

**THE TOWN AND COUNTRY PLANNING ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2011
SCOTTISH EXECUTIVE DEVELOPMENT DEPARTMENT CIRCULAR 03/2011**

**RESPONSE OF SOUTH AYRSHIRE COUNCIL TO A REQUEST FOR A SCREENING OPINION SUBMITTED UNDER THE TOWN AND COUNTRY
PLANNING ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2011. THE PROPOSED DEVELOPMENT SITE IS LOCATED AT
Queen Margaret Academy, Dalmellington Road, Ayr, South Ayrshire, KA7 3TL**

The proposal is for the **erection of education facility with associated landscape and car-parking and formation of all weather sporting facilities with floodlights**. The proposed development site extends to **7.54** hectares. The proposal is Schedule 2 development under the terms of the above Regulations 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 3/2011). 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 2011 – 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 the Development			
(a) Scale of the development			
Will the development be out of scale with the existing environment?	No	The site is currently used as a school.	

	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 it lead to further consequential development or works (e.g. new roads, extraction of aggregate, generation or transmission of power)?	Yes	A new internal road layout is likely to be required.	No. The scale and nature of the road works would not be significant.
(b) Cumulation with other development			
Are there potential cumulative impacts with other existing development or for proposed development in the planning system?	No		
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		
(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 proposal is on previously developed land. Both the construction and the operation of the development will use energy (fuels and electricity).	No. Effects are not considered to be significant within the context of the EIA Regulations.
(d) Production of waste			
Will the development produce wastes during construction or operation or decommissioning?	Yes	Wastes will be produced during construction and operation.	No. Effects are not considered to be significant within the context of the EIA Regulations.
(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 likely be noise, vibration and light pollution as a result of the proposed development/operation.	No. Effects are not considered to be significant within the context of the EIA Regulations.
(f) Risk of accidents, having regard in particular to substances technologies used			
Will there be a risk of accidents during construction or operation of the development which could have effects on people or the environment?	Yes	There will always be risks as a result of construction works.	No. Effects not considered significant in the context of the EIA Regulations. Any risk of accident should be managed by the developer.
(g) Other characteristics: potential physical changes			

	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).
(topography, land use, changes in waterbodies etc) from construction, operation or decommissioning of the development			
<ul style="list-style-type: none"> permanent or temporary change in land use, landcover or topography including increases in intensity of land use? 	No	The site is currently in use as a school.	
<ul style="list-style-type: none"> peat land disturbance and/ or degradation leading to: carbon release, damage to habitats, affecting land stability or hydrology? 	No		
<ul style="list-style-type: none"> pre-construction investigations e.g. boreholes, soil testing? 	Yes	Normal pre-construction investigations are likely.	No. Effects are not considered to be significant in the context of the EIA Regulations.
<ul style="list-style-type: none"> construction, demolition, reclamation or excavation works? 	Yes	There will be construction and demolition works.	No. Demolition and construction works would be temporary and would not result in any significant environmental effects.
<ul style="list-style-type: none"> underground works ? 	Yes	Underground works will be necessary in order to install the foundations for the proposed development and to ensure that it is serviced by all of the necessary utilities.	No. Effects are not considered to be significant in the context of the EIA Regulations.
<ul style="list-style-type: none"> facilities for storage of goods or materials? 	Yes	There will be temporary storage required for materials and plant during construction of the development.	No. Effects are not considered to be significant in the context of the EIA Regulations.
<ul style="list-style-type: none"> new road, rail, air or sea traffic or infrastructure during construction or operation or decommissioning? 	Yes	There is likely to be new internal road infrastructure during construction.	No. The extent and nature of the works in conjunction with the environmental sensitivity of the site makes it clear that there will be no significant environmental effects.
<ul style="list-style-type: none"> new or diverted transmission lines or pipelines? 	Yes	The proposed development will require to be serviced by the infrastructure necessary to service a school/community site most likely including gas, electricity and drainage.	No. Effects are not considered to be significant in the context of the EIA Regulations.
<ul style="list-style-type: none"> any works requiring an authorisation under the Water Environment (Controlled Activities)(Scotland) Regulations 2005 	Unknown	The site is adjacent to Annfield Burn.	No. Effects are not considered to be significant within the context of the EIA Regulations. The planning application process provides sufficient scope to address this issue.

	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"> long-term/ongoing activity during restoration or decommissioning which could have an impact on the environment? 	No		
<ul style="list-style-type: none"> influx of people to an area either temporarily or permanently? 	Yes	There will be an influx of people during the construction phase.	No. Effects are not considered to be significant in the context of the EIA Regulations as it is largely a developed urban area with existing infrastructure.
<ul style="list-style-type: none"> any other changes? 	No		
2. Location of the Development			
(a) Existing 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 is potential for effects on nearby residential properties during the construction phase. The site is adjacent to a flood risk area, due to the close proximity to Annfield Burn.	No. The construction phase will be temporary and should be appropriately managed by the developer. In terms of flood risk, it is considered that whilst no significant effects are predicted for the purposes of this EIA screening opinion, consultation will be required with SEPA and ARA as the Flooding Authority as part of any future planning application.
(b) Relative abundance, quality and regenerative capacity of natural resources in the area			
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		
(c) Absorption capacity of the natural environment			
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.	Yes	Close proximity of the site to Annfield Burn which is identified as a SEPA flood hazard.	No. Effects are not considered to be significant within the context of the EIA Regulations. The planning application process provides sufficient scope to address this issue.
Are there any groundwater source protection zones or areas that contribute to the recharge of groundwater resources?	No		
Are there protected species in or around the location, for example	Unknown	The developer has indicated a Phase 1 Habitat	No. Effects are not considered to be significant within

	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).
European Protected Species, which could be affected?		Survey will be submitted with the application.	the context of the EIA Regulations, however - the planning application process provides sufficient scope to address this issue, possibly in consultation with SNH.
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?	No		
Are there any areas or features of historic or cultural importance on or around the location which could be affected?	No		
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 will be open to views from Dalmellington Road and the A77.	No. Effects are not considered to be significant within the context of the EIA Regulations as the site is already occupied by school buildings.
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?	Yes	Adjacent to flood risk area	No. Effects are not considered to be significant within the context of the EIA Regulations. The planning application process provides sufficient scope to address this issue in consultation with SEPA and ARA as the Flooding Authority.

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 issues which have emerged from the checklist are:

- The site is adjacent to a SEPA flood hazard at Annfield Burn. However effects are not considered to be significant for the purposes of this assessment. The planning application process provides sufficient scope to address this issue in consultation with SEPA.

From the assessment undertaken in accordance with the Regulations and Circular 03/2011, and taking into account the submitted screening report, the Council concludes that the proposed development Queen Margaret Academy, Ayr, South Ayrshire, as 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 environmental statement.

