

The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017

**Scoping Opinion of South Ayrshire Council for the Extension of Existing Landfill Operations to the East of the Landfill Access Road and Current Operations and Extension of Time Limit On Landfill Operations Beyond 14 Jan 2030.
Land Adjacent To Tarbolton Moss Landfill Site, Mauchline, South Ayrshire**

Date of Issue 18/12/2017

Contents

- 1. Introduction**
- 2. Description of the development**
- 3. Planning Policy Context**
- 4. Consideration of alternatives**
- 5. Landscape implications**
- 6. Aviation**
- 7. Ecology**
- 8. Air Quality, Odour and Noise**
- 9. Impact on the Water Environment**
- 10. Groundwater Dependent Terrestrial Ecosystems**
- 11. Flood Risk**
- 12. Existing Groundwater Abstractions**
- 13. Traffic & Transportation**
- 14. Archaeology & Cultural Heritage**
- 15. Cumulative Effects**
- 16. Consultation Responses**
- 17. Conclusions**

Appendix A – Consultation Responses

1. Introduction

South Ayrshire Council has received a request under Regulation 17 of The Town and Country Planning (Environmental Impacts Assessment) (Scotland) Regulations 2017 ('The Regulations') for a scoping opinion in respect of a forthcoming planning application for Tarbolton Moss Landfill Site. 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 impact assessment report should focus. This Scoping Opinion follows on from the Screening Opinion issued by the Council on 20/11/2017 in relation to the same proposed development.

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 impact assessment report. 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 impact assessment report should focus.

2. Description of the development

The subject of this scoping opinion is a forthcoming application for "Extension of Existing Landfill Operations to the East of the Landfill Access Road and Current Operations and Extension of Time Limit On Landfill Operations Beyond 14 Jan 2030".

The proposed development concerns the proposed extension of the existing Tarbolton Moss Landfill Site.

The proposed extension would consist of approximately 15 hectares of extended landfill and be located immediately adjacent to the eastern boundary of the existing landfill site. It is anticipated that the proposed development would add void capacity of approximately 1.25million m³.

The site of the proposed extension is bounded to the north by the U78 and Long Wood, to the east and south by agricultural land and to the west by the existing landfill site. The site in question is currently used for agricultural purposes, namely grazing.

It is of significance to note that any submitted planning application would also seek to extend the life of the existing landfill site by ten years.

It is proposed that the extended landfill would operate in accordance with the operating hours which currently apply to the existing landfill site, namely:

- Monday to Friday: 07:00 – 17:30 hours;
- Saturday: 07:00 – 12:00 hours.

The applicant in the Screening Request states that it is envisaged that waste deliveries to the extended landfill would not increase over the existing number of vehicle movements associated with the landfill.

3. Planning Policy Context

The EIA Report should consider conformity with the development plan for the area. The development plan in this instance comprises the South Ayrshire Local Development Plan 2014. The site lies within the countryside, within the Core Investment Area and is conterminous with two provisional wildlife sites (Fail Moss and Fail Loch). The proposal will require to be assessed against the LDP spatial strategy and the criteria set out in the LDP Policy: sustainable development policy. Depending upon the outcome of the transport assessment, the LDP policy: delivering infrastructure may be relevant if developer contributions are necessary to ensure upgrading of the surrounding roads infrastructure. LDP Policy: Waste Management is a

key policy consideration and an assessment should be made against the criteria contained in this policy. LDP Policy: landscape quality, LDP Policy: water environment, LDP Policy: flooding and development, LDP Policy: air, noise and light pollution are also relevant, LDP Policy: natural heritage and LDP Policy: land use and transport.

The proposal should in addition be assessed against the relevant sections of the Ayrshire and Dumfries and Galloway Area Waste Management Plan 2003.

4. **Consideration of Reasonable Alternatives**

Schedule 4, paragraph 2 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 requires that all environmental impact assessment reports 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 EIA Report 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 and Visual Amenity**

Whilst, the site is not located within a designated scenic area, there is nevertheless potential for the extension to the landfill (upfill) to impact on the landscape quality of the immediately surrounding area and the visual amenity of sensitive receptors, including the nearest residential properties, users of the local road network and users of the trout fishery located to the south of the site. A landscape and visual impact assessment is required to identify and assess the potential effects on the landscape and visual resource within 5km of the site. The LVIA should also outline mitigation measures that will be implemented to prevent, reduce or offset potential adverse landscape and visual effects.

The Council would encourage further dialogue to identify a selection of representative viewpoints prior to finalisation of the LVIA.

6. **Aviation**

The potential for attraction of birds should be assessed in the context of aviation safety having regard to the proximity to Glasgow Prestwick Airport. All mitigation measures should be fully detailed in the EIA Report.

7. **Ecology**

The landfill extension area is close to the Fail Loch Provisional Wildlife Site (NS 425293) and the Fail Moss Wetlands Provisional Wildlife Site (NS 428280). Fail Loch is the site of a wildfowl wetland ornithological survey count and is a Scottish Wildlife Trust designated site, important for bird life and as a wetland site with over 125 plant species identified. The potential for adverse effects on these two wildlife sites should be fully investigated and measures to prevent, reduce or offset potential adverse effects should be included within the EIA Report.

The assessment should include an extended Phase 1 Habitat Survey (including birds) carried out in accordance with standard survey methods and target notes to describe potential features of value including rare or localised species and/or particularly important habitats where relevant, including Ground Water Dependent Terrestrial Ecosystems. Plants protected under the Schedule 8 of the Wildlife and Countryside Act 1981 (as amended in Scotland) and/or plant species of nature conservation interest in a British context should be identified. The potential for adverse effects on any species or habitats of significance identified through the survey work should be fully investigated and measures to prevent, reduce or offset potential adverse effects should be included within the EIA Report.

8. **Air Quality, Odour and Noise**

The landfill operation has potential for adverse air quality impacts resulting from odour, dust, landfill gas, landfill gas combustion emissions (engines/flare) and traffic emissions produced by HGV delivery vehicles. The EIA Report should identify the location of sensitive receptors and any residual effects remaining following application of Best Available Techniques should be identified and their significance assessed. Similarly, any residual noise impacts following application of BAT should be identified and their significance assessed at the nearest noise sensitive receptors identified in Table 5-2 of SLR's report "Proposed extension to landfilling operations at Tarbolton Moss Landfill Site, Mauchline: EIA Screening and Scoping Report" dated August 2017.

It should be noted that whilst regulation of the proposed development will be undertaken through the Pollution Prevention and Control (PPC) Permitting Regime, it will be necessary to demonstrate that the proposed development is potentially capable of permitting under PPC. The level of evidence presented in the EIA Report in relation to odour, dust and noise should be sufficient to demonstrate that standards set by SEPA are potentially capable of being met.

9. Impact on the Water Environment

In line with Schedule 3 of the Landfill (Scotland) Regulations, a comprehensive assessment of the impact of the development on the water environment should be undertaken. This should include an updated Hydrogeological Risk Assessment (HRA) for the site which characterises the impacts of the current and proposed landfilling on the water environment. The following information should be included within the EIA report:

- Conceptual site model
- Groundwater flow regime: figures showing groundwater levels and flow regime at the Site (including supporting historical groundwater level monitoring data to justify the figures)*
- Cross-sections: cross-sections of the Site (including extension area) showing cell geometry in relation to the interpreted groundwater level
- Details of proposed landfill liner and capping
- Monitoring regime: information on the adequacy of the current monitoring network, highlighting any gaps in relation to the existing landfill area and for the extension area, and proposals for new monitoring locations where required
- Borehole logs for any new monitoring boreholes; note that boreholes must be surveyed in to Ordnance Datum.
- Waste Characterisation: any significant change in the waste(s) proposed to be deposited within the extension compared with the existing landfill should be highlighted to indicate whether the chemistry of the leachate is likely to be comparable to that of existing cells.

*note groundwater levels and cell geometry should be provided in metres above Ordnance Datum (maOD).

Previous investigation of the site has shown that this area has complex hydrogeology. As noted above, we therefore expect that the hydrological setting of the extension area and for the wider existing PPC installation as a whole must be characterised. This includes the provision of information on groundwater levels, flow and groundwater quality.

It is our understanding that leachate from the landfill site is connected to the public sewerage system so must be in accordance with Scottish Water requirements. The EIA Report should include an assessment of whether any additional loading arising from this development will cause or contribute to premature operation of downstream consented storm sewer overflows.

10. Groundwater Dependent Terrestrial Ecosystems (GWDTE)

GWDTE are protected under the Water Framework Directive and therefore the layout and design of the development must avoid impact on such areas. The following information must be included in the submission:

- a) A map demonstrating that all GWDTE are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
- b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all GWDTE affected.

11. Flood Risk

The application site (or parts thereof) lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding. We note that the proposals are to extend the existing landfill (landraise) operations. Landfills are considered to be a Highly Vulnerable Use under SEPA's Land Use Vulnerability Guidance and as such not generally suitable for development within undeveloped and sparsely developed areas. The location of the landfill (to the east of the existing landfill) is within the floodplain and if land levels are raised here, would result in the loss of flood plain storage. This could have a detrimental impact to receptors downstream, including properties in Tarbolton, and we note an existing record of the fluvial flooding here in 1994.

The EIA Report should include a Flood Risk Assessment or other appropriate information. Other appropriate information might include proposed development site and finished floor levels related to nearby watercourses, appropriate photographs and/or any nearby historical flood levels. Topographic level information could include cross sections across the river (including the channel bed levels and bank levels of the opposite bank), upstream, downstream and adjacent to the site. However, if this information is insufficient to provide a robust assessment of the risk of flooding to the development then a detailed flood risk assessment may need to be carried out by a suitably qualified professional.

12. Existing Groundwater Abstractions

Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:

- a) A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
- b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.

13. Traffic & Transportation

The Transportation chapter of the EIA should undertake the following:

- Baseline descriptions of public roads used by the facility;
- An impact assessment based on the Guidelines for the Environmental Impact of Road Traffic;
- A Transport Statement (not as part of the EIA, but rather as a standalone report); and

- Information within the EIA chapter providing a breakdown of anticipated vehicle movements by frequency and type

14. Archaeology & Cultural Heritage

There are no recorded heritage assets within the proposed development boundary. Within 2km there is a scheduled Monument (Tarbolton Motte) and eight listed buildings. It is noted that archaeological evaluation has been undertaken to the immediate west of the site which indicates limited potential for direct impacts on unrecorded heritage assets within the site. A record of this archaeological evaluation should be included within the EIA Report.

A walkover survey of the site not subject to previous archaeological evaluation should be undertaken by a suitably qualified archaeologist in order to identify potential unrecorded heritage assets. The potential impact on the settings of cultural heritage assets located within 2km of the site should be assessed in accordance with the methodology set out in section 5.3.2 of SLR Consulting's report "Proposed extension to landfilling operations at Tarbolton Moss Landfill Site, Mauchline: EIA Screening and Scoping Report" dated August 2017.

15. Cumulative Effects

The combined environmental effects of the proposed landfill extension, the existing landfill operation and the proposed Waste to Energy Plant should be assessed.

16. Consultation Responses

In accordance with the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, the Planning Authority has undertaken consultation with the following statutory consultees and additional non-statutory consultee:-

- Scottish Water
- SEPA
- Historic Environment Scotland
- Scottish Natural Heritage
- Ayrshire Roads Alliance
- South Ayrshire Council Sustainable Development

Copies of the consultee responses are reproduced at Appendix A to this report.

17. Conclusions

This Scoping Opinion has been prepared in accordance with Part 4 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations and identifies the likely significant effects of the proposed development on the environment. The principal environmental effects are considered to be impact on air quality, odour and noise; impact on the water environment; impact on Groundwater Dependent Terrestrial Ecosystems; flood risk and; traffic and transportation. However, as highlighted in this document, there are also a number of other environmental issues relevant to this proposal and the EIA Report presents an opportunity to also fully address these issues.

Appendix A – Consultation Responses



13 November 2017

Mr Alan Edgar
South Ayrshire Council
Burns Statue Square
Ayr
KA7 1UT

SCOTTISH WATER
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
G33 6FB

By email to: Alan.Edgar@south-ayrshire.gov.uk

EIA@scottishwater.co.uk

Dear Mr Edgar,

EIA Scoping Opinion Consultation for a Possible Extension to Tarbolton Moss Landfill Site

Thank you for consulting with Scottish Water regarding the above proposed development.

Drinking Water Protected Areas

A review of our records indicates that 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

The location of Scottish Water assets (including water supply and sewer pipes, water and waste treatment works etc.) should be confirmed through obtaining detailed plans from our Asset Plan Providers. Details of our Asset Plan Providers are included in Annex 1.

All Scottish Water assets potentially affected by the development should be identified, with particular consideration being given to access roads and pipe crossings. If necessary, local Scottish Water personnel may be able to visit the site to offer advice. All of Scottish Water's processes, standards and policies in relation to dealing with asset conflicts must be complied with.

In the event that asset conflicts are identified then early contact should be made with the Scottish Water Asset Impact Team (AIT) at service.relocation@scottishwater.co.uk. 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.

Annex 1 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.

If you have any questions relating to the above, or in relation to the information presented in Annex 1, please do not hesitate to contact me.

Yours sincerely,



Rebecca Williams
Strategic Planner – Environmental Impact Assessment
EIA@scottishwater.co.uk

Annex 1: Precautions to protect drinking water and Scottish Water assets during development 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.
2. If a connection to the water or waste water network is required, a separate application must be made to the Scottish Water Development Operations 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 Development Operations Team can be contacted by telephone on **0800 389 0379** or via email at developmentoperations@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 drinking water quality

Regulatory requirements

4. Scottish Water is required to ensure that any activity within a drinking water catchment does not affect the ability of Scottish Water to meet its regulatory requirements.
5. Water Treatment Works are designed to treat the specific parameters of the raw water source they receive (i.e. the specific chemical, biological and other characteristics of natural, untreated water). If the characteristics of the raw water change or deteriorate, it can affect the ability of the works to supply drinking water to customers at the required standards.
6. The regulations relating to the quality of drinking water supplied by Scottish Water are the Water Supply (Water Quality) (Scotland) Regulations 2001. Quality Standards are derived from the European Drinking Water Directive 98/83/EC.
7. Drinking water catchments feed Scottish Water abstractions which supply water to water treatment works. Under Article 7 of the Water Framework Directive, waters used for the abstraction of drinking water are designated as Drinking Water Protected Areas (DWPA). The objective of the Water Framework Directive is to ensure that no activity results in the deterioration of waters within the DWPA. If an activity falls within a DWPA or drinking water catchment, it is essential that water quality and quantity are protected

Specific precautions for drinking water protection

8. A detailed, site specific Construction Method Statement including e.g. Construction Environmental Management Plan, Risk Assessment, Pollution Prevention and Contingency Plan must be submitted to Scottish Water at least three months prior to the works commencing. This should be agreed with Scottish Water prior to any operations taking place. Any other associated documents (e.g. Drainage Plan, Peat Management Plan etc.) should also be submitted and agreed with Scottish Water at least three months prior to works commencing. In the first instance, this information should be supplied to EIA@scottishwater.co.uk.
9. Where possible, infrastructure and activities should be located outside of the drinking water catchment. If this can be demonstrated to be impracticable then all infrastructure and activities should be located 50m from any watercourse where possible, and a minimum of 10m distant where 50m can be demonstrated to be undeliverable. This does not apply to infrastructure or activities associated with the watercourse, for example, surface water discharge points, watercourse crossings, etc.
10. Any potential effect on the hydrology of the area resulting from the construction and operation of the proposed development should be assessed and the findings presented in the Environmental Statement or environmental appraisal accompanying the planning application. This should include consideration of natural drainage patterns, base flows/volume, retention/run-off rates and potential changes to water quantity. Any required mitigation measures and proposed monitoring should also be detailed in the Environmental Statement or environmental appraisal accompanying the planning application.
11. When constructing roads, drainage ditches and trenches, drainage should not be directed into adjacent catchments but retained within the existing catchment.
12. Any potential pollution risk which could affect water quality should be considered and mitigation measures implemented to prevent deterioration in water quality and pollution incidents. This includes sediment run-off, soil or peat erosion, management of chemicals and oils, etc. (see also point 16 below). This should be considered for operations at all stages of development including pre- and post-construction.

13. Mitigation measures to prevent pollution to watercourses should be outlined in the Environmental Statement or environmental appraisal accompanying the planning application, and adopted in the Construction Method Statement/Construction Environmental Management Plan prior to work starting onsite. Any measures implemented should be regularly checked, maintained and improved if pollution occurs.
14. Watercourses that feed into any watercourses or reservoirs that Scottish Water abstracts from should be considered when developing new road or access infrastructure. Any crossing of these watercourses should be kept to a minimum. Pollution prevention measures should be put in place at each crossing point and silt traps, or equivalent, should be installed at regular intervals to minimise the risk from pollution.
15. Once constructed, site roads and access routes should be regularly maintained to ensure minimal erosion, and hence run-off and pollution, from the road surface. Site roads should be constructed from inert, non-metalliferous material, with low erodibility and low sulphide content.
16. No refuelling or storage of fuel or hazardous materials should take place within the drinking water catchment area. If this can be demonstrated to be impracticable, then the appropriate Scottish Environment Protection Agency (SEPA) Pollution Prevention Guidelines (PPG 2: Above ground oil storage, PPG 6: Working and Construction and Demolition Sites, PPG 8: Safe storage and disposal of fuel oils, PPG 21: Pollution incident response planning and PPG 22: Incident response – dealing with spills) should be followed. Where possible, 50m buffers should be applied to all surface watercourses, groundwater borehole abstraction points and springs. Oil storage should be in accordance with The Water Environment (Oil Storage) Regulations (Scotland) 2006. There should be dedicated oil storage areas created. Spill kits should be located within all vehicles, plant and high risk areas.
17. Waste storage, concrete preparation and all washout areas should not be within the drinking water catchment area. If this can be demonstrated to be impracticable then this should be in dedicated areas 50m from a watercourse where possible and should be designed to be contained and to prevent escape of materials/run-off to the environment.
18. Welfare/waste water facilities should preferably be located outside the drinking water catchment. If not practicable, then portable toilets should be used and waste disposed of off-site. Alternatively secondary treatment and soakaways should be used and, if required, a sampling chamber installed and sampling programme agreed. The proposed method of managing welfare and waste water facilities should be detailed in the Environmental Statement or environmental appraisal accompanying the planning application. If sampling is required, Scottish Water should be contacted via EIA@scottishwater.co.uk in the first instance.
19. Any proposed abstractions for activities such as welfare facilities or cement batching plants should be detailed in the Environmental Statement or environmental appraisal accompanying the planning application.
20. Induction training should be given to all personnel on-site and should include Scottish Water site sensitivities in relation to drinking water catchments and assets (see below), as well as spill response as outlined in PPG 22: Dealing with spills.
21. Construction and Environmental Management Plans, Pollution Prevention and Contingency Plan and associated documents should include the Scottish Water Customer Helpline Number **0800 0778 778** and the local contact details.

Protecting drinking water in peatland areas

22. When peat is present within the proposed area of activity the Environmental Statement or environmental appraisal accompanying the planning application should include an assessment on the potential release of colour and dissolved organic carbon quality as a result of changes to hydrology and/or physical disturbance. This should cover the construction and post construction phases.
23. Excavations and ground disturbance in areas of deep peat should be avoided. Deep peat is considered to be peat greater than 0.5m deep.
24. The natural hydrology within peat should be maintained and/or restored. Any necessary measures to maintain natural drainage of peat and sub-surface hydrology, such as tailored drain spacing on access tracks, should be implemented as part of the design of the development.
25. Scottish Water requests that, where possible, access tracks in the drinking water catchment are constructed as floating tracks with adequate provision for maintaining existing drainage patterns.
26. Exposed soils and peat can release sediment, colour and dissolved organic carbon. The use of geotextiles, turf replacement and/or reseeded, should be undertaken as soon as possible.
27. Restoration of any degraded peat should be considered for areas within the drinking water catchment.

Protecting drinking water due to forestry activity

28. An assessment of any forestry activity, including felling, planting or other activity, likely to affect the drinking water catchment should be included in the Environmental Statement or environmental appraisal accompanying the planning application. Any specific mitigation measures should be identified and incorporated into the Construction Environmental Management Plan for the site prior to works commencing.
29. The Environmental Statement or environmental appraisal accompanying the planning application should include details on the harvesting/clearance process for any felling/woodland removal. The least disturbing method/s should be selected where possible.
30. Any historic drains and ditches within the site boundary that discharge directly to a watercourse in the drinking water catchment, these should be blocked and slowly discharged to a buffer area in line with current Forestry Commission Forest and Water Guidelines. Where possible, this should be undertaken in advance of any work being carried out on site, to provide protection for watercourses during site activities.

Monitoring requirements to protect drinking water quality

31. During construction, a programme of daily visual inspection of the watercourses, flow conditions (i.e. high, medium, low, or no flow), prevailing weather and any other pertinent observations, will be required to be implemented. The results should be recorded and the information submitted to Scottish Water (i.e. in a monthly progress report). This should be undertaken when water quality samples are taken. In the first instance proposals for monitoring should be provided to EIA@scottishwater.co.uk.
32. Depending on the vulnerability of the public water supply, Scottish Water may request that a water sampling programme shall be established and agreed with Scottish Water. This should assess the baseline water quality for a minimum of one year prior to any activities commencing on-site where possible, including ground investigations and any felling activities, to allow an accurate understanding of baseline conditions at the site. Water sampling should continue during construction and then post-construction for a minimum of one year. Following completion of one year of sampling post-construction, this should be reviewed to determine whether this should continue for a further agreed period. The parameters, frequency and sampling locations will also need to be agreed with Scottish Water. This monitoring will establish if any decline in water quality can be attributed to the development. It may also be necessary to establish trigger levels to determine when any potential issues should be reported to Scottish Water.
33. The appointed Contractor/Site Foreman or Ecological or Environmental Clerk of Works should have relevant knowledge and experience to provide advice and monitor compliance with measures for the protection of water quality in relation to abstractions for water supply.
34. Depending on the vulnerability of the public water supply, Scottish Water may request that a dedicated Environmental Manager be appointed and present on-site to assess and monitor any effects caused by the development.

Guidance documents

35. Please ensure that appropriate Guidance Documents are followed:
 - Floating Roads on Peat. Forestry Civil Engineering and SNH. (August 2010).
 - Planning Advice Note 61: Planning and Sustainable Urban Drainage Systems. Scottish Government (2001)
 - Planning Advice Note 79: Water and Drainage. Scottish Government (2007).
 - Water Assessment and Drainage Guide, SUDS Working Party (2016).
 - Sewers for Scotland 3rd Edition, Scottish Water (2015)
 - Water for Scotland 3rd Edition, Scottish Water (2015)..
 - Forests and water UK Forestry Standard Guidelines, 5th Edition. Forestry Commission (2011).
 - General Binding Rules under the Controlled Activities Regulations (see The Water Environment (Controlled Activities) Scotland Regulations (as amended) A Practical Guide, Version 7.2, SEPA (March 2015)).
 - SEPA Pollution Prevention Guidance (<http://www.sepa.org.uk/regulations/water/guidance/>).

Protecting Scottish Water assets

36. 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.
37. 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

www.sisplan.co.uk

National One-Call

Tel: 0844 800 9957

Email: swplans@national-one-call.co.uk

www.national-one-call.co.uk/swplans

Cornerstone Projects Ltd

Tel: 0151 632 5142

Email: enquiries@cornerstoneprojects.co.uk

<http://www.cornerstoneprojects.co.uk/index.php/scottishwaterplans>

38. 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 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.
39. Prior to any activity commencing, all known Scottish Water assets should be identified, located and marked-out.
40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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.
46. 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.

47. 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.
48. 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.
49. 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.
50. 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.
51. 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.
52. 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.
53. If the developer damages any Scottish Water asset they will be held liable for any costs resulting from this.
54. Scottish Water may require costs associated with the development to be reimbursed by the developer or the developer's agents.

Our ref: PCS/155742

Your ref:

Alan Edgar
South Ayrshire Council
Planning and Building Control
Burns House
Burns Statue Square
Ayr, KA7 1UT

If telephoning ask for:
Julie Gerc

07 December 2017

By email only to: planning.development@south-ayrshire.gov.uk

Dear Sir

**The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017
Scoping Opinion Request - Possible Extension To Landfill Site
Tarbolton Moss**

Thank you for consulting SEPA on the scoping opinion for the above development proposal by your email received on 25 October 2017. We would welcome engagement with the applicant at an early stage to discuss any of the issues raised in this letter.

It is SEPA's understanding that South Ayrshire Council is responsible for determining the lifetime of the site as well as finished profiles and site topography. SEPA would authorise the restoration works and would consider such issues as the types and quantities of suitable materials.

SEPA provided pre application advice 12 July 2107 PCS/153504, and our letter set out our requirements in relation to the issues associated with a proposal of this nature. I would refer you to that letter which I have included for your information.

It should be noted than upon receipt of additional information, there is the potential for SEPA for SEPA to register an "**objection in principle**" to this proposal"

Advice to the planning authority

- 1 The key issues detailed in Appendix 3 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.
- 2 Flood Risk**
 - 2.1 The site in question has a risk of flooding and it follows that to allow development to proceed may place property or persons at serious risk contrary to Scottish Planning Policy.

- 2.2 Upon receipt of additional flood risk information, it is possible that SEPA may lodge an “objection in principle “ to this proposal. We would wish to receive clarification on the following points for an assessment of flood risk to and from the proposed development:
- Further information in order to assess the risk of flooding e.g.
 - detailed site layout to show where proposed land raising or void creation would take place
 - appropriate photographs and/or any nearby historical flood levels
 - topographic level information could include cross sections across the river including the channel bed levels and bank levels of the opposite bank
- 2.3 However, if this information is insufficient to provide a robust assessment of the risk of flooding to the development then a detailed flood risk assessment may need to be carried
- 2.4 We have reviewed the information provided in this consultation and it is noted that the application site (or parts thereof) lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of **fluvial flooding**.
- 2.5 It is noted that the application site (or parts thereof) lie within medium risk probability extent of the **surface water hazard map** published as part of the flood maps for Scotland. The surface water hazard map combines pluvial and sewer model outputs. The map shows their interaction as a composite surface water extent. We therefore recommend that you contact your flood prevention officer to discuss the issue as its resolution may have a bearing on the overall design of the proposal. There may also be a need to contact Scottish Water as the risk might be associated with the sewerage system.
- 2.6 There are a number of minor watercourses (including land drains and the Biggary Burn) identified within or adjacent to the proposed site extension. Due to their small catchment size (<3km²), they have not been captured in the SEPA flood maps – however these should be considered through a flood risk assessment in addition to any other potential flooding sources.
- 2.7 Paragraph 255 of Scottish Planning Policy set out the principles that the planning system should promote. One of these is flood avoidance: “by safeguarding flood storage and conveyance capacity, and locating development away from functional floodplains and medium to high risk areas”. Paragraph 256 goes on to state that “the planning system should prevent development which would have a significant probability of being flooded or would increase the probability of flooding elsewhere”.
- 2.8 We note that the proposals are to extend the existing landfill (landraise) operations. Landfill sites are considered to be a Highly Vulnerable Use under SEPA’s Land Use Vulnerability Guidance and as such not generally suitable for development within undeveloped and sparsely developed areas. The location of the landfill (to the east of the existing landfill) is within the floodplain and if land levels are raised here, would result in the loss of flood plain storage. This could have a detrimental impact to receptors downstream, including properties in Tarbolton, and we note an existing record of the fluvial flooding here in December 1994 due to river overspill. We are not supportive of landraising within the functional floodplain in undeveloped areas.
- 2.9 Insufficient information is provided with this consultation for us to assess flood risk at this site. A Flood Risk Assessment (FRA) or other appropriate information should be provided in support of the application. A Flood Risk Assessment (or other information) must demonstrate that the development accords with the principles of Scottish Planning Policy.

- 2.10 We acknowledge that in Section 5.1 – Water Environment (Proposed Landfill Extension EIA Screening and Scoping Report) the site has been identified as being at medium to high risk of fluvial flooding. Consequently, a conceptual site model has been proposed to assess the potential impacts associated with the extension of the landfill. The FRA should consider all sources of flooding and assess flood risk to the site as well as the potential for the site to increase flood risk to third parties.
- 2.11 The Water Environment (Proposed Landfill Extension EIA Screening and Scoping Report) only recognises fluvial flooding from the Water of Fail, as indicated from our SEPA Flood Maps. SEPA would require an assessment to be made of all minor watercourses/land drains within or adjacent to the site when assessing flood risk.
- 2.12 There has been no recognition of downstream receptors resulting from any topography changes to the site which may influence flood water flow routes. As already mentioned, we have an existing record of flooding to properties downstream of the site in Tarbolton and would require appropriate assessment to ensure there is no increase in flood risk as a result of the proposal.
- 2.13 Other appropriate information might include proposed development site and finished floor levels related to nearby watercourses, appropriate photographs and/or any nearby historical flood levels and detailed site layout to show where proposed land raising or void creation would take place. Topographic level information could include cross sections across the river (including the channel bed levels and bank levels of the opposite bank), upstream, downstream and adjacent to the site. However if this information is insufficient to provide a robust assessment of the risk of flooding to the development then a detailed flood risk assessment may need to be carried out by a suitably qualified professional.

Authorisation

- 3 A substantial variation to the current site permit would be required to licence this proposal and the applicant should engage with SEPA in pre-application discussions at their earliest opportunity. Until appropriate information is received, SEPA cannot offer comment on the likelihood of granting the necessary authorisation.
- 3.1 SEPA must be satisfied that the proposal is potentially consentable in terms of the Pollution Prevention and Control (Scotland) Regulations 2012.
- 3.2 We consider that basic information should be provided at the planning stage to allow a reasoned determination to be made by us as to whether a proposal is capable of being authorised. We believe this approach is consistent with advice provided in PAN 51.

Financial Provision

- 4 For any new landfills authorised under the Pollution Prevention and Control (Scotland) Regulations 2012, or where an application is made for the variation of a landfill authorisation where that variation increases the financial liability associated with the authorisation (for example, for the construction of a new landfill cell), funds will require to be secured (ring fenced) using a financial provision mechanism which has been approved by SEPA.
- 4.1 The amount of financial provision required to be ring-fenced would be in relation to the waste activities which are the subject of the variation only, not for the entire financial liability associated with the site. For example, for a new landfill cell, we would expect the landfill operator to make ring fenced provision for the liability associated with the new cell plus a proportion of monitoring, capping, gas extraction and other relevant costs. SEPA also reserves the right to require an applicant to demonstrate financial provision through ring-fenced funds where it is beneficial as part of a transfer application.

- 4.2 Demonstration of adequacy of Financial Provision is required as part of the determination of the fit and proper status of a person (this may be a legal person such as a company or a local authority) to operate a landfill site. This is prescribed in regulation 18(4)(b) of The Pollution Prevention and Control (Scotland) Regulations 2012 'the 2012 Regs',.
- 4.3 Information requirements in respect of financial provision are set out in Appendix 2

Ground Water Environment

5 The impacts to the Water Environment must be adequately assessed at the planning stage to demonstrate permitting consentability under the PPC Licensing Substantial Variation Application. Potential impacts to the water environment should be assessed fully through a detailed Hydrogeological Risk Assessment which should include quantitative modelling.

- 5.1 The superficial (shallow) aquifer at this locality constitutes a 'moderate to high productivity' aquifer, and the bedrock (deep) aquifer constitutes a 'very high productivity aquifer'. Routine monitoring undertaken to comply with the existing PPC Permit shows that historical waste deposition at the site is currently impacting on the water quality in the shallow aquifer.
- 5.2 Information submitted in support of the planning application should verify that the new cells are to be designed to operate in accordance with the Landfill Directive and SEPA Landfill Guidance to ensure there are no unacceptable risks to the Water Environment.
- 5.3 In addition, the site's groundwater monitoring network must allow for differentiation between ongoing impacts from the historical unlined landfill cells (for example impacts shown by boreholes GWS5 & GWD7 and the proposed PPC compliant extension.
- 5.4 Paragraph 5 of the EIA Screening and Scoping Reports states "Existing published geological, hydrogeological and hydrological information will be used to develop a conceptual site model. This will then be used to assess the potential impacts associated with the extension of the landfill..... It is proposed that no site investigation (e.g. soakaway testing or similar) or water quality sampling will be undertaken nor will any Controlled Activity Regulation consent applications be needed to support the planning application."
- 5.5 SEPA would caution that, in addition to the ongoing groundwater level monitoring and groundwater quality monitoring which is currently undertaken at the site, additional boreholes may be required to show consentability with regard to the depth to the water table in relation the proposed cell height.
- 5.6 Please refer to Appendix 1 for further water environment information requirements in support of the planning application.

6 Water Environment

- 6.4 Leachate from the existing landfill operations is disposed of to the public sewer via a nearby Scottish Water pumping station. Scottish Water should confirm that they will accept additional drainage from the extended landfill proposal and that it will not result in any additional overflows to the water environment. Drainage is material planning consideration and there should be sufficient detail in EA to demonstrate that any amendments required will be capable of being authorised under the PPC licence.

7 Noise

- 7.1 It is noted that the applicant does not propose to consider the environmental impact of noise from proposed operations at the site. The EIA should include an assessment of noise and vibration

8 Ecology

- 8.1 The EIA should interpret the results from the extended phase 1 habitat survey in relation to the environmental impacts of the proposal. Mitigation potential/requirements for habitats such as Ground Water Development Terrestrial Ecosystems (GWDTE) should be identified.

Advice for the applicant

Please note our comments and requirements set out above and in Appendix 1

9 Flood Risk Caveats & Additional Information

- 9.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland.. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>.
- 9.2 We refer the applicant to the document entitled: “*Technical Flood Risk Guidance for Stakeholders*”. This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from <http://www.sepa.org.uk/media/162602/ss-nfr-p-002-technical-flood-risk-guidance-for-stakeholders.pdf> Please note that this document should be read in conjunction Policy 41 (Part2).
- 9.3 Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from <http://www.sepa.org.uk/media/159170/flood-risk-assessment-checklist.xls>.
- 9.4 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

10 Regulatory requirements

10.1 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 regulatory team in your local SEPA office at:

Ayr Office
31 Miller Road
Ayr
KA7 2AX

Tel: 01292 294000

If you have queries relating to this letter, please contact me by telephone on [REDACTED] or e-mail at [REDACTED].

Yours faithfully

Julie Gerc
Senior Planning Officer
Planning Service

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).

Appendix 1. Hydrogeological information Requirements

Previous investigation of the Site has shown that this area has complex hydrogeology.

The hydrogeological setting of the extension area and for the wider existing PPC installation as a whole must be characterised. This includes provision of information on groundwater levels, flow and groundwater quality.

Ongoing water monitoring at the site is undertaken in relation to the existing and historical landfilling activities. However, it is likely the water monitoring network will need to be extended to allow characterisation of the proposed new landfilling area. The monitoring network should allow for background characterisation and ongoing monitoring in both the identified bedrock aquifer (Mauchline Sandstone: intergranular/fracture flow, very high productivity) and the shallow drift deposits. In addition, when selecting new monitoring point locations, consideration should be given to differentiating between the impacts to the water environment from the pre-PPC phases, the existing PPC phases, and the new proposed landfill area.

We recommend that the following are included as part of the Planning Application:

- Conceptual site model
- Groundwater flow regime: figures showing groundwater levels and flow regime at the Site (including supporting historical groundwater level monitoring data to justify the figures)*
- Cross-sections: cross-sections of the Site (including extension area) showing cell geometry in relation to the interpreted groundwater level
- Details of proposed landfill liner and capping
- Monitoring regime: information on the adequacy of the current monitoring network, highlighting any gaps in relation to the existing landfill area and for the extension area, and proposals for new monitoring locations where required
- Borehole logs for any new monitoring boreholes; note that boreholes must be surveyed in to Ordnance Datum.
- Waste Characterisation: any significant change in the waste(s) proposed to be deposited within the extension compared with the existing landfill should be highlighted to indicate whether the chemistry of the leachate is likely to be comparable to that of existing cells.

*note groundwater levels and cell geometry should be provided in metres above Ordnance Datum (maOD).

Information supporting the potential consentability for PPC Licence/ Licence Variation

Detailed review of the 'consentability' of the proposal will be undertaken at the Licensing stage, however the Planning Application should facilitate review of the proposal against the principals of the Landfill (Scotland) Regulations, in particular paragraphs 1, 2 and 3 of Schedule 3 'General Requirements for all Landfills'.

The Landfill must be situated and designed so as to provide the conditions for prevention of pollution of the soil, groundwater or surface water.

The existing pre-PPC cells at this site are located within a topographic low and there is a significant drained area within the footprint of the installation. Thus, there may now be waste located below the shallow water table. The proposals for the new landfill extension should show that the new cells will not extend below the water table, to ensure that Schedule 3.2 1(b) of the Landfill (Scotland) Regulations is met – "*prevent surface water or groundwater from entering into landfilled waste*".

1. Useful Guidance

The following SEPA Guidance may be of use for the Planning Application:

- Hydrogeological Risk Assessment for Landfills and the Derivation of Control and Trigger Levels Version 2.12 April 2005
- Guidance on Monitoring of Landfill Leachate, Groundwater and Surface Water Version 2 July 2003
- Framework for Risk Assessment for Landfill Sites – August 2002
- Assigning Groundwater Assessment Criteria for Pollutant Inputs: WAT-PS-10-01.

Appendix 2. Estimate of Amount of Financial Provision for Landfill Sites

SEPA Technical Guidance Note WST-G-032 | version 2 | issued 16/06/2016
<https://www.sepa.org.uk/media/28996/technical-guidance-note-estimate-of-amount-of-financial-provision-for-landfill.pdf>

Regulatory Context

Demonstration of adequacy of Financial Provision is required as part of the determination of the fit

and proper status of a person (this may be a legal person such as a company or a local authority) to operate a landfill site. This is prescribed in regulation 18(4)(b) of The Pollution Prevention and Control (Scotland) Regulations 2012 ‘the 2012 Regs’,.

Reg 18(4)(b) of the 2012 Regs states an operator will not be considered fit and proper where: ‘that person has not made adequate financial provision (either by way of financial security or its equivalent) to ensure that-

- (i) the obligations (including after-care provisions) arising from the permit in relation to that activity are discharged; and
- (ii) any closure procedures required by the permit in relation to that activity are followed; ’

In addition, Regulation 10(2)(b) of the Landfill (Scotland) Regulations 2003 “the 2003 Regs” requires that a landfill permit include conditions ensuring that the financial provision or its equivalent required by regulation 18(4)(b) of the 2012 Regs is maintained until the permit is surrendered in accordance with those regulations. This places a duty on the operator to maintain the necessary financial provision for the whole life of the site. Regulation 13 of the 2003 Regs requires the landfill operator to ensure that disposal charges will cover setting up and operating the landfill, the costs of maintaining financial provision and the costs for closure and aftercare. All of these requirements will be imposed at landfill sites though conditions of a PPC permit.

The Financial Profile

The principal areas for financial provision relate to the aftercare period in terms of necessary gas and leachate management and monitoring and maintenance of capping. In addition, allowance should be made for the final phase of capping. Also, a contingency amount should be incorporated to cover failure of pollution control systems.

This guidance is focussed on the estimated amount of financial provision that should be provided.

This is based on the operator submitting a full life-cycle cost assessment identifying an estimated financial profile for the development. For the typical (biodegradable waste) non-hazardous landfill site the aftercare period could be at least 60 years. However, the estimated amount of financial provision proposed will be site specific depending on the operational proposals and the scale of the landfill but in all cases they will follow the same form of Financial Profile.

It is ultimately the operator’s obligation to ensure they are providing sufficient financial provision in relation to their landfill and the review carried out by SEPA at the point of application does not in any way absolve the duty of the operator in that respect. As the landfill evolves the estimated financial profile will change reflecting not just site operational changes but also fluctuations to market costs of materials and inflation etc. The review by SEPA of the financial provision estimates and proposals at the time of permitting must be considered in context with this aspect. The main focus should thus be on checking for the inclusion of principal items (i.e.

capping, gas management, leachate management and monitoring). Detailed review of the component costs (which will change anyway over the life of the site) is not necessary so long as the overall estimated amount of provision is set at a reasonable level.

Appendix 3 EIA Requirements

- Map showing assessment of all engineering activities in or impacting on the water environment including proposed buffers, details of any flood risk assessment and details of any related CAR applications.
-
- Map showing assessment of all impacts upon Groundwater Dependent Terrestrial Ecosystems and buffers.
-
- Map showing assessment of all impacts upon groundwater abstractions and buffers.
-
- Peat depth survey map and table detailing re-use proposals.
-
- Map and table detailing forest removal.
-
- Map and site layout of borrow pits.
-
- Schedule of mitigation including pollution prevention measures.
-
- Site Management Plan of pollution prevention measures.
-
- Map of proposed waste water drainage layout.
-
- Map of proposed surface water drainage layout.
-
- Map and Energy statement including an assessment of heat demand, available sources of heat and opportunities to access heat sources or networks.
-
- Map of proposed water abstractions including details of the proposed operating regime.
-
- Decommissioning statement.
-
- As we can process files of a maximum size of only 25MB the submission must be divided into appropriately named sections of less than 25MB each.
-
- All maps must be based on an adequate scale with which to assess the information. This could range from OS 1: 10,000 to a more detailed scale in more sensitive locations. Each of the maps below must detail all proposed upgraded, temporary and permanent site infrastructure. This includes all tracks, excavations, buildings, site compounds, laydown areas, storage areas and any other built elements.
- Existing built infrastructure must be re-used or upgraded wherever possible and the layout should be designed to minimise the extent of new works on previously

undisturbed ground. A comparison of the environmental effects of alternative locations of infrastructure elements, such as tracks, may be required.

- Site specific comments which can help the developer focus the scope of the assessment are provided in the following sections

From: Senior, Graeme [<mailto:Graeme.Senior@ayrshireroadsalliance.org>]
Sent: 02 November 2017 15:21
To: Love, David
Subject: RE: Scoping Request: Tarbolton Moss Landfill [PUBLIC]

CLASSIFICATION: PUBLIC

David,

I think the EIA scope is a little light on this one. The Transportation chapter of the EIA should undertake the following:

- Baseline descriptions of public roads used by the facility;
- An impact assessment based on the Guidelines for the Environmental Impact of Road Traffic;
- A Transport Statement (not as part of the EIA, but rather as a standalone report); and
- Information within the EIA chapter providing a breakdown of anticipated vehicle movements by frequency and type

Hope the above assists.

Kind regards,

Graeme



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

**By email to: Alan.Edgar@south-
ayrshire.gov.uk**

South Ayrshire Council
Planning Development
Burns House
Burns Statue Square
Ayr
KA7 1UT

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716

Our ref: AMN/16/SQ
Our case ID: 300022824
Your ref: Scoping Opinions
16 November 2017

Dear Mr Edgar

[The Town and Country Planning \(Environmental Impact Assessment\) \(Scotland\) Regulations 2017](#)
[Tarbolton Moss Landfill Extension](#)
[Request for a Screening and Scoping Opinion](#)

Thank you for your consultation which we received on 25 October 2017 about the above scoping report. We have reviewed the details in terms of our historic environment interests. This covers world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas (HMPAs).

Your Council's archaeological and cultural heritage advisors will also be able to offer advice on the scope of the cultural heritage assessment. This may include heritage assets not covered by our interests, such as unscheduled archaeology, and category B- and C-listed buildings.

Proposed Development

I understand that the proposed development comprises an extension to existing landfill operations at the Tarbolton Moss Landfill site, Mauchline. The site would consist of ca. 15ha of extended landfill located to the east of the existing operational site.

Request for advice on a screening opinion

We note the approach to the screening and scoping study which is set out in chapter 4 of the screening and scoping report. We have no comments to make on the need or otherwise for an Environmental Impact Assessment (EIA) for this proposed development. However, it is unclear to us whether this project will have a significant effect on the environment from the information included within the screening and scoping report. On

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH
Scottish Charity No. **SC045925**
VAT No. **GB 221 8680 15**

this basis, we agree that impacts on the historic environment would be a relevant matter should you determine that EIA is required.

Scope of assessment

We note the intention to include archaeology and cultural heritage within the scope of an EIA and agree with this approach. We are broadly content with the method of assessment described in section 5.3.2 of the screening and scoping report although we would note that any impacts on setting should be considered as direct (i.e. as a direct result of the proposed development) rather than indirect. We welcome reference to the use of our Managing Change guidance within the assessment.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Adele Shaw and they can be contacted by phone on ~~0131 636 3733~~ or by email on adele.shaw@historicenvironment.scot.nhs.uk

Yours faithfully

Historic Environment Scotland

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH
Scottish Charity No. **SC045925**
VAT No. **GB 221 8680 15**

Bogicevic, Mira Mira.Bogicevic@south-ayrshire.gov.uk

Alan,

Further to the attached EIA Screening and Scoping Report for the Proposed Extension to Landfilling Operation at Tarbolton Moss Landfill Site, Mauchline. The Landscape and Visual Assessment is still to be prepared.

Once the document is submitted, it would then enable me to make an accurate assessment of the effects of the proposed development.

Regards,
Mira