will stand to be managed in accordance with industry standards and due protocol in safe working practice. Risks will be localised and/or temporary.

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	Existing adjacent industrial concerns will be competing for intensified use of shared goods eg. road networks within and around the industrial estate. A high-pressure gas pipeline runs perpendicular to the terminus of Ladywell Avenue, but remote to the site by a distance of approx. 200m to the south. BGS data suggests groundwater beneath the site is vulnerable only to some continuously leached pollutants.	No, see 1(b) above for discussion of assessing and mitigating such cumulative impacts.
(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 wider site is encircled by prime quality agricultural land within close proximity, albeit not directly connected to the site or its boundaries. The proposed site is within the LDP-designated scenic area.	No; the development itself will not entail direct loss of PQAL. A further LVIA from the applicant should suffice to set out an appraisal of landscape and visual impacts as consciously compared to the consented scheme, for assessment as part of the Development Management process.
(c) Absorption capacity of the natural environment			
Are there any wetlands, riparian areas or river mouths which may be affected?	No	BGS data suggests groundwater beneath the site is vulnerable only to some continuously leached pollutants.	
Are there coastal zones / marine environment receptors which may be affected?	Yes	The coastline lies approximately 860m due west of the site. However, there are no flood risk areas on or near to the site; either coastal or otherwise.	No, there is no connectivity between the site and the coast as receptor perceived to be significant
Are there any nature reserves and parks which may be affected?	Yes	The adjacent stretch of coastal plain is host to a provisional local wildlife site designation no. 37a, 'Girvan Mains to Balkenna', comprising a breadth of interest most predominant amongst which are substantial migratory and wintering bird numbers, but also including uncommon plants and rare beetle species hosted by high dune systems.	No, whilst the designation area's location is only 220m west of the proposed development, its physical scale as an extension to an operational industrial facility, and as surrounded by other such facilities on the estate, suggests that effects arising from the development are unlikely to have effects upon the designation interests that could be considered significant.
Are there any European sites or other areas classified or protected under national legislation, which may be affected?	No	The nearest protected area is an SSSI some 3km to the south-east, designated for geological interest	No.

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	The site is predominantly screened from view of southbound A77 traffic by near-continuous vegetated embankments along that route's eastern flank. Views open to northbound traffic situated south of the site, or from the B741, will be dominated by the clutter and scale of the intervening Grants development from which the actual visibility of any features of the subject development will likely be largely undiscerned.	No; a further LVIA from the applicant should suffice to set out an appraisal of landscape and visual impacts as consciously compared to the consented scheme, for assessment as part of the Development Management process.
Are there landscapes and sites of historical, cultural or archaeological significance which may be affected?	No	There are no designated heritage assets at or around the site. The nearest archaeological consultation trigger zone is approximately 150m to the south-west and physically divorced from the site. More remote still the nearest Scheduled Ancient Monument is situated 1km to the south-west, comprising remains of a Roman Camp.	No.

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:

- Localised and cumulative effects upon noise, air pollution and road network congestion arising from the development's intensified operation and the additional traffic demand this generates – in comparison to the extent of the site's operations as existing, and in combination with its existing industrial neighbours and any future expansion thereof
- Landscape and visual impact, noting that - albeit broadly typical of the industrial character of development typifying the site - the development encroaches westward beyond the established extent of industrial development in the locality; albeit mindful of the material relevance of the consented scheme and its development scale / perceptibility as comparative context (see below)
- The applicant's agent has been proactive in portraying a comparison between the consented scheme and the proposal scheme such as infer a comparatively lesser scale in some built aspects of the latter proposal, logically implying an attendant reduction in the likelihood of significant environmental effects arising. To this end, a further LVIA should supplement a future planning application and deploy comparative analysis clearly using both the existing site and the consented scheme as opposing baselines to inform an assessment of revised impacts in relative terms

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 Land Energy, Ladywell Avenue, Grangestone Industrial Estate, Girvan, South Ayrshire – as indicatively shown on the map attached to this document – is unlikely to result in effects on the environment which are sufficiently significant to require the submission of an EIA Report.

