

**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 (19/00597/PPP) 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 23 KILMARNOCK ROAD, SYMINGTON, SOUTH AYRSHIRE

The proposal is for planning permission in principle for the erection of residential development and retail/ food and drink units at 23 Kilmarnock Road, Symington. The proposed development site extends to some 1.05 hectares. 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	The proposed development is located adjacent to existing residential development.	N/A
Will it lead to further consequential development or works (e.g. new roads, extraction of aggregate, generation or transmission of power)?	Yes	While the site has historically been previously developed, there will be consequent requirements for the provision of a comprehensive suite of utilities and services to the site and various means of access to be introduced to/from the site to the existing public road network	No, the size of the site and scale of proposed works indicate significant effects are unlikely.
(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	Established residential use at Kilmarnock Road and Parish Gardens surrounds the site. Traffic movements arising from the proposal, in particular as concentrating upon Kilmarnock Road as the sole access and egress to the site.	Not in the context of this screening opinion; it is considered both the extent and mitigation of such impacts, and the acceptability thereof, is best assessed through the Development Management process in consultation with Ayrshire Roads Alliance as roads authority, Transport Scotland as trunk roads authority, and other appropriate consultees.
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, both in its construction and on an ongoing basis under its eventual occupation as housing units.	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 Council as local authority

	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).
			implement existing domestic waste management 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 residential-scale noise, light and heat energy emitted consequent to site occupation.	No, as observed post-construction effects should be equivalent to and reflective of the proposed residential character of the site; while any adverse effects should be considered and 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	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. Potential for air pollution also exists from the proximity of the site to the A77. Potential for surface water flooding in locality.	No, these risks will stand to be managed in accordance with industry standards and due protocol in safe working practice. Any adverse effects should be considered and managed by SAC's Environmental Health service. Potential for surface water flooding in locality to be considered by the Ayrshire Roads Alliance as the Flood Protection Management Authority.
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	Residential and agricultural uses adjoin the site. The residential properties will be negatively disrupted during the construction phase owing to noise, air pollution and potential traffic congestion.	No, matters of the appropriate preservation of neighbouring uses' amenity are considered to be best addressed through the development management process, in which matters of design and siting will be assessed in detail.
(b) Relative abundance, quality and regenerative capacity of natural resources in the area / underground			

	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).
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?	No	N/A	
(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?	Yes	Potential for European Protected Species to be present within the site.	To be considered by the applicant/ agent and SAC Biodiversity, and SNH where appropriate.
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?	Yes.	Elongated site adjacent to A77 trunk road.	Matters in relation to landscape setting and visibility are considered to be best addressed through the development management process, in which matters of design and siting will be assessed in detail.
Are there landscapes and sites of historical, cultural or archaeological significance which may be affected?	No	None on site or in its immediate vicinity however there is an archaeological consultation trigger zone located approx.. 260 metres to the south-west of the site. Symington Conservation Area also lies to the south-west of the site.	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. The main effects arising from the checklist are:

- Potential landscape and visual impacts upon the environment in the context of the site's, and its immediate surrounds':
- Potential for surface water flooding in locality:
- Disruption to neighbouring residential amenity arising from noise and air pollution during the construction phase:
- Cumulative impacts of increased vehicular load arising from additional demand placed by the development upon Kilmarnock Road:

From the above assessment undertaken in accordance with the Regulations and Circular 1/2017, the Council concludes that the proposed development at 23 Kilmarnock Road, Symington, South Ayrshire, as shown on the location plan identified in the application submission, is unlikely to result in effects on the environment which are sufficiently significant to require the submission of an EIA Report.