

**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 (22/00601/APP) 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 2 BELSTON HOLDINGS, B744 AYR SOUTH AYRSHIRE

The proposal is for the Change of use of part of agricultural land to form caravan site, holiday lodges and erection of facilities block and associated works at 2 Belston Holdings, B744, Belston to Weston Avenue, Annbank Ayr KA6 5JD. The proposed development site extends to some 1.99 hectares inclusive of site access and landscaping. The proposal is Schedule 2 development under the terms of the above Regulations (qualifying variously under categories 12(e) 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			

	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).
(a) Size and design of the development			
Will the development be out of scale with the existing environment?	Yes	The proposed development is located on some 1.99ha of undeveloped agricultural land beside the donor holding, immediately adjacent to the B744 Annbank a short distance from its junction with the A70. The landscape settlement pattern is of a dispersed network of discrete agricultural holdings, and pastoral landcover predominates. The proposal scatters a miscellany of low-density development over a sustained area, which clutters the default local pattern of individual holdings; their self-containment, and their typically modest extent.	No, whilst the cluttering effect of the additional development over 1.99ha of farmland is noted, the development form is of minimal density and remains identifiable within the host environment as a diversification of the donor holding. Whilst neither default nor traditional for the settlement pattern of the rural environment, holiday accommodation eg. caravan parks are not unknown features in the wider vicinity. On this basis effects are unlikely to be significant. DM assessment of site design allows consideration to be given to ameliorating impressions of scale within the existing environment, as necessary. Nevertheless, the potential for future cumulative development would bear rapidly escalating collective impact with increased likelihood of significant environment effect.
Will it lead to further consequential development or works (e.g. new roads, extraction of aggregate, generation or transmission of power)?	Yes	There will be consequent requirements for the provision of a comprehensive suite of utilities and services to the lodges on site and means of internal 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?	No	N/A	
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			

	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 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 take place upon an area of undeveloped agricultural land. The land is not identified as prime quality agricultural land.	No.
(d) Production of waste			
Will the development produce wastes during construction or operation or decommissioning?	Yes	Waste will be produced during construction and occupation / operation of the development site.	No, this should managed within the scope of any construction contract and the Council as local authority 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 also be residential-scale noise, light and heat energy emitted consequent to site occupation – during residency seasons.	Yes, and will noise reflective of the residential character of the proposed site; while any adverse effects should be managed by SAC's Environmental Health Service.
(f) Risk of major accidents and/or disasters relevant to project concerned (including climate change-caused)			
Will there be a risk of accidents during construction or operation of the development which could have effects on people or the environment?	Yes	During construction there will be heavy machinery, transport and construction equipment/materials on site which all present danger and accident hazard. There will always be risks associated with the construction phase of this type of proposal.	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.	No, these risks will stand to be managed in accordance with industry standards and due protocol in safe working practice. Risks will be localised and temporary.
2. Location of the Development			
(a) Existing and approved land use			

	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 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	Agriculture predominates on all sides of the site whose dwellinghouses may be negatively disrupted during the construction phase owing to noise and air pollution. There will be a permanent change in the use of the land. The use of the land will intensify and may be considered visually prominent, generating concerns in relation to landscape impacts.	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			
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	The land is not classed as prime-quality agricultural land.	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?	No	N/A	
Does the location include or affect areas in which there has already been a failure to meet relevant environmental quality standards (laid down in Union legislation and relevant to the project), or in which it is considered that there is such a failure?	No	N/A	
Is the development in a location where it is likely to be highly visible to many people?	No	The proposed development will take place upon an area of undeveloped agricultural land. There may be a visual impact upon adjacent residential properties within the surrounding area. The site will be high visibility from the B744 and potentially visible from the A70.	No. The planning application process provides adequate scope to address any concerns in this regard.

	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 landscapes and sites of historical, cultural or archaeological significance which may be affected?	No	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 checklist is a useful tool for the purposes of identifying the wide range of environmental receptors which could be affected by proposed development. The main effects arising from the checklist are:

- Localised and cumulative effects upon noise, and road network arising from the development's operation and the additional traffic demand this generates – in comparison to the extent of the site's operations as existing,
- Landscape and visual impact, given that the land is currently undeveloped agricultural land, the impacts will mainly be on the landscape setting.

From the above assessment undertaken in accordance with the Regulations and Circular 1/2017, the Council concludes that the proposed development at 2 Belston Holdings, B744 South Belston to Annbank, as shown on the map below, is unlikely to result in effects on the environment which are sufficiently significant to require the submission of an EIA Report.

