

**SCREENING OPINION – ENVIRONMENTAL IMPACT ASSESSMENT
(SCOTLAND) REGULATIONS 1999**

10/01605/PREAPP

**PRE-APPLICATION ENQUIRY FOR MIXED USE/ RESIDENTIAL
DEVELOPMENT AT ST LEONARDS/ ABBEY WALK, ST ANDREWS
INCLUDING OFFICE SPACE AND HOTEL DEVELOPMENT**

- 1.1 A proposed masterplan has been submitted for the above noted proposal as part of a Pre-Application Enquiry. An environmental statement did not accompany the planning application.
- 1.2 The proposed development falls within Schedule 2 of the Regulations and falls within the description of development 10;

10 Infrastructure Projects

- (c) Urban development projects including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas.

Circular 8/2007 - The Environmental Impact Assessment (Scotland) Regulations 1999 supersedes Circular 15/1999 (where the latter Circular advised that an EIA would be more likely to be required should certain quantifiable threshold criteria be breached). Further guidance on the requirements for EIA's is contained within PAN 58 (Environmental Impact Assessment) September 1999, although Circular 8/2007 does advise that it is the Scottish Government's intention to update this PAN in due course and therefore this Circular should take precedence over the advice contained within the PAN. However, as PAN 58 has yet to be updated and still provides advice and guidance on the quantifiable thresholds and criteria for each development type consideration must still be given to the advice and guidance contained within albeit with less material weight attached. In light of the above, Fife Council as Planning Authority, has taken account of both the quantifiable parameters and the outcomes of the completed checklists (enclosed) during the Screening of this application.

- 1.3 No Screening Opinion or Direction has been prepared by the applicant. Consequently Fife Council as Planning Authority has to adopt such an Opinion and has used both the recommended checklists and to some degree the advice and guidance (contained within PAN 58) on the quantifiable thresholds and criteria for such development types.

1.4 Location plans and description of the type of proposal have been submitted.

1.5 The proposed site is not located within a sensitive area as defined in Regulation 2(i).

1.6 The application threshold for the above development type in this case is:-

Urban development projects including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas - area of development exceeds 0.5 ha.

The proposed development equates to approximately 6.9 hectares, therefore the proposal would be in excess of the 0.5ha threshold in column 2 of Schedule 2. Circular 8/2007 supersedes Circular 15/1999.

1.7 Circular 8/2007 does not specify parameter threshold criteria regarding site areas and extraction quantities but does advise that consideration should be given to the recommended checklists contained in Annex B to the 2007 Circular (i.e. Guidance on Screening/Criteria for Evaluating the Significance of Environmental Effects) in order to determine whether an EIA is required or not.

1.8 To assist with this assessment Circular 8/2007 (Annex B) provides recommended checklists whilst PAN 58 sets out indicative thresholds and criteria regarding the type and scale of development. Both provide advice and guidance from which the requirements for an EIA can be assessed and conversely the sort of development for which the EIA is unlikely to be necessary. Schedule 3 to the Regulations sets a context within which the significance of the potential effect on the environment can be assessed. These are:- characteristics of the development, environmental/ecological sensitivity of the location, and the characteristics of the potential impact.

(a) The key considerations in this respect are outlined below (these are not exhaustive):

- Size
- Impact on ecosystems/natural environment/protected species
- Traffic generation
- Visual impact
- Cumulative impact with other development
- Residential amenity
- Potential physical site changes (e.g. topography)
- Impact on built/cultural/historical heritage
- Flood risk

Annex A Circular 15/1999, which has been superseded by Circular 8/2007, does also give details of indicative Thresholds and criteria for Identification of Schedule 2 Development Requiring EIA;-

'In addition to the physical scale of such developments, particular consideration should be given to the potential increase in traffic,

emissions, and noise. EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination.

Development proposed for sites which have not previously been intensively developed are more likely to require EIA if;

- The site area of the scheme is more than 5 hectares; or
- It would provide a total of more than 10,000 m² of new commercial floorspace; or
- The development would have significant urbanising effects in a previously non-urbanised area (eg a new development of more than 1,000 dwellings)'.
 - (a) An EIA is more likely to be required for Urban Development Projects, which exceed 5 hectares. As stated above the site measures approximately 6.9 ha, however no commercial floor-space is required nor are more than 1,000 dwellings proposed and as such the area of the site alone is not considered reason enough to request that an EIA be carried out. The site is located within a settlement boundary (as defined in the Adopted St Andrews Area Local Plan (1996) and the Finalised St Andrews and East Fife Local Plan (2009) where the principle of such developments is considered acceptable. The site is also identified in the Finalised Local Plan as a potential future Area of Mixed Use development (Reference 'STA08') including housing, office, hotel and other infrastructural improvements.
 - (b) Parts of the site are considered to be brown-field, however natural re-growth is occurring. Mature trees form an avenue from north to south within the site. A Tree Survey and Natural Habitat Survey will be required in order to record and mitigate for any potential impacts on the existing ecosystem/natural environment/presence of protected species either on the site or immediately adjacent to it.
 - (c) The additional traffic generation is likely to impact on the adjacent transport network and therefore the proposal should be accompanied by an appropriate Transportation Statement. The Council would also consult the relevant specialist authorities on such matters should a formal planning submission be lodged.
 - (d) Visually the proposal is located on a site previously used as school playing fields. The site is visible from various vantage points around the site perimeter as well as from public roads and parts of the town. The surrounding area is predominantly residential with office buildings located to the north.
 - (e) In terms of residential amenity, the proposed land uses are of compatible types in principle. Detailed design and mitigation measures where relevant would be sought if required at the submission stages.
 - (f) Topographical and or historic/cultural/archaeological issues and potential impacts would be assessed in more detail once detailed layout and site work plans have been submitted. The site does lie within close proximity to key historical/cultural areas of significance

including areas where archaeological artefacts may be present. The Council would also consult the relevant specialist authorities on such matters should a formal planning submission be lodged.

- (g) In terms of flood risk, given the close proximity to a watercourse, the site is not identified as being within a flood risk area, but site and floor heights will be required at the submission stages. The Council would also consult the relevant specialist authorities on such matters should a formal planning submission be lodged.

2.0 Conclusion

2.1 Regulation 3 of the Environmental Impact Assessment (Scotland) Regulations 1999 prohibits the granting of Planning Permission for such developments likely to have significant effects on the environment because of factors such as its nature, size or location, unless the EIA procedures have been followed. Further to this, Regulation 3 also requires a Planning Authority to state in their decision that they have done so.

2.2 Taking into account the characteristics of the development, the environmental sensitivity of its location, the characteristics of its potential impact, the relevant criteria and the completion of the Guidance on Screening Checklist and the Checklist of Criteria for Evaluating the Significance of Environmental Effects (contained in Annex B of Circular 8/2007 - copy enclosed), the Council as Planning Authority has adopted the opinion that the proposal will not require an EIA. The site area is considered to be in excess of the guidelines given, but the proposal is considered to be compatible with adjacent land uses, and would have no significant visual impact on the landscape character over the long-term given it would be sited within a settlement on a site identified for future mixed use development and would be located adjacent to the existing built environment. Other supporting information such as transport statements, habitat surveys, flood risk assessments etc will however be required as part of any future planning submission.

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Kathleen Illingworth
Planner
Development Services (Development Promotion & Design)
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Chris Smith
Lead Officer
Development Services (Development Promotion & Design)
9th July 2010