

**THE TOWN AND COUNTRY PLANNING ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2017
SCOTTISH GOVERNMENT CIRCULAR 01/2017**

**RESPONSE OF SOUTH AYRSHIRE COUNCIL TO A REQUEST FOR A SCREENING OPINION SUBMITTED UNDER THE TOWN AND COUNTRY PLANNING ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2017. THE PROPOSED DEVELOPMENT SITE IS LOCATED AT GIRVAN DISTILLERY, B741 FROM A77T JUNCTION AT BRIDGE MILL GIRVAN TO MAIN STREET DAILLY, GIRVAN, SOUTH AYRSHIRE, KA26 9PT
SOUTH AYRSHIRE COUNCIL REFERENCE:**

The proposed development primarily comprises the construction of a whisky maturation warehouse at the Curragh, Girvan Distillery.

The proposal is Schedule 2 development under the terms of the above Regulations, as it falls within the category of "industrial estate development" as defined by the regulations. Therefore, it is necessary to screen the proposal to determine whether the development 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. Three categories of criteria are listed:-

- 1. Characteristics of the development.
- 2. Location of the development.
- 3. 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 is derived from the requirements of The Town and Country Planning Environmental Impact Assessment (Scotland) Regulations 2017 Schedule 3 selection criteria for screening Schedule 2 developments.

	Yes/No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
1. Characteristics of development			
(a) Size and design of the development			
Will the development be out of scale with the existing environment?	No	The proposed development will introduce additional industrial built form proportionate to the existing site and in the context of a large industrial estate as the receiving environment	No. To be duly assessed as part of the Development Management process
Will it lead to further consequential development or works (e.g. new roads, extraction of aggregate, generation or transmission of power)?	Yes	The site is brownfield land within the industrial estate (warehouses to be demolished).	No, the size of the site and scale of proposed works are indicative of an unlikelihood of significant effects.
(b) Cumulation with other existing/approved development			
Are there potential cumulative impacts with other existing development or for proposed development in the planning system?	Yes	There has been significant expansion at the Grants Distillery, comprising an expansive complex of large-scale warehouses. Large-scale commercial investments in and around Grangestone in recent times and will variously entail additional cumulative impacts.	It is not considered that any significant adverse impacts will arise in relation to the proposed redevelopment of the brownfield site. To be duly assessed as part of the Development Management process
Should the application for this development be regarded as an integral part of a more substantial project? If so, can related developments which are subject to separate applications proceed independently?	No	N/A	
(c) Use of natural resources			
Will construction or operation of the development use natural resources i.e. land (especially undeveloped or agricultural land)? <ul style="list-style-type: none"> • water or fisheries? • minerals or aggregates? • agriculture, forests and timber? • energy including electricity and fuels? • any other resources? 	Yes	The proposed development will reuse brownfield land within the estate.	No.
(d) Production of waste			
Will the development produce wastes during construction or operation or decommissioning?	Yes	Wastes will be producing during construction and occupation / operation of the development site.	No, this should managed within the scope of any construction contract and the operator's responsibility to

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			comply with existing commercial waste management requirements upon occupation of the development.
(e) Pollution and nuisances			
Will the development cause noise and vibration or release of leachates, light, heat energy or electromagnetic radiation during construction, operation or decommissioning?	Yes	There will be noise during the construction of the development; these works will be temporary. There will be industrial-scale noise, light and heat energy emitted consequent to operation of the site as expanded/intensified.	No; post-construction effects should be equivalent to and reflective of the industrial character of both the existing site and wider industrial estate.
(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. Operation will likewise present similar risks and involve frequent vehicular movements / deliveries on-site, and large-scale temporary storage and transit of both input materials and output products.	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. Air pollution may be further exacerbated by the additional vehicular trip generation of the site, and dust from the handling / processing of raw materials.	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	Existing adjacent industrial concerns will be competing for intensified use of shared goods eg. road networks within and around the industrial estate.	No, see 1(b) above for discussion of assessing and mitigating such cumulative impacts.
(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?	Yes	The wider site is encircled by prime quality agricultural land within close proximity, albeit not directly connected to the site or its boundaries. The proposed site is within the LDP-designated scenic area.	No; the development itself will not entail direct loss of PQAL. The proposal by the applicant will provide ample opportunity to set out an appraisal of landscape and visual impacts, to be duly assessed as part of the Development Management process.
(c) Absorption capacity of the natural environment			
Are there any wetlands, riparian areas or river mouths which may be affected?	No	BGS data suggests groundwater beneath the site is vulnerable only to some continuously leached pollutants.	
Are there coastal zones / marine environment receptors which may be affected?	Yes	The coastline lies to the west of the site. However, there are no flood risk areas on or near to the site; either coastal or otherwise.	No, there is no connectivity between the site and the coast as receptor perceived to be significant
Are there any nature reserves and parks which may be affected?	Yes	The adjacent stretch of coastal plain is host to a provisional local wildlife site designation no. 37a, 'Girvan Mains to Balkenna', comprising a breadth of interest most predominant amongst which are substantial migratory and wintering bird numbers, but also including uncommon plants and rare beetle species hosted by high dune systems.	No, whilst the designation area's location is to the west of the proposed development, its physical scale as an extension to an operational industrial facility, and as surrounded by other such facilities on the estate, suggests that effects arising from the development are unlikely to have effects upon the designation interests that could be considered significant.
Are there any European sites or other areas classified or protected under national legislation, which may be affected?	No	The nearest protected area is an SSSI some 3km, designated for geological interest	No.
Does the location include or affect areas in which there has already been a failure to meet relevant environmental quality standards	No	N/A	

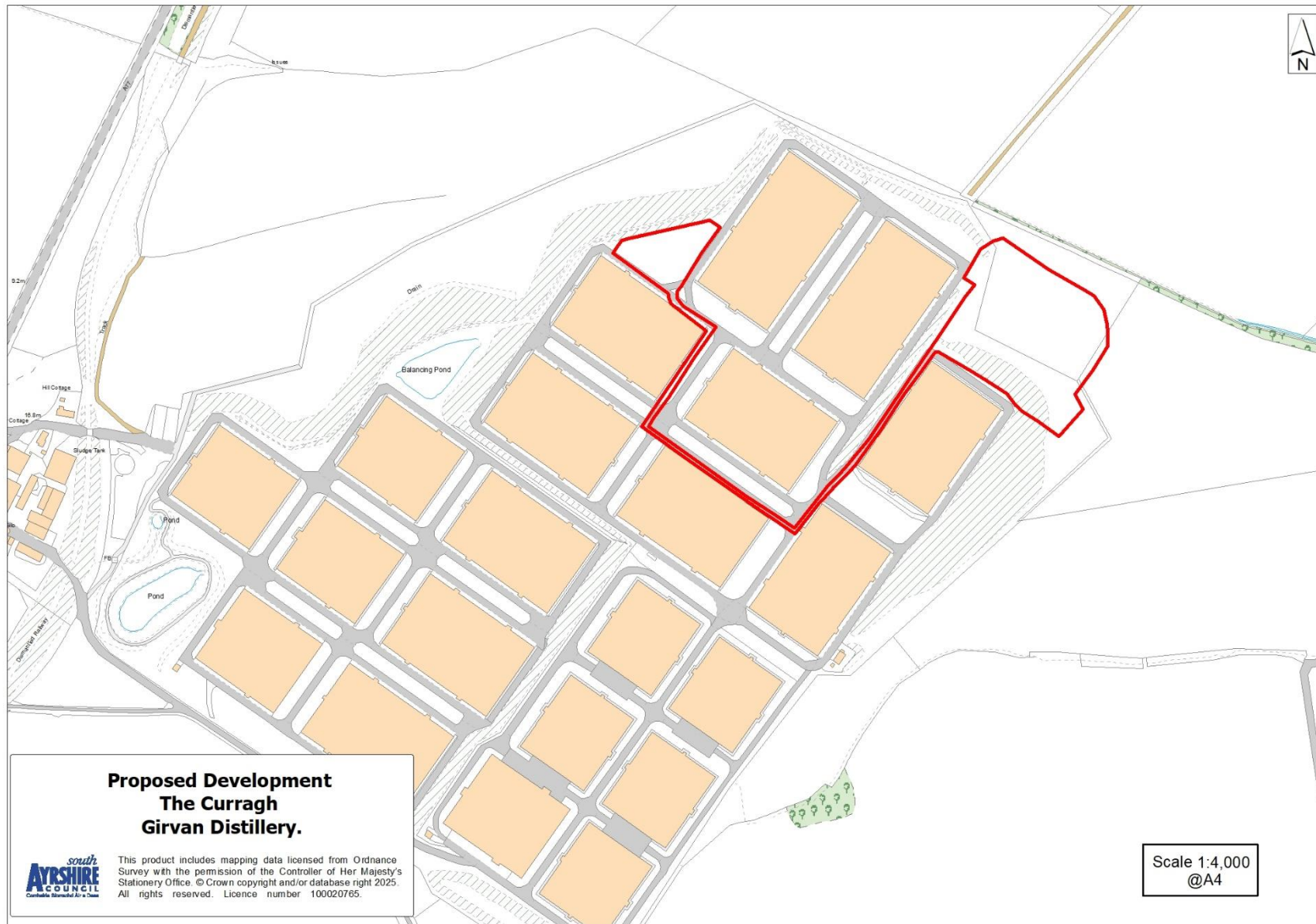
	Yes/No	Briefly describe	Is effect likely to be significant? Significance should be considered in terms of the extent, transboundary nature, magnitude and complexity, probability, duration, frequency and reversibility of any impact(s).
(laid down in Union legislation and relevant to the project), or in which it is considered that there is such a failure?			
Is the development in a location where it is likely to be highly visible to many people?	No	The application site is located within an established industrial estate which is characterised by large scale industrial type development.	No; the planning application proposed by the applicant will provide ample opportunity to set out an appraisal of landscape and visual impacts, to be duly assessed as part of the Development Management process.
Are there landscapes and sites of historical, cultural or archaeological significance which may be affected?	No	There are no designated heritage assets at or around the site. The falls within an archaeological consultation trigger, which in this instance has been defined in relation to a number of worked flints that were found in the area prior to the development of the industrial estate. More remote still the nearest Scheduled Ancient Monument is situated 1km to the south-west, comprising remains of a Roman Camp.	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 effects arising from the checklist are:

- Localised and cumulative effects upon visual, landscape, noise, air pollution and road network arising from the proposed development in comparison to the extent of the site's operations as existing, and in combination with its existing industrial estate and any future expansion thereof
- The developer/agent have been proactive in identifying and targeting where additional assessments may be warranted in order to provide greater clarity and certainty at development management stage; and the added value that these exercises may render in terms of mitigation of effects

From the above assessment undertaken in accordance with the Regulations and Circular 1/2017, the Council concludes (with particular reference to the justification outlined above) that the proposed development at Grangestone Industrial Estate, Girvan, South Ayrshire – 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 EIA Report.



**Proposed Development
The Curragh
Girvan Distillery.**



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