

**THE TOWN AND COUNTRY PLANNING ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2017
SCOTTISH EXECUTIVE DEVELOPMENT DEPARTMENT CIRCULAR 1/2017**

**THE TOWN AND COUNTRY PLANNING ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2017. THE PROPOSED
DEVELOPMENT SITE IS LOCATED TO THE WEST OF THE SETTLEMENT OF MOSSBLOWN, SOUTH OF THE B742.**

The proposal is for the erection of buildings to operate a composting business with associated access, landscaping and associated works on land to the south of the B742, approximately 1km to the west of the settlement of Mossblown. The proposed development site extends to approximately 1.95 hectares. The proposal is Schedule 2 development under the terms of the above Regulations and must therefore be screened in order to determine whether the proposal constitutes 'EIA development'.

This determination is referred to as a '**screening opinion**'. In each case, the basic question to be asked is: 'would this particular development be likely to have significant effects on the environment?'

For many types of development, perhaps the majority, it will be necessary to consider the characteristics of the development in combination with its proposed location in order to identify the potential for interactions between a development and its environment and therefore determine whether there are likely to be significant environmental effects. In determining whether a particular development is likely to have such effects, the Council has taken account of the selection criteria in schedule 3 to the Regulations (reproduced at Annex A to Circular 01/2017). 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 the Development			
(a) Scale of the development			
Will the development be out of scale with the existing environment?	No	Details in terms of the height of the buildings proposed do not appear to have been provided; however, there is an existing commercial building located immediately to the north of the proposed site on the other side of the B742. This building does not appear to be currently in use. It is stated that the proposed main building would have the appearance of an agricultural shed and these are common features within the rural environment.	
Will it lead to further consequential development or works (e.g. new roads, extraction of aggregate, generation or transmission of power)?	No	The proposal will not give rise to further consequential works.	
(b) Cumulation with other development			
Are there potential cumulative impacts with other existing development or for proposed development in the planning system?	No	There are no approved planning proposals in the immediate vicinity proposed under the LDP that would result in significant cumulative impacts.	
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	The proposal is self-contained.	
(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 site is presently in agricultural use. It is stated within the screening opinion submission that the site was formerly a mine colliery.	No. The environmental impacts associated with the use of the buildings are not considered to be significant.
(d) Production of waste			

	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 produce wastes during construction or operation or decommissioning?	No.		
(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	Pollutants will be released as a by-product of construction activities typical of a development of this type i.e. construction vehicle movements, dust and noise. Operational noise levels are unclear.	No. The pollutants arising from the construction phase can be adequately assessed and controlled through good practice in construction management. The potential for noise nuisance is not likely to result in significant effects that would merit assessment through the EIA process. A Noise Impact Assessment Report may be required in support of any future planning application.
(f) Risk of accidents, having regard in particular to substances technologies used			
Will there be a risk of accidents during construction or operation of the development which could have effects on people or the environment?	Yes	Development of this type is at risk of accidents and any such risks should be managed by the site manager to avoid impacts on the environment and human health.	No. The risk of accidents is not considered to give rise to any environmental effects.
(g) Other characteristics: potential physical changes (topography, land use, changes in waterbodies etc) from construction, operation or decommissioning of the development			
<ul style="list-style-type: none"> permanent or temporary change in land use, land-cover or topography including increases in intensity of land use? 	Yes	The proposed development will change the use of the land to commercial/industrial.	No. It is not considered that the change in land use merits assessment under the EIA Regulations.
<ul style="list-style-type: none"> peat land disturbance and/ or degradation leading to: carbon release, damage to habitats, affecting land stability or hydrology? 	No		
<ul style="list-style-type: none"> pre-construction investigations e.g. boreholes, soil testing? 	No		
<ul style="list-style-type: none"> construction, demolition, reclamation or excavation works? 	Yes	The proposal will entail the erection of buildings and the formation of an access.	No. The erection of buildings and structures are unlikely to result in any significant environmental impacts.
<ul style="list-style-type: none"> underground works ? 	No		
<ul style="list-style-type: none"> facilities for storage of goods or materials? 	Yes	Green waste has the potential to be stored but this is likely to be within an erected building.	No. Any storage would be within a building.

	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).
• new road, rail, air or sea traffic or infrastructure during construction or operation or decommissioning?	No		
• new or diverted transmission lines or pipelines?	No		
• any works requiring an authorisation under the Water Environment (Controlled Activities)(Scotland) Regulations 2005	No		
• long-term/ongoing activity during restoration or decommissioning which could have an impact on the environment?	No		
• influx of people to an area either temporarily or permanently?	No		
• any other changes?	No		
2. Location of the Development			
(a) Existing land use			
Are there existing land uses on or around the location which could be affected by the development, e.g. undeveloped land, greenfield land, homes, other private property, industry, commerce, tourism and recreation, public open space, community facilities, agriculture, forestry, tourism, water catchments, functional floodplains, mining or quarrying?	Yes	The site is currently in agricultural use and residential properties are located approximately 400m to the south west of the site. The site is located within a High-Risk Mining area.	No. Subject to suitable controls over construction and operational phases are carried out, no significant environmental impacts are anticipated affecting adjoining land. A Coal Mining Report likely to be required in support of any future planning application. A Noise Impact Assessment Report also likely to be required.
(b) Relative abundance, quality and regenerative capacity of natural resources in the area			
Are there any areas on or around the location which contain important, high quality or scarce resources which could be affected by the development?	No		
(c) Absorption capacity of the natural environment			
Are there any areas on or around the location which are protected under international or national or local legislation for their ecological, landscape and visual, cultural or other value, which could be affected by the development? Particular attention should	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).
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?	No		
Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected?	No		
Are there any areas or features of historic or cultural importance on or around the location which could be affected?	No		
Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected?	No		
Is the development in a location where it is likely to be highly visible to many people?	Yes	The site is partly open to view from the B742.	No. An existing commercial/industrial building is in situ immediately across the road from the proposed site.
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 the change of use of the land from agricultural, mining issues and potential noise issues. The magnitude of these effects, when considered in the context of the low environmental sensitivity of the site and surrounding area, are unlikely to be significant in EIA terms and can be assessed through the normal planning assessment process.

Date of Issue 05/10/2021

From the assessment undertaken in accordance with the Regulations and Circular 01/2017, and taking into account the submitted screening report, the Council concludes that the proposed erection of buildings to operate a composting business with associated access, landscaping and associated works on land to the south of the B742, approximately 1km to the west of the settlement of Mossblown, as shown on the map attached to this document, is **unlikely** to result in effects on the environment which are sufficiently significant to require the submission of an environmental statement.

Location Plan



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