

**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  
TARBOLTON ROAD, MONKTON, SOUTH AYRSHIRE**

The proposal is for a residential development (circa 250 to 277 units) and associated works. The proposed development site extends to approximately 39.21 hectares and occupies land to the east of the village of Monkton but excludes the former HMS Gannet site and the land immediately to the east of the Whiteside residential area. The site includes three parcels of land outwith the MON1 masterplan area in the LDP including; the fields beside Kilmarnock Road, the land to the rear of the Monkton services and land west of the Pow Burn and the A77. 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). |
|--|--------|---|--|
| <b>1. Characteristics of the Development</b>           |        |   |  |
| <b>(a) Scale of the development</b>                    |        |   |  |
| Will the development be out of scale with the existing | Yes    | The proposed development will be located on a | 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).  |
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| environment?   |        | substantial parcel of land to the east of Monkton significantly increasing the size of the village.   | the context of this screening opinion. The overall scale of the development will be assessed during the planning application process.   |
| Will it lead to further consequential development or works (e.g. new roads, extraction of aggregate, generation or transmission of power)?   | Yes    | The proposed development will have to be serviced by infrastructure associated with a residential development including new internal roads, electricity, gas and drainage.  | No. Effects not considered to be significant within the context of this screening opinion.  |
| <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    | Land use within much of the proposed development site has been established in the LDP and the addition of a residential proposal will largely be in keeping with the surrounding land uses.                                   | No. Effects are not considered to be significant within the context of this screening opinion.  |
| 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 proposal represents part of a wider masterplan allocation MON1 in the adopted LDP   | No. There is no evidence that related developments could not proceed separately or independently. The proposal can be accompanied by a masterplan for the wider masterplan allocation area and this can be assessed during the planning application process |
| <b>(c) Use of natural resources</b>  |        |   |   |
| Will construction or operation of the development use natural resources i.e. land (especially undeveloped or agricultural land)? <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 construction of the proposed development will require the use of fuels and energy. Utility services will be required in order to support its operation. Agricultural land – some of it prime quality – will also be used. | No. Effects are not considered to be significant within the context of this screening opinion.  |
| <b>(d) Production of waste</b>   |        |   |   |
| 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 this screening opinion.  |
| <b>(e) Pollution and nuisances</b>   |        |   |   |
| Will the development cause noise and vibration or release of leachates, light, heat energy or electromagnetic radiation  | Yes    | There will likely be noise, vibration and light pollution as a result of the proposed   | No. Effects are not considered to be significant within the context of this screening opinion.  |

|  | 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). |
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| during construction, operation or decommissioning?   |        | development/operation.  |  |
| <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    | There will always be risks as a result of construction works.   | No. Effects not considered to be significant in the context of this screening opinion.   |
| <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    | There would be a permanent change in some land use from agricultural (some prime quality) to residential.   | No. Effects are not considered to be significant in the context of this screening opinion.   |
| <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> | No     |   |  |
| <ul style="list-style-type: none"> <li>pre-construction investigations e.g. boreholes, soil testing?</li> </ul>  | Yes    | Normal pre-construction investigations are likely.  | No. Effects are not considered to be significant in the context of this screening opinion.   |
| <ul style="list-style-type: none"> <li>construction, demolition, reclamation or excavation works?</li> </ul>   | Yes    | There will be construction works.   | No. Effects are not considered to be significant in the context of this screening opinion.   |
| <ul style="list-style-type: none"> <li>underground works ?</li> </ul>  | 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 this screening opinion.   |
| <ul style="list-style-type: none"> <li>facilities for storage of goods or materials?</li> </ul>  | 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 this screening opinion.   |
| <ul style="list-style-type: none"> <li>new road, rail, air or sea traffic or infrastructure during construction or operation or decommissioning?</li> </ul>                        | Yes    | The proposed development will require to be serviced by the infrastructure necessary to support a development of this nature, including new internal roads.               | No. Effects are not considered to be significant in the context of this screening opinion.   |

|   | 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).   |
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| <ul style="list-style-type: none"> <li>new or diverted transmission lines or pipelines?</li> </ul>  | Yes     | The proposed development will require to be serviced by the infrastructure necessary to support residential developments including gas, electricity and drainage.  | No. Effects are not considered to be significant in the context of this screening opinion.   |
| <ul style="list-style-type: none"> <li>any works requiring an authorisation under the Water Environment (Controlled Activities)(Scotland) Regulations 2005</li> </ul>   | Unknown | No details provided.   |  |
| <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      |  |  |
| <ul style="list-style-type: none"> <li>influx of people to an area either temporarily or permanently?</li> </ul>  | Yes     | There will be an influx of people both during the construction phase and following the completion of the development.  | No. Effects are not considered to be significant in the context of this screening opinion.   |
| <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     | There will be impacts upon nearby residential properties in terms of amenity and congestion. The majority of these impacts will be restricted to the construction phase. The development of the site will cause some disturbance to the adjacent village of Monkton, particularly during peak traffic times during the construction phase. | Yes. Given the large scale nature of the residential development and its location adjoining the village of Monkton, there will be a direct impact on the local road network. This impact is considered to be significant in the context of this screening opinion. |
| <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?   | Yes     | The development will result in the loss of agricultural land, some of it prime quality.  | No. Effects are not considered significant in the context of this screening opinion.   |
| <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   | 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).  |
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| 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. |         |   |   |
| 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 European Protected Species, which could be affected?   | Unknown |   |   |
| 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?   | Yes     | Two Category A listed structures lie within the development site – the Monkton Windmill and Macraes Monument. In addition, the enclosure to the west of Whiteside farm, which also lies within the application site is a scheduled monument | Yes. Given the scale and proposed location of the development, it is likely that there will be direct impacts upon the setting of these designations. Scheduled Monuments are defined as “sensitive areas” under the EIA Regulations and therefore special considerations apply. Circular 3/2011 provides guidance where it states “In practice, the likely environmental effects of Schedule 2 development will often be such as to require EIA if it is to be located in or close to sensitive sites.”<br><br>In this instance it is considered that given the location of listed structures and a Scheduled Monument within and adjacent to the development site, that there are likely to be impacts upon the setting of these features. These impacts are considered to be significant within the context of this screening opinion. |
| 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      |   |   |

|   | 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). |
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| Is the development in a location where it is likely to be highly visible to many people?  | Yes    | The proposal will be visible along the A77 trunk road, the B739 Tarbolton Road and from the village of Monkton itself. | No. Effects are not considered to be significant in the context of this screening opinion.   |
| 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 proposed development. The main issues which have emerged from the checklist are:

- impacts upon the setting of built heritage designations, particularly the Whiteside enclosure scheduled monument. The proposed development site encompasses the Whiteside enclosure scheduled monument. The Windmill and Macraes Monument are Category A listed buildings which also lie within the development site. It is likely that there will be significant and direct impacts upon the setting of these features due to the size, nature and location of the proposed development. Under the terms of the EIA Regulations, scheduled monuments are defined as 'sensitive areas'. Circular 3/2011 provides guidance where it states that "in practice, the likely environmental effects of Schedule 2 development will often be such as to require EIA if it is to be located in or close to sensitive sites." After conducting an assessment of the implications of the proposed development, it has been concluded that there are likely to be significant effects upon this 'sensitive area'.
- impacts upon the local road network. The proposed development lies adjacent to the village of Monkton and will significantly increase the size of the village. The site also lies within a triangle of roads – the A77 trunk road to the east, the B739 Tarbolton Road to the south and an unclassified local road (Kilmarnock Road) to the west. It is considered that, given the large scale nature of the proposal and its proximity to the village of Monkton there are likely to be significant effects on the local road network, particularly at peak traffic times.

From the assessment undertaken in accordance with the Regulations and Circular 03/2011, the Council concludes that the proposed development at Tarbolton Road, Monkton, South Ayrshire, as shown on the map forming part of the screening request and indicated on the attached to this document, is likely to result in significant environmental effects for the reasons set out within this report, and therefore requires the submission of an environmental statement.

It is therefore the opinion of the planning authority that the development, as proposed, is EIA development.

