

SCREENING OPINION OF ARGYLL AND BUTE COUNCIL

THE ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2011 REGULATION 5

PROPOSED SAND AND GRAVEL EXTRACTION GLASDRUM, APPIN

REASONS FOR DETERMINING THAT THE PROPOSAL DOES CONSTITUTE EIA DEVELOPMENT

1. The Planning Authority does not consider that the development constitutes 'Schedule 1' development in terms of the categories specified in the Regulations.
2. The Planning Authority considers that the proposed development falls within Schedule 2 Paragraph 3(i) of the Regulations, and is of the opinion that the proposal **does** constitute Schedule 2 development, having regard to the advice given in Circular 3/2011 and the selection criteria set out in Schedule 3 of the Regulations. The Planning Authority's observations on the selection criteria are as follows:

Characteristics of the development

It is proposed to commence quarrying operations for the extraction of sand and gravel on land at Glasdrum, Fasnacloich, Appin, PA38 4BJ. The site extends to some 6.8ha therefore falling under Schedule 2 of the above regulations. The existing Glasdrum Cottage will be used as a site office. It is intended to extract a total of 75,000 tonnes over a 5 year period resulting in an estimated annual extraction of 15,000 tonnes. Access will be taken along the unclassified U37 road west toward the A886. The processing, stocking and water management ponds would be created on the land to the north of the River Creran, a stand-off of 30m is proposed between the processing area and the river. The excavation area, which extends to some 1.99ha, is located to the north of the processing area. There is already extensive mature vegetation screening these areas.

Extraction shall progress in a generally south to north/north-west direction. The site design makes provision for the excavation of sand and gravel to a depth of between 1.6m – 5.0m giving an excavation base of between 2.8m – 4.8m AOD. It is also proposed to excavate sand and gravel over a small area in the west below the water table (wet working) to an excavation depth of 0m AOD, a depth of 6.4m from the current surface.

The land will be reinstated to agricultural use for grass crops, the area of wet

working will be retained as a small water body. To ensure that the land is adequately drained it is proposed to utilise imported materials and silts derived from aggregate processing to raise the profile of the land to around 2m above winter water table prior to the replacement of soils.

Location of the development

The proposed quarry is located some 22km to the north east of Oban, and some 7.8km east of Appin and 7km north east of Barcaldine. The site is part of Glen Creran Estate and is located within Glen Creran on the northern side of the River Creran, some 1.3km to the south west of Loch Baile and some 1.7km to the north east of Loch Creran.

Characteristics of the potential impact

The scale and nature of the proposal is such that it has potential to give rise to significant effects upon the immediate and wider landscape settings in respect of the visual/landscape impact of the quarry and wider more general impacts on the environment. The proposal may also have implications for amenity, ecology, water environment and traffic.

It is considered that an assessment of:

- landscape and visual impacts;
- ecology and protected species;
- recreation and access;
- landscape and planting;
- environmental impacts and mitigation including dust management, noise, vibration, waste management and protection of the water environment;
- lighting;
- impact on the historical environment;
- processing issues, including transportation and noise;
- site restoration proposals and means of delivery (financial bond); and
- appropriate mitigation measures for all significantly adverse impacts.

Consequences of the operation of the development in terms of its impacts upon the receiving environment will need to be identified along with measures to avoid, reduce or mitigate those impacts. It is considered that the proposal has potential to give rise to inter-related effects which are of such magnitude, or which could prove to be incapable of satisfactory management or mitigation to such a degree that the proposal is considered to constitute 'Schedule 2 EIA development'.

Accordingly, the Local Planning Authority, under the powers conferred by Regulation 5 of the Environmental Impact (Scotland) Regulations 2011, confirms that the submission of an Environmental Impact Assessment is to be required in support of any planning application.



..... Date ...20th May 2016.....
Richard Kerr
Principal Planning Officer

ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2011 REGULATION 14

SCOPING OPINION ON BEHALF OF ARGYLL & BUTE COUNCIL

PROPOSED SAND AND GRAVEL EXTRACTION GLASDRUM, APPIN

General Principles

Regulation 2 and Schedule 4 to the Environmental Impact Assessment (Scotland) Regulations 2011 set out the fundamental information requirements associated with the preparation of an Environmental Statement (ES), with accompanying guidance being issued by the Scottish Government in Circular 3/2011. Please consider these requirements in connection with the specific scoping information related to the site in question as set out below. Useful up to date advice on the compilation of EIA's can be found in the Scottish Natural Heritage publication 'A Handbook on Environmental Impact Assessment' (2014). The Environmental Statement should focus on the sources likely significant effects, the quantification of those effects, the means by which they can be avoided reduced or mitigated, an need not review every aspect of the development, as some effects may simply be acknowledged and scoped out in order to confirm that they have not been overlooked.

Consideration of Alternatives

The EIA Regulations require that all ES's include an outline of the main alternatives studied and indicate the reasons for choosing the selected option. This is not only the case in terms of site selection, but some consideration of alternatives is also required in relation to site layout and design considerations. It is not normally necessary in terms of an environmental assessment to demonstrate that the alternative selected is

necessarily the Best Practical Environmental Option, nor is it necessary to discount other possible options which have not actually been considered at pre-application stage. However, where a locational need is being advanced in support of development which would not otherwise be supported in the countryside there is a presumption that for planning policy reasons the applicant should be expected to consider potential alternatives in support of the planning application which might be subject to more favourable policy considerations. With that in mind it would be appropriate in this case to indicate why there is a need to implement this development in preference to sourcing material from other sources.

Landscape and Visual Impacts

Full descriptive and mapped details of the baseline landscape condition such as existing topography, existing site features, trees (age, species, size etc), hedgerows etc, should be supplied and an assessment of the impacts made in accordance with the methodology suggested in 'Guidelines for Landscape and Visual Impact Assessment' (Institute of Environmental Impact Assessment and The Landscape Institute, Third Edition 2013). It is also recommended that this includes photography and annotated wireline drawings of the quarry at different operational stages from key fixed viewpoints including transport corridors, paths and areas of informal recreational usage. These viewpoints should be agreed in advance with the planning authority.

The site itself is within an Area of Panoramic Quality (APQ) and there are a number of Ancient Woodland Inventory locations within the site and adjacent. It would be beneficial to retain as much of this woodland as possible submit details for the management, improvement and enhancement of the remaining trees. You should also consider the replacement of any that you intend to remove. This should form part of your assessment of the impact on the landscape and will also feed into the sections covering planting and ecology.

Ecology and Protected Species

The submission should include a habitat study to identify what species are within the quarry area and the proposed extension and mitigation measures as appropriate. You may wish to discuss this aspect with SNH or the Council's Local Biodiversity Officer prior to commission of any survey work. The site is surrounded by various designations which should be considered:

- Various areas of Ancient Woodland and what they contribute to ecology and how the site will impact on these and what could be done for ecological mitigation and enhancement,
- To the far north, south and east is the Glen Etive and Glen Fyne SPA,
- To the north and west there are several designations:
 - Glen Creran Woods SAC
 - Glen Creran Woods SSSI
 - Glasdrum Wood National Nature Reserve

You may also wish to consider the potential impact of run-off on the Loch Creran Marine Consultation Area to the south.

It is known that the area has an otter and red squirrel population therefore pre-application surveys and reports will be required given the protected status of these species.

Recreation and Access

The area is popular with walkers and it is recommended that nearby path usage is identified. Assessment of the potential impacts of the development in this context should include where relevant: visual impacts, noise, dust, vibration and public safety. Information in relation to exclusions from access rights both during and upon cessation of the works including details of temporary diversions or proposed access mitigation should be included.

There is some concern over the potential impact on people using the unclassified road for recreation. You may wish to explore potential improvements to this road with our Area Roads Engineer, or consider alternative access proposals.

Landscape and Planting

This element of the proposal should be informed by the various assessments outlined in this response and should be demonstrated to be informed by such studies. The site lies within an APQ and appropriate account should be taken of this.

You should also consider the trees in and around the site. These form part of an Ancient Woodland designation. The LDP has a general presumption against the loss of trees so you will need to consider potential enhancement, management, retention, mitigation etc. to offset any loss or damage to this area. I would also be keen to see these areas retained for screening purposes and to integrate the site within the landscape. Such an approach should give this development a natural appearance.

Construction Environmental Management Document (CEMD) and Pollution Prevention

It is considered essential that you identify all aspects of site work that might impact on the environment, pollution risks and identify the principles of preventative measures and mitigation. This will establish a robust Project Environmental Management Process (PEMP) and should include a detailed water management plan. A draft schedule of mitigation should also be produced as part of this process. This should cover all the mitigation measures identified to avoid or minimise environmental effects. Further guidance is available on SEPA's website.

The submission should also consider the timing of works and therefore the Schedule of Mitigation should also consider timetabling the works around specific environmental sensitivities. The Schedule of Mitigation should consider all environmental impacts and appropriate monitoring and mitigation.

A CEMD is a key management tool to implement the Schedule of Mitigation. It is recommended that the principles of the CEMD are set out in the submission drawing together and outlining all the environmental constraints and commitments, proposed pollution prevention measures and mitigation in the submission.

Water Environment

The submission should include specific details as to any engineering works in the water environment. Where culverts are proposed reasons should be provided for not proposing bridging solutions and details should be provided on the capacity of the culvert in order to avoid localised flooding. Mitigation of all adverse impacts on watercourses must be clearly identified.

You should also identify any private water supplies in the area and appropriate mitigation measures should your assessment identify any adverse impacts. With regard to the extension area you should identify any field drains that might be impacted and appropriate replacement to manage the surface water on the site.

Lighting

An assessment should be carried out to identify the likely impact that the use of any additional lighting may have on nearest local residents and the surrounding environment. Should additional lighting be necessary the assessment should consider the level of lighting, the mounting height, the intensity and glare of the lights and the assessment should also identify measures to be taken to control and prevent spillage of the light and glare beyond the site boundary.

Noise

The Council welcomes an assessment on noise and requests that the assessment identifies controls and measures to be taken or included within the proposal that will minimise the effect of the increase in noise upon existing areas of development, as well as proposals to minimise the spread of noise beyond the boundaries of the site.

Air Quality and Dust

The submission should consider air quality and potential dust generating sources. The assessment should identify the best methods of limiting or suppressing nuisance and respiratory dust.

Vibration

The proposed vibration assessment should identify the frequency and depth of any blasting and the impact this will have on local developments and residents, together with proposed monitoring and mitigation measures.

Transport and Roads Impact

The Council's Area Roads Engineer has not raised any concerns at this stage, however it would be advisable to discuss possible improvements to the unclassified road sooner rather than later. I am concerned over the additional traffic on this road in conjunction with the existing forestry vehicles and what impact this could have on road users and residents. I would be interested to explore alternative access proposals to mitigate the impact.

The proposal should mitigate against surface water running onto the public road through a well designed SuDS system that should cater for the entire site.

Historic Environment

There are no specific designations covering the site although there a number of listed buildings, scheduled monuments and features of interest in the vicinity. The following SAMs should be considered:

- Balliveolan, burial ground 480m N of,
- Fasnacloich, crannog 320m S of.

There are the following listed buildings you should consider:

- Category B listed Druimavuic, Ballieveolon House,
- Category C listed Druimavuic, Roadside cairns, and
- Category B listed Glenure House

We have not had a response from West of Scotland Archaeology Service (WoSAS) so you may wish to consult with them directly over the need for any archaeological requirements.

Water Environment and Flood Risk

We have consulted and I note they have sent you a copy of their response direct. They have identified the following issues that should be addressed within the submission:

- Flood risk,
- Potential impacts to the water environment (surface and ground water)
- Identification and assessment of the potential impacts to Groundwater

- Dependant Terrestrial Ecosystems, and
- Site operations (wet working)

Each of these should be addressed within the ES.

Restoration

The restoration of the site should commence immediately and should tie in with the landscape proposals. Full details of the restoration and aftercare proposals including the means and timescales for implementation should be supplied. Information should include suitably scaled plans supported by written descriptions and detailed drawings of the restoration proposals. I would strongly encourage a best practice approach to restoration of the final quarry void and a clear description of techniques that will be employed in the restoration.

The progressive restoration plan should be linked to the phased extraction of the site and should be implemented as such.

Of particular relevance to this proposal would be the treatment of changes in levels and boundaries of the site where proposals link to the surrounding landscape. Information on careful detailing of the landform and associated planting or land-use will be required in order to provide long term integration of the restored landform within its surrounding context. Full details of boundary treatment and fencing should be provided as well as proposals for public access, including any proposed restrictions, upon cessation of the works.

We would welcome measures which would seek to enhance the biodiversity, geological or habitat value of the site while respecting the local landscape character and key attributes of the area.

Restoration should also consider impacts on watercourses and ground water and the impact any backfilling will have on the ground water system in terms of quality and quantity.

The restoration proposals should be linked to a restoration bond and details of the calculation should be submitted as part of the application. This should be assessed by a suitably qualified person, usually a qualified Minerals Surveyor. I would advise that you review Planning Advice Note (PAN) 50 on the Scottish Government website for more information.

Aftercare

The Council would require the implementation of a 5-year aftercare and monitoring approach following site restoration. Specific details should be included for year 1 with outline principles being set for years 2-5 to take account of the possibility of the restoration scheme not achieving its aims. The site has a number of potential end uses and these should be listed with appropriate aims and objectives that the restoration plan wishes to achieve. For example, the aim

of biodiversity should be expanded in terms of habitat and species benefits and appropriate monitoring.

Schedule of Mitigation Measures

Having identified significant environmental effects and measures which will be required in the run up to, during the operation of, and following the completion of the development, it would be helpful to summarise these in a schedule of identified mitigation, as this provides a ready means of securing adherence with identified measures, by means of planning condition, in the event that the development were to be permitted.

Non-Technical Summary

In order to satisfy regulatory requirements the Environmental Statement should be accompanied by a Non-Technical Summary in order to make the elements of the development, its environmental consequences and means by which those effects will be managed, accessible to the lay person.

Publicity

Please note that a planning application accompanied by an Environmental Statement is required to be advertised in the local newspaper and the Edinburgh Gazette. This will incur an advertisement fee of £160 in addition to the normal planning application fee. Any enquiries in relation to the calculation of the application fee or the required application documentation should be referred to centralvalidationteam@argyll-bute.gov.uk



..... Date ...20th May 2016.....

Richard Kerr
Principal Planning Officer