

**The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011**

**Scoping Opinion of South Ayrshire for the “Winning and working of minerals and associated ancillary operations at Hillhouse and Hallyards quarries, construction of internal link road between quarries and formation of paths.**

**(Consolidation of two existing consented quarry operations into a single site with a reduced overall site area)”, Hillhouse and Hallyards Quarries, Dundonald**

23<sup>rd</sup> September 2016

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## **Appendix 1 – Consultation Responses**

## **1. Introduction**

South Ayrshire Council has received a request under Regulation 14(1) of The Town and Country Planning (Environmental Impacts Assessment) (Scotland) Regulations 2011 ('The Regulations') for a scoping opinion in respect of a forthcoming planning application for Hillhouse Quarry and Hallyards Quarry, Dundonald. The purpose of this scoping opinion is to provide the applicant with details of what the planning authority considers to be the main issues and therefore the issues upon which the environmental statement should focus.

As part of the process of preparing this scoping opinion the planning authority has consulted with a range of agencies (both statutory and non-statutory) and provided these consultees with a copy of the applicants submitted scoping report. Each of the consultees has provided a response relating to their own particular remit. The responses of each of the consultation authorities are set out within Appendix 1. Please note that the responses submitted by the consultation authorities form part of the scoping opinion and should therefore be read in full.

As is evidenced by the range of consultees, there are a number of issues associated with this proposal which require to be addressed within the environmental statement. This cover note summarises what the Council considers to be the issues upon which there will be likely significant effects, and therefore those upon which the environmental statement should focus.

## **2. Description of the development**

The subject of this scoping opinion is a forthcoming application for the "Winning and working of minerals and associated ancillary operations at Hillhouse and Hallyards quarries, construction of internal link road between quarries and formation of paths. (Consolidation of two existing consented quarry operations into a single site with a reduced overall site area)".

Hillhouse Quarry and Hallyards Quarry are located on the outskirts of Dundonald in South Ayrshire, approximately 4km north-east of Troon, 9km north of Prestwick and 6km south of Irvine. Hillhouse Quarry is accessed via a dedicated access from the A759 that is located to the north-west. Hallyards Quarry is accessed via a separate access from Old Loans Road to the south-east. The Glasgow South Western Railway (Stranraer Branch) runs north-east to south-west approximately 200m from the north western boundary of Hillhouse Quarry. Collenan Reservoir is located approximately 400m south of Hillhouse Quarry and approximately 450m south west of Hallyards Quarry. The nearest residential properties are isolated dwellings located approximately 800m to the south and west of the Quarries. The nearest settlements are Dundonald to the east, and Barassie and Loans to the west. Core footpath SA7 runs through Dundonald Woodland between Hillhouse and Hallyards Quarries and is locally referred to as 'Smugglers Trail'. There are a series of other local footpaths within the vicinity of the site, some of which have been formed through the passage of time as a result of footpath uses transecting the land to reach other areas.

## **3. Planning policy context**

In developing the proposal and preparing the environmental statement, particular regard should be afforded to the relevant provisions of Scottish Planning Policy (SPP) and the adopted South Ayrshire Local Development Plan (LDP); SPP states that the planning system should minimise the impacts of extraction on local communities, the environment and the built and natural heritage. The LDP identifies the site as lying within the Core Investment Area and as such the following LDP policies would be applicable:

- LDP Policy: Spatial Strategy (Core Investment Area)
- LDP Policy: Sustainable Development
- LDP Policy: Landscape Quality
- LDP Policy: Minerals and Aggregates
- LDP Policy: Woodland and Forestry
- LDP Policy: Water Environment
- LDP Policy: Historic Environment
- LDP Policy: Archaeology
- LDP Policy: Natural Heritage

#### **4. Consideration of alternatives**

Schedule 4, paragraph 2 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 requires that all environmental statements should include information on the main alternatives studied and an indication of the main reasons for choosing the selected option, with reference to the environmental effects. The environmental statement (ES) should therefore contain details of considered alternative approaches and why the selected course of action is the most appropriate. It is envisaged that this would be a brief exercise in this instance.

#### **5. Landscape implications**

The environmental statement should assess the landscape implications of the proposed development using the most up-to-date methods and best practice and should include a detailed description of the landscape as it currently exists.

#### **6. Cumulative effects**

The environmental statement should include an assessment of the cumulative effects of the proposed development. As the quarry is not expanding laterally, and there is no proposed or consented development of a similar type nearby, this is also envisaged to be a brief exercise in this instance.

#### **7. Aviation**

There are no aviation concerns associated with this proposal.

#### **8. Nature Conservation Designations**

Approximately 6.5ha of the currently undeveloped areas into which consent has previously been granted comprises parts of the Dundonald Wood SSSI. Dundonald Wood is a mixed, predominantly deciduous woodland extending to 31ha in total. The proposed planning application would alter the current consented area for quarrying activities by removing it from the SSSI. However, SNHs comments (appendix 1) should be taken into account in terms of the ES.

#### **9. Soils**

The currently undeveloped land, aside from the SSSI, is utilised for the grazing of livestock. The application site does not contain any prime quality agricultural land. Much of the damage caused to the soil by quarrying operations has already taken place through the consenting of the development some years ago and there are no significant concerns in this regard in terms of the issues to be covered within the environmental statement.

#### **10. Hydrology and Hydrogeology**

The environmental statement should assess the baseline water environment on site, including groundwater and identify all aspects of site work that might impact on it. Please refer to the consultation responses from SEPA and Scottish Water (Appendix 1) for more information in this regard.

#### **11. Forestry**

Part of the site is designated as a SSSI and clearly any losses of such woodland would, in principle, be a matter of concern. The implications of the proposals, in this regard, need to be given detailed consideration within the ES. Please refer to both the SNH and Forestry Commission's consultation responses (Appendix 1).

#### **12. Built and cultural heritage resources**

There are a large number of built/cultural heritage sites located within the vicinity of the site. The proposed Hillhouse/Hallyards Quarry development area itself contains five sites of cultural heritage interest, and one consisting of a non-Inventory designed landscape. Twelve further cultural heritage designations, comprising two scheduled monuments, a category A listed building, a category B listed building, a category C listed building, a conservation area, and a non-Inventory designed landscape were recorded within 200m of the development area boundary. Within 1km of the site boundary are three scheduled monuments, four category B listed buildings, and a category C listed building. The ES must give careful consideration to the implications of the proposed works on cultural heritage designations. Implications should be considered from a visual and physical perspective given the nature of the proposals. Of particular importance are the implications upon

the scheduled monument and A listed building. The consultation response of HES (appendix 1) provides further information in this regard.

### **13. Tourism/ Recreation and Public Access Resources**

There is a Core Path (SA7) (known as the 'Smugglers Trail') between Hillhouse and Hallyards Quarries, with several local footpath networks within the woodland area. This is of particular importance and due consideration should be given within the ES as to how the proposals will impact upon the route, both during construction and following completion. Further discussions with the planning service will be required in this regard.

### **14. Access issues**

The environmental statement should contain details of the access arrangements during the operational life of the site. This process should be used in order to identify any adverse impacts upon the surrounding environment, including the potential for congestion on the surrounding road network, and any subsequent mitigation measures which could be employed in order to avoid or reduce any potentially adverse effects.

### **15. Traffic and transportation**

The ES should assess the impact of vehicular activity associated with the operation of the site upon the public road network in terms of the effects on traffic management, road safety, road layout and road condition.

The ES should contain details of the routes considered for the delivery and export of materials and impacts upon the road network. The ES should address access issues, particularly those impacting upon the trunk road network, potential stress points at junctions and approach roads.

### **16. Noise**

The environmental statement should explore potential impacts upon sensitive receptors, including residential properties, in terms of noise and vibration during the proposed operational life of the site. The applicant is advised to give consideration to undertaking a noise impact assessment and vibration assessment as part of the environmental statement as this information will be required in support of the ROMP application.

### **17. Consultation responses**

A consultation exercise has been conducted with all of the relevant consultees. All of the responses received are included as an appendix to this document. The issues raised within each of these responses should be carefully considered and addressed within the environmental statement. Responses from the following organisations and services were received:

- South Ayrshire Council Biodiversity
- Scottish Environmental Protection Agency
- South Ayrshire Council Environmental Health
- Scottish Water
- West of Scotland Archaeology Service
- Historic Environment Scotland
- Forestry Commission
- Scottish Natural Heritage

### **18. Conclusions**

This scoping opinion provides a clear indication of the issues upon which the ES should focus. Of particular concern are the issues around cultural heritage designations, the SSSI, and Scottish Water Assets. However, the ES presents an opportunity to address a wider range of issues as set out within the scoping opinion (including attached consultation responses).

## **Appendix 1 – Comments received by consultation authorities**

### **SAC Biodiversity**

In relation to biodiversity and ecology my main concern is the proximity of the Dundonald Wood Site of Special Scientific Interest (SSSI), which lies to the immediate south-west of Dundonald. This site is one of the largest areas of deciduous woodland we have in South Ayrshire. The noted interest is that the site supports a varied assemblage of beetles including a number of nationally scarce species that can only survive in this particular type of woodland.

It looks to me that much of the proposed extension / linkage will be eating into a large chunk of the SSSI, 6.5ha taken from a total of only 31ha. (Top image is from our own GIS showing the site extent). As you will be aware any work in this area would probably fall under operations requiring consent from SNH.

This includes:

- Any extraction work for minerals, including topsoil, sub-soil
- Other operations that might possibly require consent are construction operations, including the removal or destruction of tracks, walls, fences, hardstands, banks, ditches or other earthworks, or the laying, maintenance or removal of pipelines and cables above or below ground
- The destruction, displacement, removal or cutting of any plant or plant remains, including tree, shrub, herb, hedge, dead or decaying wood, moss, lichen, fungus, leaf-mould and turf.

This is something I'm sure SNH will pick up on as part of the scoping process.

I wouldn't like to see any of the existing SSSI woodland diminished, further encroached or reduced by this proposed development, although I understand that planning consent has already been given. I agree that a Phase 1 Habitat Survey would be undertaken to establish any mitigation and management measures required for protected species and habitats within the site, and to establish if there are any potential impacts on air quality from extending the working of the quarry, perhaps increasing the risk of deterioration in local air quality as a result of wind-blown dust etc. This could have an impact on the ecology of the SSSI.

I would agree though that large area of pasture which I believe is currently utilised for the grazing of livestock (cattle and sheep) is considered this to be of limited ecological value.

My other comments are that:

1. That the applicant is made aware that works should not lead to contravention of either the Protection of Badgers Act 1992 or the Wildlife & Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004; (this includes ensuring that any foraging badger would not become trapped /injured during construction).
2. That the area of construction be checked prior to the commencement of any works for any ground nesting birds or nesting hare thereby ensuring that they are not contravening the Wildlife & Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004.
3. That the applicant is made aware that works should not lead to contravention of the Habitats Directive / Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).
4. Should any European Protected Species (EPS) be found either prior to or during the period of development then a qualified ecologist should be contacted immediately for advice before proceeding with works. Advice from SNH may be required and the ecologist should be able to determine this.
5. Should any European Protected Species (EPS) be found either prior to or during the period of development then the need for EPS licensing should be reviewed.

6. That should any vegetation require to be removed that this is undertaken outwith the breeding bird's season, specifically March – August.
7. If there is a requirement for any tree felling then it may be appropriate for the developer to conduct a survey (in season) for potentially roosting bats / nesting birds.
8. Where possible that any native hedgerows are maintained, or replace with native species hedgerow enhancements. This could consist of mostly hawthorn, with a mix of hazel, holly, dog rose, willow and elder.
9. Where possible the developer considers the inclusion of bird and bat boxes within the development.
10. That where possible any landscape planting considers the use of native nectar rich species.
11. If there are any woodland edges likely to provide important foraging habitat, where possible an experienced ecologist provides input to the lighting schemes so as not to impact on foraging bats.
12. That any excavations are covered at night to prevent animals from falling in or becoming trapped.

### **SEPA**

We consider that the following key issues must be addressed in the Environmental Impact Assessment process. To avoid delay and potential objection, the information outlined below and in the attached appendix must be submitted in support of the application.

- a) Map and assessment of all engineering works within and near the water environment including buffers, details of any flood risk assessment and details of any related CAR applications.
- b) Map of proposed surface water drainage layout.
- c) Map of proposed water abstractions including details of the proposed operating regime.
- d) Map of proposed waste water drainage layout.
- e) Map and assessment of impacts upon Groundwater Dependent Terrestrial Ecosystems and buffers.
- f) Map and assessment of impacts upon groundwater abstractions and buffers.
- g) Quarry Site Management Plan of pollution prevention measures.
- h) Map of proposed restoration measures.

Further details on these information requirements and the form in which they must be submitted can be found in the attached appendix. We also provide site specific comments in the following section which can help the developer focus the scope of the assessment.

#### **1. Site specific comments**

1.1 Mineral extraction works can have significant environmental impacts upon groundwater, surface water and waste management. Planning Advice Note 50 Controlling the Environmental Effects of Surface Mineral Workings (PAN 50) requires information to be submitted in support of planning applications detailing how the proposals will impact upon groundwater, surface water and waste management (Paragraphs 52 to 57). Paragraphs 55 to 57 also require details of how mineral wastes will be minimised and managed to prevent pollution.

1.2 As these are existing sites a number of the activities at these locations are currently authorised by SEPA under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) and the Pollution Prevention and Control (Scotland) Regulations 2012 (PPC). The applicant should consider how the future proposals may affect these existing authorisations, changes to the site boundary or proximity to sensitive receptors for example may require a variation to existing PPC permits, and discuss this matter with our local operations team (contact details in Section 2.1 below).



1.3 We welcome the intention to produce full drainage and hydrological/hydrogeological assessments. Please refer to Section 2 of Appendix 1 for the full pollution prevention and environmental management information we expect to support the Environmental Statement/planning application. Please note that the proposals must include measures to protect the water quality of Gales Burn, Barassie Burn, Dundonald Burn and associated tributaries as well as the Collenan Reservoir.

1.4 We would also expect that a water balance assessment be submitted in support of the ES/planning application. This should consider the separation of clean and contaminated drainage at both quarries to minimise the volume requiring treatment. It is understood that clean spring water arising on site is currently mixed with the contaminated drainage at Hillhouse quarry. There have also been historic compliance issues with the Hillhouse discharge licence (CAR/L/1000770) during winter wet weather conditions which will require consideration. The site working area has increased since the effluent treatment system was installed therefore the assessment should consider the suitability of the existing and proposed water management systems to protect the water environment from the proposed activities. Please note that this may require a variation to the existing CAR authorisation.

1.5 For information there is no trade effluent discharge authorisation in place at the Hallyards quarry. Restarting activities here may therefore require authorisation under CAR. Please note that previous contamination of Dundonald Burn has also arisen from access road run-off in this location; this will require the adoption of appropriate treatment to prevent reoccurrence if this is proposed to be used heavily.

1.6 We have highlighted within Appendix 1 that details must be provided regarding any proposed water abstraction. Abstraction should be in compliance with General Binding Rule (GBR) 2 of CAR. Abstraction of groundwater in quantities greater than 10m<sup>3</sup>/day may require authorisation under CAR depending on the scope and duration of the works. Please note that any proposals to undertake alterations to, or works on, the bank or bed of a watercourse (for example watercourse crossings) also constitutes an activity which requires to be authorised under CAR.  
Regulatory advice for the applicant

## 2. Regulatory requirements

2.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulations team in your local SEPA office at:

31 Miller Road

Ayr

KA7 2AX

Tel: 01292 294000

If you have queries relating to this letter, please contact me by telephone on 01698 839 000 or e-mail at [planning.sw@sepa.org.uk](mailto:planning.sw@sepa.org.uk).

### **SAC EH**

I refer to your request for this departments view on the papers prepared by Pleydell Smithyman in respect of the above subject.

In this respect the papers provided would appear to have covered the aspects that would be of concern to this service

- Operational Noise
- Noise and Vibration from Blasting
- Air Quality (Dust)

In addition it is noted that the proposals would result in a larger buffer between the location of the extraction and the nearest residential properties in Dundonald. (3.12)

I would request that a copy of the Environmental Impact Assessment be submitted to this service for perusal and comment if necessary.

### **Scottish Water**

#### **Drinking Water Protected Areas**

There are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed development.

#### **Scottish Water Assets**

A review of our records indicates that the 15" asbestos cement Braden trunk main runs between the two quarries and is located within the proposed consolidated site boundary for the sites. The Braden trunk main follows the route of the Smugglers Trail where the EIA Scoping Report states that temporary works will be required to facilitate the formation of a new access link between the quarries. As such, it is considered that there is potential for conflict between the new access link and the Braden trunk main. We therefore recommend that the developer contacts the Scottish Water Asset Impact Team (AIT) as soon as possible at [service.relocation@scottishwater.co.uk](mailto:service.relocation@scottishwater.co.uk) to discuss the development. We welcome that the EIA Scoping Report states that the detailed design of the new access link will be developed as the EIA progresses and will be informed by consultation with stakeholders. All detailed design proposals relating to the protection of Scottish Water's assets should be submitted to the AIT for review and written acceptance. Works should not take place on site without prior written acceptance by Scottish Water.

The developer can also confirm the location of the Braden trunk main and other Scottish Water assets (including water supply and sewer pipes, water and waste treatment works etc.) by obtaining detailed plans from our Asset Plan Providers (details are included in Annex 1).

Annex 1 also includes a list of precautions to be taken when working within the vicinity of Scottish Water assets. This list of precautions is not exhaustive but should be taken into account as the development progresses through the planning and development process.

It should be noted that the development will be required to comply with Sewers for Scotland and Water for Scotland 3rd Editions 2015, including provision of appropriate clearance distances from Scottish Water assets.

### **Annex 1: Precautions to protect drinking water and Scottish Water assets during mining and quarrying activities**

#### **General requirements**

1. The proposed timing of the works, including planned start and completion dates, should be submitted to Scottish Water in advance of any activities taking place on-site. This information should be submitted to [EIA@scottishwater.co.uk](mailto:EIA@scottishwater.co.uk).
2. If a connection to the water or waste water network is required, a separate application must be made to the Scottish Water Customer Connections Team for permission to connect. It is important to note that the granting of planning consent does not guarantee a connection to Scottish Water

assets. The Customer Connections Team can be contacted by telephone on 0800 389 0379 or via email at [customerconnections@scottishwater.co.uk](mailto:customerconnections@scottishwater.co.uk).

3. In the event of an incident occurring that could affect Scottish Water we should be notified without delay using the Customer Helpline number 0800 0778 778 and the local contact if known.

Protecting Scottish Water assets

4. If an activity associated with a development proposal is located within close proximity to Scottish Water assets, including water and waste water pipe infrastructure, treatment works and reservoirs etc., it is essential that these assets are protected from damage. To this end, the developer will be required to comply with Scottish Water's current process, guidance, standards and policies in relation to such matters.

5. Copies of Scottish Water's relevant record drawings can be obtained from the undernoted Asset Plan Providers. This is distinct from the right to seek access to and inspect apparatus plans at Scottish Waters area offices, for which no charge is applied.

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)

[www.sisplan.co.uk](http://www.sisplan.co.uk)

National One-Call

Tel: 0844 800 9957

Email: [swplans@national-one-call.co.uk](mailto:swplans@national-one-call.co.uk)

[www.national-one-call.co.uk/swplans](http://www.national-one-call.co.uk/swplans)

6. It should be noted that the site plans obtained via the Asset Plan providers are indicative and their accuracy cannot be relied upon. It is therefore recommended that the developer contacts the Scottish Water Asset Impact Team at [service.relocation@scottishwater.co.uk](mailto:service.relocation@scottishwater.co.uk) for further advice if assets are shown to be located in the vicinity of the proposed development, and where the exact location and the nature of the infrastructure shown could be a key consideration for the proposed development. An appropriate site investigation may be required to confirm the actual position of assets in the ground. Scottish Water will not be liable for any loss, damage or costs caused by relying upon plans or from carrying out any such site investigation.

7. Prior to any activity commencing, all known Scottish Water assets should be identified, located and marked-out.

8. Scottish Water expects method statements, safe systems of work and risk assessments to be prepared and submitted in advance to Scottish Water for formal review and acceptance. These documents shall consider and outline in detail how existing Scottish Water assets are to be protected and/or managed for the duration of any construction works and during operation of the development if relevant. These documents must be submitted to Scottish Water's Asset Impact team for formal prior written acceptance.

9. The developer shall obtain written acceptance from Scottish Water's Asset Impact Team where any site activities are intended to take place in the vicinity of Scottish Water's assets. The Asset Impact Team can advise on any potential risk mitigation measures that may be required.

10. Scottish Water and its representatives shall be allowed access to Scottish Water assets at all times for inspection, maintenance and repair. This will also ensure that the Scottish Water assets are protected and that any Scottish Water requirements are being observed.

11. Any obstruction or hindrance of access to Scottish Water assets should be avoided. The prompt and efficient use and manipulation of valves, hydrants, meters or other apparatus is required at all times. There should also be no interference with the free discharge from water main scours or sewer overflows.

12. In the event of an incident occurring that could affect Scottish Water, including any damage to assets, Scottish Water should be notified without delay, using the Customer Helpline number 0800

0778 778, and the local contact if known. Scottish Water apparatus should not be interfered with or operated by anyone other than Scottish Water personnel.

13. The 'offset distance' is the distance between any Scottish Water asset and adjacent properties and structures. Scottish Water reserves the right to ask for an offset distance in accordance with its own current policy and standards and to suit specific circumstances. The details of this requirement should be confirmed with Scottish Water as an early part of the design process.

14. Stationary plant, equipment, scaffolding, construction or excavated material, etc. should not be placed over, or close to, any Scottish Water assets without the prior written consent of Scottish Water which may be withheld depending on circumstances on-site.

15. Special care should be taken to avoid the burying of Scottish Water assets or the obstruction of sewers or manholes with fill or other material. Arrangements for altering the level of any chambers should be agreed in advance with Scottish Water and these should be constructed in accordance with Scottish Water requirements. The cost of any work to Scottish Water assets will be met by the project developer.

16. Excavation works (e.g. of wind turbine foundations) should not be carried out in the proximity of a water or waste water main without due notice having been given to Scottish Water and prior written acceptance obtained. The developer will comply fully with any Scottish Water specific site requirements.

17. Any tree planting associated with the development (e.g. compensatory planting or screening etc.) should be undertaken in line with Water for Scotland 3rd Edition (April 2015) to ensure that Scottish Water assets are not put at risk by future growth of tree roots.

18. Vibration in close proximity to Scottish Water pipelines or ancillary apparatus should be managed in accordance with British Standard 5228-1:2009 (Code of practice for noise and vibration control on construction and open sites). The predicted levels of vibration should be agreed in advance with Scottish Water as part of the risk assessment and method statement and agreed vibration monitoring arrangements will be required.

19. The developer will consider the possibility of increased loading on Scottish Water apparatus and measures will be taken to eliminate or mitigate increased loading on assets. Care should be taken to identify any assets which may be crossed by vehicles on the access route to the site and crossing points will be engineered to the requirements of Scottish Water. Any pipe crossing proposals are subject to prior written acceptance by Scottish Water.

20. Scottish Water will not accept liability for any costs incurred in fulfilling any of the above requirements during the development planning, construction or operational phases, either by the developer, the developer's associates, contractors or any other person or organisation involved in the project.

21. If the developer damages any Scottish Water asset they will be held liable for any costs resulting from this.

22. Scottish Water may require costs associated with the development to be reimbursed by the developer or the developer's agents.

### **WoSAS**

Given that all of the proposals already have planning consent I have briefly read through the consultation documents.

I advise that I agree to the inclusion of archaeology and cultural heritage within the proposed EIA and concur that it is necessary given the rich area the quarries lie within.

As the development is existing setting issues for the many scheduled sites in the vicinity is probably not much of an issue, though any existing situation should not be made worse by the proposals.

The ground clearly has potential to produce buried archaeology and any new ground disturbance should be preceded by archaeological investigations.

I would advise that the WOSAS HER is included in the list of sources to be consulted for the assessment and that HES are consulted regarding the potential setting issues.

### **Historic Environment Scotland**

#### Our views of the principle of the development

While we consider that it should be possible to accommodate the proposed quarrying activities and new link road at this location, we have concerns about the potentially significant impacts of the proposals on a number of heritage assets in relation to the site. We would therefore recommend that the design of the new road link and the extent of quarrying should be carefully considered to avoid these impacts. In line with this, it should be demonstrated that the development of the proposals has been informed by a detailed understanding of the heritage assets identified below and their settings. Recommendations for mitigation should also be explored.

#### Potential impacts to be considered

##### Direct Impacts

We note that the following Scheduled Monument is located within the Proposed Development Boundary.

- Hallyards, farmstead 750m SW of (Index no.5394)

This is a pre-improvement farmstead situated on the flank of a low hill. It includes a number of rectangular wall foundations, the remains of field boundary banks, former tracks, and traces of cultivation. The farm was located in a suitable location for construction and to exploit the surrounding land. Long views from the monument are unlikely to contribute substantively to an appreciation of its significance.

We would strongly recommend that the monument is safe-guarded from the quarrying works within an appropriate buffer. The size of the buffer should be such that the stability of the monument is not compromised by quarrying and so that its appreciation is not significantly affected.

We note that Drawing No.M15.116(a).D.005 suggests that a stand-off of 25m would be provided. This is unlikely to be sufficient. The design of the buffer should consider the factors noted above, but in general a stand-off of at least 40m is likely to be advisable.

##### Indirect Impacts

There are also several heritage assets within our remit within the vicinity of the Proposed Development Boundary, the setting of which is likely to be impacted upon as a result of the proposals.

- Kemp Law, fort (Scheduled Monument, Index no. 304)

This is a small vitrified fort within mature woodland. It includes upstanding banks and is likely to date to the later Prehistoric or Early Medieval period. The fort has been strategically positioned on a spur with a particularly steep slope to its north. This location would have provided open views over the approaches to the fort and slopes that would have aided its defence. The proposals should be designed with consideration of how the surrounding landscape contributes to an understanding and appreciation of how the fort functioned in the past

We last visited the monument in 2012, at that time it was covered in mature trees, scrub and ground vegetation. This is likely to remain the case but the current condition of the fort should be considered and whether this is likely to change in the future.

The presence of woodland may restrict views out from, and to, the fort. The woodland may provide visual screening for current quarrying and any proposals. However, this should be robustly demonstrated within the assessment and consideration should also be given to how any screening would be maintained in the future. The assessment should also consider how other factors, such as noise, dust or vibration, may affect an appreciation of the monument.

Quarrying and other activity should not occur where it might undermine the stability of the fort or degrade its setting. We note that Drawing No.M15.116(a).D.005 suggests that a stand-off of 25m would be provided for Scheduled Monuments. This is unlikely to be sufficient and we would recommend that the size of the proposed buffer should take into account all of the factors that may affect the fort.

- Dundonald Castle (Scheduled Monument, Index no. 90112 and Category A Listed Building, LB983)

Dundonald Castle was built by Robert II in the 1370s. It is a Property in Care and comprises a well-preserved tower on top of a small hill. The development boundary extends to within approximately 500m of the west of the Castle. There is mature woodland to the west of the Castle and this may provide visual screening for the proposed development.

Impacts on the setting of Dundonald Castle should be fully assessed, informed by an appreciation and understanding of the surrounding landscape. Consideration should also be given to the extent of screening offered by the intervening woodland and whether any changes to it are likely in the future. The assessment should also thoroughly consider the potential for adverse effects from other factors such as: vibration, noise and dust.

- Auchans Castle (Category A Listed Building, LB984)

Auchans Castle is the ruin of a mansion house erected by Sir William Cochrane during the 17th century. It is located less than 250m north of the Proposed Development Boundary. There is some woodland to the south of the Castle, which forms an important element of its setting in views from the north. This woodland may also provide a degree of screening for the proposed development. Impacts on the setting of Auchans Castle should also be fully assessed, with particular attention paid to the area of woodland to its south. The assessment should also thoroughly consider the potential for adverse effects from other factors such as: vibration, noise and dust.

- Wardlaw Hill, earthworks (Scheduled Monuments, Index No's 306 & 307)

The monuments include a large and small hillfort of likely later Prehistoric date preserved as earthworks. The monuments have been deliberately positioned on two summits of Wardlaw Hill to provide views over the surrounding countryside and a defensive situation. The proposed development boundary is some 500m northwest of the nearest of these two monuments. Given the extent of quarrying works already visible from these monuments, we do not consider that the proposals will give rise to a significant effect on the setting of these monuments.

#### EIA Scoping Report

We have reviewed the scoping materials provided as part of this consultation and welcome the decision to scope the Cultural Heritage topic area into the Environmental Impact Assessment (EIA). We do, however, note that no detail is provided in relation to the proposed assessment methodology and that there are some inaccuracies within the report. No mention is made in the

Scoping Report of the scheduled monument (Hallyards Farmstead) located within the proposed development boundary, for example, and it is also unclear whether the other heritage assets in relationship to the site have been correctly identified.

The scoping materials also do not make clear the extent of quarrying works to take place within the Proposed Development Boundary. Further information would have allowed us to better understand the impact of the quarrying works on both the scheduled monument within the development boundary and heritage assets within the wider landscape.

While assessing the impact of this development on setting it may also be helpful to consult our revised Managing Change guidance note, which can be found at:

<https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=80b7c0a0-584b-4625-b1fd-a60b009c2549>.

### **Forestry Commission**

In respect to the proposed development works, I would highlight that in line with the Scottish Governments Policy on the Control of Woodland Removal, that loss of woodland which is resultant from development works is normally expected to be compensated for through the provision, by the developer, of appropriate compensatory planting. Such provision should be commensurate to the area of woodland being lost.

I would expect such provision to be made in this instance.

Normally the best, and most straightforward solution to this is by the provision of replanting on other areas of the existing development site, possibly as part of an agreed restoration scheme.

The further matter of concern in respect to the proposed losses is that the woodland in question is a protected site, being designated as a SSSI. Clearly any losses of such woodland would, in principle, be a matter of concern. However, I will defer to my colleagues in SNH's opinion in respect to that specific aspect, and I am sure they will have given you input in that respect already.

### **SNH**

Dear Mr Couston

### **The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 Request for an EIA Scoping Opinion: The consolidation of activities at Hillhouse Quarry and Hallyards Quarry, under the single ownership of Hillhouse Quarry Group at Hillhouse/Hallyards Quarries, Troon, Ayrshire**

Thank you for consulting SNH on the scoping opinion for the above development proposal by way of your email dated 20 July 2016. We would welcome engagement with the applicant at an early stage to discuss any of the issues raised in this letter.

### **Summary**

This request for an EIA scoping opinion is for the consolidation of all operations at the above quarries under a single planning permission. The following additional information must be submitted in support of the planning application to allow SNH to make a full assessment of the proposal and to avoid potential delays;

- Confirmation of the existing development boundary, the proposed development boundary, and the proposed extraction limit boundary

- Confirmation of what extraction (if any) is proposed for within the boundary of Dundonald Wood SSSI
- Confirmation of the proposed further extraction area that is referred to in section 4.11 of scoping report; "extension area of comparable size identified away from the SSSI designation"
- Further information regarding the proposed road linkage between the two quarries, including full assessment of the impact on Ancient Woodland, protected species, and the Ayrshire Coastal Path
- Further information as detailed in Annex A

### **Background**

We understand that this planning application is to allow the consolidation of all operations at Hillhouse Quarry and Hallyards Quarry under a single planning permission. The planning application will also include plans showing the new proposed development boundary and the new access link between the quarries, and plans showing how the quarries are to be worked and restored. Additionally, the proposal appears to include land within Dundonald Wood Site of Special Scientific Interest (SSSI), designated for its Upland Mixed Ash Woodland and Beetle Assemblage.

### **Key issues to be addressed in the Environmental Statement**

The Environmental Statement (ES) must contain the information specified in Schedule 4 Part II of the Environmental Impact Assessment (Scotland) Regulations as a minimum.

We consider that the key issues to be addressed in detail as part of the EIA process are:

1. Ecological impacts (including direct and indirect impacts upon Dundonald Wood SSSI, Ancient Woodland and protected species)
2. Landscape and visual impacts
3. Recreational impacts, particularly on the Ayrshire Coastal Path (including positive and negative impacts associated with the development)
4. The cumulative impacts of all of the above in combination with other development proposals in the area

Our detailed response can be found in Annex A below. Further guidance on the Environmental Impact Assessment process can be found in SNH's publication '*A Handbook for Environmental Impact Assessment*' (2013). This publication can be downloaded from the SNH website at: <http://www.snh.org.uk/pdfs/publications/heritagemanagement/EIA.pdf>. Further information from <http://www.snh.gov.uk/docs/A1150291.pdf> provides pre-application and scoping advice to developers, specifically for onshore wind farm developers, however it also provides useful information for other developments.

The information provided in this response is given without prejudice to any views that we may wish to express at a later date and is based upon our understanding of the project at this time.

Should you need any further information or advice from SNH, please do not hesitate to contact me at [natalie.cozzolino@snh.gov.uk](mailto:natalie.cozzolino@snh.gov.uk) or 0141 951 0875.

Yours sincerely  
Natalie Cozzolino  
Operations Officer  
Strathclyde and Ayrshire

### **Annex A**

#### **Dundonald Wood SSSI**

The proposed development boundary overlaps the Dundonald Wood SSSI which is designated for its Upland Mixed Ash Woodland and Beetle Assemblage. There is a complex history between the quarry



site and the SSSI. The original planning permission for Hillhouse and Hallyards Quarries was under one single planning permission which was granted in 1948 (prior to the designation of the SSSI). Subsequently the two quarries were separated and operated independently. In 1999, the Hillhouse Quarry planning permission was subject to a review under the Review of Mineral Planning permissions (ROMP). A revised set of conditions was applied at this time which included limitations to the excavation site. As we understand, this was to prevent any excavations from within the SSSI for 15 years, with the understanding that during this time a mitigation plan for operations in and adjacent to the SSSI would be developed. In 2011, a further planning application was approved removing the condition limiting the excavations, and a Mitigation and Management Plan for Dundonald SSSI was secured.

As it stands, the progressive development of Hillhouse Quarry continues in accordance with the 2011 decision. The current proposal to bring both Hillhouse and Hallyards Quarries under the same planning permission also includes a proposal to change the development boundary. It is unclear from the scoping report exactly what is being proposed in terms of the development boundary and extraction limit. The map titled 'Proposed Development Boundary' indicates a red line that incorporates part of the Dundonald SSSI. This suggests that the proposed development boundary will include part of the SSSI. However, sections 3.12 and 4.11 of the scoping report suggest that there will no longer be any extraction from within the SSSI; 3.12 *"a notable difference between the currently consented development and the proposed Extraction Limit is the relinquishment of extraction within Dundonald SSSI"* and 4.11 *"...the intended planning application would surrender the quarrying activities within the 6.5ha area of the site adjacent to Dundonald Wood SSSI, with an extension area of comparable size identified away from the SSSI designation"*. These sections of the scoping report need clarification as not only do they introduce a new extension area without full explanation, but section 4.11 seems to suggest that the 6.5ha area the applicant plans to relinquish extraction from is in fact not within the SSSI, but is adjacent to it.

In summary, clarification is needed and clearer maps are required showing the proposed development boundary, the proposed extraction limit and the proposed extraction 'extension area' as referred to in section 4.11. This information is required for us to make an assessment of the potential impact of the proposed quarrying activities on the qualifying interests of Dundonald Wood SSSI.

#### Locally designated sites

The proposed development boundary includes part of one of South Ayrshire's Local Wildlife Sites. We understand that South Ayrshire's Local Wildlife Sites are currently provisional designations and it is proposed that they will be reviewed under the next Local Development Plan.

#### Terrestrial habitats

Dundonald Wood SSSI and the adjacent woodland (including Aught wood) are classed as Ancient Woodland (of semi-natural origin) on the Ancient Woodland Inventory<sup>1</sup>. It is unclear in the current proposal how much felling will be required. Further information detailing a felling plan including any proposed mitigation, should be included in the planning submission. We also recommend that the applicant contacts the Forestry Commission Scotland at as early a stage as possible to discuss the Control of Woodland Removal Policy and the implications it may have on the development.

With regard to other terrestrial habitats, our general advice is that the whole area likely to be affected by the development and an appropriate buffer (e.g. to allow for redesign and micro-siting) should be surveyed to Phase 1 standard. In addition to a Phase 1 survey, where habitats consistent with those on Annex 1 of the EC Habitats Directive together with UKBAP Priority Habitats are

present, they should be mapped to NVC standard and accompanied by supporting quadrat information. Rare and scarce associated plant species should also be recorded.

#### Protected species

Our advice with regards to protected species is that the whole area likely to be affected by the development and an appropriate buffer (e.g. to consider disturbance) should be surveyed for protected species. In particular surveys for bats, otters, badgers and water voles should be undertaken where suitable habitat exists. A breeding bird survey should also be undertaken and presented in the Environmental Statement, to enable a full assessment of the impacts of the development on breeding birds.

All survey work for protected species should be undertaken in line with the best practice guidance outlined on our website - <http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/protected-animals/>. Where survey methods or other work deviates from the published guidance, this should be agreed with us in advance to ensure that any deviations still meet our needs. A full explanation of why any deviations are considered appropriate should also be provided in the ES for the benefit of others. The results of the surveys should be used to avoid or minimise impacts, thereby informing the iterative layout and design of the development.

You should note that non-avian species surveys should be completed no more than 18 months prior to submission of the application to ensure that the survey results are a contemporary reflection of species activity at and around the site. If significant land use, habitat or population changes have occurred during this time, advice should be sought from us prior to application submission to ensure the surveys will be adequate.

#### Access

The proposed linkage between Hillhouse Quarry and Hallyards Quarry passes through the Core Path SA7 (Ayrshire Coastal Path). The submission should therefore identify the impact of the development on the Core Path, and should also identify any other current recreational activities within the area. The submission should include;

- a) A map detailing any access restrictions required during the operation of the site. The map should also include details of any re-routing of paths and highlight alternative routes for consideration.
- b) A map detailing any opportunities to integrate the site into the surrounding network on restoration of the development.
- c) An assessment of the landscape setting of the site and surrounding area and how this may affect the enjoyment of people using the Ayrshire Coastal Path. This should be included in the Landscape and Visual Impact Assessment (LVIA).

#### Landscape and Visual

Quarries can be prominent features in the landscape and a full assessment of the effects on landscape character and visual amenity is important. We suggest that a full landscape character assessment and visual impact assessment of this proposal is undertaken, and we recommend that this is undertaken by appropriately qualified personnel.

The assessment methodology should follow the approach promoted by the Landscape Institute and Institute of Environmental Management and Assessment (“Guidelines for Landscape and Visual Impact Assessment”, third edition, The Landscape Institute and Institute of Environmental Management and Assessment 2013).

Full descriptive and mapped details of the baseline landscape condition from the relevant Landscape Character Assessment (LCA) (<http://www.snh.gov.uk/protecting-scotlands-nature/looking-after->

landscapes/lca/) should be included, including for example, existing topography, existing site features, tree age and species size, and hedgerows. Details should be supplied in plan form at a suitably legible scale.

Additionally, the landscape and visual impact assessment should make use of other appropriate techniques for assessment and communication of findings. SNH would recommend that this includes photography, photomontage and annotated wirelines drawings of the quarry at different operational stages and from key fixed viewpoints including transport corridors, paths and areas of informal recreational usage. Zone of Theoretical Visibility studies should be used to show the likely visibility of the quarry void from positions within a 3 kilometre radius.

#### Mitigation

The layout of quarry infrastructure and the proposed operational phasing should be informed by the above assessment process. The potential for practical and achievable mitigation measures, such as screen planting, should also be informed by the assessment process. Mitigation proposals to reduce the impact of the development proposal on the landscape and reduce its visual impacts should be clearly defined in the ES in an identifiable section of the ES and should be both specific and achievable.

#### Restoration

The submission should identify detailed proposals for the restoration and after-use of the site that should include:

- a) A plan detailing the proposed final topography, proposed planting details, and proposed public access arrangements, including links to core path networks.
- b) A programme of works detailing the various elements of progressive restoration work to be undertaken including a timeline for completion<sup>2</sup>.
- c) An aftercare document detailing the methodology for all works to be undertaken and detailed planting specifications including details of annual monitoring to ensure successful establishment for a minimum 5 year period.

1 A guide to understanding the Scottish Ancient Woodland Inventory - <http://www.snh.gov.uk/docs/C283974.pdf>

2 SNH encourages the bringing together of restoration work and bonds for the two sites under a single planning permission to make compliance monitoring simpler.