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Dear Madam

Application No: 24/01046/SCR
Proposal: EIA Scoping for an Extension to Balmullo Quarry
Address: Quarry Road, Lucklawhill, Balmullo, KY16 0BH

I refer to your request for an Environmental Impact Assessment (EIA) scoping opinion received on the 18th of April 2024, and I apologise for the delay in responding.

I can confirm that the methodology and scope of the proposed EIA Report (EIAR) are broadly acceptable in terms of the headings and summaries provided within your Scoping Report (dated 17th April 2024).

The following matters should be within the scope of the EIA. Additional comments are provided below on each of these matters to assist in the focus of the chapters and ensure sufficient information is provided within the EIAR.

The matters that are in scope are:

- Air Quality
- Geology and Soils
- Landscape and Visual Amenity
- Noise
- Vibration
- Water Environment
- Archaeology and Cultural Heritage
- Climate Change
- Ecology
- Socio-Economics and Human Health
- Traffic and Transportation
- Cumulative Effects

Planning Services
Fife House, North Street, Glenrothes, KY7 5LT

Planning Services

Martin McGroarty

development.central@fife.gov.uk

Your Ref:
Our Ref: 24/01046/SCR

Date 21st June 2024

I have outlined below where consultees have commented on the proposed chapters and also made any comments relative to the Planning Service. If the chapter is not included, then please take this as agreement with the EIA Scoping Report on the methodology and contents of the chapter.

Air Quality

The methodology and scope of this chapter is considered to be acceptable. The comments below should however be noted.

- This chapter should consider the effect on local air quality of both construction and operational uses of the site (including air quality/dust in the context of traffic movements associated with the Quarry) and take into account the possible cumulative effect of other consented and constructed developments in the area.
- All air quality impact assessment reports should be prepared in accordance with TG16, PAN51 and the Council's 'Air Quality in Fife: Advice for Developers'.
- A dust suppression scheme will need to be agreed with Fife Council's Land and Air Quality Team, though this would be secured by condition of any planning permission granted.

Geology and Soils

I concur with your Scoping Report's conclusion that Geology and Soils should be the subject of a specific chapter in the EIA and consider that the methodology proposed within this chapter of the EIAR for assessing the site ground conditions, geology and soils is generally satisfactory.

- I note, and welcome, your Scoping Report's indication that a desk-based review of the site setting in relation to potential impacts on the water environment will be completed as part of the EIA Report. Fife Council's Land and Air Quality Team considers that potential contamination issues should be scoped into the EIA. All land contamination reports should be prepared in accordance with CLR11 and PAN 33 or any subsequent revisions of those documents. Additional information can be found at: www.fifedirect.org.uk/contaminatedland
- The submission should systematically identify all aspects of site work that might impact upon the environment, potential pollution risks associated with the proposals and identify the principles of preventative measures and mitigation. This will establish a robust environmental management process for the development. A draft Schedule of Mitigation should be produced as part of this process. This should cover all the environmental sensitivities, pollution prevention and mitigation measures identified to avoid or minimise environmental effects. Intrusive investigations are recommended to better assess the potential risks associated with

the development. It is advised that an appropriate contaminated land site-specific risk assessment be submitted.

- I do not see any mention within your Scoping Report of the National Grid Gas Arbroath/Drumeldrie high pressure pipeline that runs to the east of Balmullo. It is my view that assessment of this, and the potential impacts upon the environment and the public, should be contained somewhere within the EIA. I would suggest that this assessment would most appropriately sit within the Geology and Soils chapter, or in the Vibration chapter.

Landscape and Visual Amenity

I am generally content that your initial commentary on the need for a Landscape and Visual Impact Assessment (LVIA) correctly identifies the relevant context within which the EIA should consider the impact of the proposed development on the landscape character and visual amenity. I therefore concur with the recommendation of the Scoping Report that an LVIA is scoped into the EIA. The methodology and scope of this proposed chapter is broadly acceptable, however the following comments should be noted and taken into consideration:

- It is noted that the LVIA will be prepared in line with the “Guidelines for Landscape and Visual Impact Assessment (Third Edition)”. Any proposal should also refer to the Fife Landscape Character Assessment (1999) along with its guidelines and recommendations for accommodating development.
- In relation to the visual impact of the proposals, a list of key viewpoints has been indicated in the Scoping Report. It is best practice for the range of key viewpoints to be agreed in advance with Fife Council as planning authority. No plan has been provided which indicates where the proposed key viewpoints are in relation to the site, however, therefore it is advised that early contact should be made with Fife Council to agree the key viewpoints for the ZTV mapping that will inform the study area and crystallise the selection of viewpoints. The Scoping Report states that a photomontage will only be provided from Viewpoint 10. We will require photomontage images be provided for all viewpoints, once agreed - covering existing, completion of operations, to final restoration stages.
- It is suggested that the content of the Design and Access Statement to be produced for inclusion in any planning application is scoped out with planning officers prior to submission to ensure that proposals mitigate against the visual impact on landscape assets and integrate development into its countryside context.
- Any Built Heritage assets which may be identified as potentially being affected in terms of their setting should be included in the LVIA. Note that guidance on the settings of listed buildings is available at: <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=80b7c0a0-584b-4625-b1fd-a60b009c2549> *Historic Environment Scotland, Managing Change in the Historic Environment (Setting)*.

Noise

The methodology and scope of this chapter is broadly acceptable, however the following comments should be noted and taken into consideration:

- Whilst the range of considerations in the proposed Noise chapter of your Scoping Report appears appropriate, it is recommended that prior to commencing any noise impact assessment, your appointed noise consultant should liaise with Fife Council (Public Protection) to agree the location of noise sensitive receptors, relevant noise assessment methodology and establish appropriate noise assessment criteria.
- I would expect that a noise report would need to be provided to accompany any planning application. The noise report should include a written scheme of how nearby residents will be protected from noise from the proposal. The report shall include an assessment of noise emissions from the proposed development and details of background and predicted noise levels at the boundary of nearby residential properties together with proposed noise attenuation measures. The report shall be appropriate for all times of day and night when the development will operate. The report should include any supporting calculations.
- A competent person should undertake any noise survey and developers may wish to contact the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk/Pages/Links.htm> (01736 852958) or the Institute of Acoustics <http://www.ioa.org.uk> (01727 848195) for a list of members.
- In addition to your statement that a cumulative assessment including predictions of the noise being generated by any existing extraction/processing operations which may be undertaken simultaneously with the extension operations will be undertaken, the noise impact assessment shall also include an assessment of any noise impacts from any existing neighbouring land uses which, cumulatively with your proposal, may have the potential to impact noise sensitive receptors in the vicinity of the site.
- It is noted and welcomed that a 3D computer noise model using CadnaA software will be constructed for the purposes of assessing noise at the site.

Vibration

I concur with the analysis in your Scoping Report in respect of vibration, identifying blasting as part of the first stage of mineral extraction as the key local source of vibration in the vicinity of the quarry. It is appropriate to scope this into the EIA. The methodology and scope of this chapter is broadly acceptable, however the following comments should be noted and taken into consideration:

- The EIA chapter on Vibration should take into account the potential impact on local receptors and use the empirical evidence of blasting at the quarry over recent years to inform the analysis.
- Both blast vibration and HGV road traffic vibration impacts should be scoped into the assessment and included in this chapter.
- The vibration assessment should include a written scheme of how nearby residents will be protected from vibration from the proposal. The report shall include an assessment of vibration emissions from the proposed development at the boundary of nearby residential properties together with proposed vibration attenuation measures. The report shall be appropriate for all times of day and night when the development will operate. The report should include any supporting calculations.
- It is recommended that prior to commencing any vibration impact assessment, your appointed consultant should liaise with Fife Council (Public Protection) to agree the location of vibration sensitive receptors, relevant vibration assessment methodology and establish appropriate vibration assessment criteria.
- As indicated previously in this letter, I do not see any mention within your Scoping Report of the National Grid Gas Arbroath/Drumeldrie high pressure pipeline that runs to the east of Balmullo. It is my view that assessment of this, and the potential impacts upon the environment and the public, should be contained somewhere within the EIA. I would suggest that this assessment would most appropriately sit within the Geology and Soils chapter, or in the Vibration chapter.

Water Environment

Scottish Water - Drinking Water Protected Areas

Scottish Water has indicated that there are no 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 activity. Scottish Water does indicate, however, that the development proposals have the potential to impact upon existing Scottish Water assets and you are advised to identify any potential conflicts with such assets and to contact Scottish Water's Asset Impact Team via the following link to apply for a diversion:

www.scottishwater.co.uk/business-and-developers

You should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

SEPA

- SEPA considers that the following key issues 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:
 - a) Map and assessment of all engineering works within and near the water environment including buffers, details of any flood risk assessment and details of any related CAR applications.

- b) Map of proposed surface water drainage layout.
- c) Map of proposed water abstractions including details of the proposed operating regime.
- d) Map of proposed waste-water drainage layout.
- e) Map and assessment of impacts upon Groundwater Dependent Terrestrial Ecosystems and buffers.
- f) Map and assessment of impacts upon groundwater abstractions and buffers.
- g) Peat depth survey and table detailing re-use proposals.
- h) Map and table detailing forest removal.
- i) Quarry Site Management Plan of pollution prevention measures.
- j) Map of proposed restoration measures.

Bearing in mind the advice from Scottish Water and SEPA above, the methodology and scope of this chapter is considered to be generally acceptable. The following comments should however be noted:

- The site in question is not identified as generally being at risk from flooding on SEPA's 10yr or 200yr fluvial flooding risk maps. Nevertheless, it is considered appropriate for you to provide both a Hydrogeological Risk Assessment (HRA) and a Flood Risk Assessment (FRA) to support the proposed extension of the operational quarry site. These should also include the restoration proposals. The proposals and design should also consider the impact of future climate change – particularly important if you are proposing to extend the operational period of the quarry beyond what is already consented.
- The information within the planning application should comply with the requirements of Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2022). A SuDS may be required to treat and attenuate surface water runoff from the site. If SuDS is required, adequate space should be afforded to accommodate SuDS within the site layout. Consideration should be given to this matter early in the planning process when proposals are at their most fluid and modifications to layout can be easily made with less expense to the developer. Each individual type of SuDS facility, such as a filter drain, detention basin, permeable paving or swale, provides one level of surface water treatment. The level of SuDS required is dependent on the nature of the proposed development.
- The potential pollution of existing watercourses during the construction and operational phases should be considered in the EIAR.
- Construction phase SuDS should be used on site to help minimise the risk of pollution to the water environment.
- Run-off from areas subject to particularly high pollution risk (e.g. yard areas, service bays, fuelling areas, pressure washing areas, oil or chemical storage, handling and delivery areas) should be minimised and directed to the foul sewer.

- The Flood Risk Assessment (FRA) will need to reflect the national policy change to consider 'flood risk areas' (rather than the functional floodplain) and demonstrate that proposals accord with the requirements of NPF4 (Policy 22).

You should note that, at planning application stage, self-certification of drainage arrangements is a validation standard for Fife Council. Further details on this can be found at:

http://publications.fifedirect.org.uk/c64_SuDSGuidanceFinalNov2016.pdf

Accidents and Disasters

Given that severe weather and potential flooding events should be covered in the Water Environment chapter of the EIA, and that ground stability will be assessed in the Geology and Soils and Vibration chapters, I concur with the Scoping Report's conclusion that an additional topic specific chapter on major accidents and/or disasters is not required. Rather, these matters should be considered as integral to the assessment in each relevant chapter.

Archaeology and Cultural Heritage

I do not concur that archaeology and the cultural heritage can be scoped out of your EIA report, bearing in mind the following comments received in consultation responses:

- Historic Environment Scotland (HES) has confirmed that there are no historic environment assets within its remit within the development site boundary or in its immediate vicinity. As such, HES is content that the proposed development would not have significant impacts on its interests and considers that those specific elements can be scoped out of the EIA.
- HES notes your proposal to append to the EIA Report a Historic Environment Desk Based Assessment, which will include a setting assessment. HES recommends that you make reference to the best practice guidance given in Appendix 1: Cultural Heritage Impact Assessment of the EIA Handbook (NatureScot (previously Scottish Natural Heritage) and Historic Environment Scotland, 2018), as well as its Managing Change in the Historic Environment: Setting guidance note (Historic Environment Scotland, 2020).
- With respect to Cultural Heritage elements beyond HES's remit, Fife Council's Built Heritage specialist indicates that the intended extension is unlikely to have a material impact on any heritage assets. However, as identified on p.13 of the Scoping Report, there is likely to be some level of impact on the setting of heritage assets in the area surrounding Lucklaw Hill. The quarry is an established part of the local landscape character and so forms part of the modern setting of these assets both in terms of views from them and in the way that they themselves are

experienced in the landscape. In some cases, the backdrop of the quarry forms an important part of the approach to the heritage assets.

- This being the case, in any forthcoming EIA, we would expect a cultural heritage assessment to be provided in line with the measures stated in pp.13-14 of the Scoping Report. It should also follow the guidance set out in Historic Environment Scotland's Managing Change: Setting which summarises three recommended phases of assessment:
 - "There are three stages in assessing the impact of a development on the setting of a historic asset or place:
 - Stage 1: identify the historic assets that might be affected by the proposed development
 - Stage 2: define and analyse the setting by establishing how the surroundings contribute to the ways in which the historic asset or place is understood, appreciated and experienced
 - Stage 3: evaluate the potential impact of the proposed changes on the setting, and the extent to which any negative impacts can be mitigated."
- NPF4 Policy 7(a) places the requirement on the applicant to demonstrate an adequate understanding of the cultural significance of heritage assets likely to be impacted. We would expect the EIA to fully assess the possible impacts on the settings of all heritage assets (both designated and non-designated) within a proportionate radius from the proposed development site.
 - Designated assets include listed buildings and scheduled monuments.
 - Non-designated heritage assets are unlisted sites and buildings of cultural and/or historical value (including many historic agricultural buildings), and there is a presumption in favour of preserving their setting as stated in NPF4 Policy 7(o). Historic Environment Scotland's Canmore database map can help identify non-designated heritage assets but should not be considered to be exhaustive.
- Based on the available information, there is likely to be an impact of some level on views to and from the farmsteads at Lucklaw and Logie to the west, Hayston to the south, and Balmullo to the east. These appear to contain a mixture of listed and non-designated assets and should all be assessed as part of a future EIA. Views from the upper storeys of buildings may also be relevant to consider.
- With respect to archaeology, whilst no archaeological sites/monuments/deposits are recorded within the footprint of the proposed quarry extension, and the area is not covered by any historic environment designations, this hilltop site is considered to be of some archaeological potential and the absence of recorded archaeology here is simply a reflection of the fact that the area has never been surveyed in detail. The place-name, Lucklaw, appears to be an unusually early (12th century) Scots coining, meaning 'Look out hill'. No doubt the hill had a similar earlier use and a Gaelic name which is not recorded. Observation from this hill would have been important from a very early date for giving advance warning of merchant and hostile shipping using the Eden Estuary and the Motray Water port. The presence absence

of archaeological deposits within the proposed development area will not be definitively revealed by desk-based assessment alone.

- You should be advised that archaeological considerations will not be an impediment to development. However, if consent is granted, then in line with NPF4, Policy 7; Scottish Planning Policy paragraph 150 and 151; in line with Planning Advice Note 2/2011: Planning and Archaeology paragraphs 4, 12, 23, 25, 28 and 32, and in line with Fifeplan Policy 14, that consent will come with a condition requiring archaeological investigations prior to development unless definitive evidence of an absence of archaeology can be shown prior to the determination of the application.
- You should be further advised that the presence/absence of archaeological deposits within the proposed development area will not be definitively revealed by a desk-based assessment (DBA) and that to enable the Planning Authority to scope Cultural Heritage out of the EIA, the applicant will need to present evidence of a robust site evaluation that demonstrates the absence of archaeology on the site. Failing this, the Planning Authority will require the applicant's EIA to include both a DBA and an archaeological mitigation strategy that actively tests for the presence of archaeology on site by means of evaluation trenching, geophysics, survey, or a combination of all these approaches.

Climate Change

I concur with your Scoping Report's conclusion that a separate chapter for this topic is not required. Rather, this matter should be considered as integral to the assessment in each relevant chapter.

Ecology

Your EIA Scoping Report describes the assessment process and notes that Desk study data has been obtained from NatureScot Site Link web-based application, Fife Nature Records Centre (FNRC), and relevant information for other nearby developments where readily publicly available via online planning records. You correctly indicate that the proposed extension area is partially located within the Lucklaw Hill Local Wildlife Site (LWS) which extends to 15.98ha and is designated predominantly for its dry dwarf acid shrub heathland habitat. You also identify that there are 14 statutory designated sites within 10km of the quarry including one National Nature Reserve (NNR), two SPAs, one Ramsar site, one SAC, and nine SSSIs. A further two SPAs and two Ramsar sites designated for their ornithological interest are within 20km of the quarry.

Your Scoping Report also states that ecological field surveys for various species were carried out between June and September 2023 and that the results of the desk study and field surveys are being used to inform the extension design proposals and to guide the development of the restoration scheme. I also note the initial findings of the desk and field studies in relation to protected species and habitats, with commentary on appropriate mitigation measures.

I note your view that significant effects on designated nature conservation sites, habitats and protected species are not anticipated, which means that you propose to scope ecology out of full consideration within the EIA. Rather, you propose that a Preliminary Ecological Appraisal and Protected Species Survey Report would be produced and would include methodology, results of the desk study and results from the field surveys. You further indicate that the report would be accompanied by drawings illustrating the findings as appropriate and a confidential appendix reporting on the findings of the badger survey.

NatureScot has indicated that, as the site is a working quarry, the protected areas listed in the Scoping Report would not be impacted by an extension of the site as they are of a distance not to be of concern. Given, however, that your forthcoming planning application takes the place of a formal ROMP process, deferred to allow a greater examination in detail of all relevant environmental impacts to take place through the planning application, I am inclined to retain an Ecology chapter within the EIA report. In this context, please take cognisance of the following comments from Fife Council's Natural Heritage specialist:

- a) NPF4 has effectively put biodiversity considerations to the fore in national planning policy, with this being supported by a developing national biodiversity strategy, a biodiversity metric currently in consultation and various national initiatives either in place or in development (30x30, Nature Networks, etc.) This policy shift requires to be acknowledged in the considerations of the site assessment process.
- b) The quarry landholding extends across a significant part of a locally designated wildlife site (Listed Wildlife Site – LWS - identified as WS57 Lucklaw Hill). The proposals, as presented in the Scoping Report, would include a small incursion into the notified area of the Wildlife Site.
- c) The quarry area is also designated as a Regionally Important Geological site (RIGS) for the Devonian Felsite rock found in the hill, the south-eastern part of which is being quarried for aggregates.
- d) With regard to the loss of part of the LWS to development, the Lucklaw Hill heathland and acid grassland habitats are rare, both in Fife and nationally, hence their inclusion on the Scottish Biodiversity List (SBL) and the United Kingdom Biodiversity Action Plan (UKBAP) listings. The originally notified LWS area comprised 15.96ha. With the 2008 quarry extension, this was reduced to c.14.99ha. Under the proposed quarry extension, a further c.1.97ha of the notified area will be lost to extraction operations (the remainder of the application area is currently an agricultural grassland). Further loss of an already limited resource would potentially have a wider impact than just the loss of a small area of habitat, as this clearly has importance to a number of species reliant on the availability of such areas, with particular reference to butterflies and moths.
- e) Listed Wildlife Site (LWS) is a local-level designation (i.e. non-statutory) and operates as a voluntary agreement between the Council and the landowner and therefore has no actual legal protection. However, the LWS designation is specifically identified for protection/enhancement under FIFEplan Policy 13 and

planning policy may therefore be used to provide protection from inappropriate development. LWSs are therefore treated as constraints within the local planning framework, with the presumption of no development, unless a given development can be shown to be of overriding importance.

- f) LWSs form part of the hierarchy of sites under consideration for the NatureScot Nature Networks initiative, with these locally designated sites being important habitat stepping-stones providing habitat connectivity across the country. As part of its biodiversity duty under NPF4, Fife Council is responsible for ensuring that the ecological baselines of all of its locally designated wildlife sites are kept reasonably up to date. The drafted plan for LWS management is to review each site against the selection criteria at least once every 10 years¹ and this process is currently ongoing, though Covid caused temporary suspension of the site survey programme.
 - g) With the scope of assessment detailed by the Scoping Report, it is anticipated that the EIA will identify the full potential for impacts to the LWS. The larger of two components of dry heath-acid grassland mosaic within the LWS area is almost entirely within the footprint of the proposed extension and a portion of the site acid dry dwarf shrub heath and unimproved acid grassland will also be lost. Areas of scrub, bracken and semi-natural broadleaved woodland would also be lost. Further habitat will be impacted to at least a 10m zone beyond the extraction limit, due to changes in the hydrological conditions resulting from the removal of rock material.
 - h) The extension of the quarry is deemed contrary to the needs of the LWS habitats, and the species supported, and therefore the proposals are considered to be incompatible with the wildlife site as it is defined. Given that there is a presumption of no development, unless a given development can be shown to be of overriding importance, the definition of “overriding importance” will be key in the determination of the forthcoming application for planning permission, and the EIA report should be cognisant of that.
 - i) Quarry operations are by definition destructive: with the open-cast nature of this type of quarrying (i.e. this is a typical open format of rock extraction, rather than a galleried or “room and pillar” underground technique), it is not possible to fulfil the standard policy requirements for either no loss or Biodiversity Net Gain (BNG) on site, thus going against the national and local policies to mitigate and reverse biodiversity loss (though there is a potential for some surface restoration of the extraction area in the future, it will not be possible to replicate the ground conditions of the original hill to restore the Priority habitats currently or previously there).
 - j) Another approach to mitigating the loss of areas of Priority habitat is required to be considered. Such compensation will require discussion and agreement between the Applicant and Fife Council Officers. If off-site compensation is suggested, this should be within the Fife area and preferably be as close to the site of habitat loss as possible, in order to address the concepts of reversal loss and enhancement contained within NPF4 Policies 3 and 4.
 - k) An area of the heath habitat found within the Wildlife Site appears to extend to the north-east corner of the quarry landholding, outwith the LWS boundary and beyond both the current and proposed areas for extraction.
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- l) Given the apparent landscape and visual considerations which would likely prohibit expansion into this north-eastern area, it might be possible to negotiate compensation for the loss of LWS land by adjusting the LWS boundary to the limits of this potentially unusable land parcel, thus bringing this habitat into the notified area and the associated presumptions against development. A further agreement with Breedon would be required to ensure in-perpetuity protection of such an area, with it ideally being more binding than the current arrangement secured by the LWS agreement.

Socio-Economics and Human Health

I concur with the Scoping Report's conclusion that, whilst the proposed development is unlikely to generate an increase in employment, it would offer employment security for the 6 jobs currently generated directly from the existing quarry and continue making a contribution to the local supply chain and economy. I note that anticipated employment numbers will be addressed in the Planning Statement and that, overall, the local economic effects are unlikely to be significant, in EIA terms, in the long-term. I note your view that the potential for impacts on e.g. recreation and tourism is considered to be negligible.

As you note in the Scoping Report, EIA Regulations 2017 require EIA to consider the risks to population and human health. I concur with the Scoping Report's approach not to address these or other socio-economic effects by means of a separate chapter in the EIA Report, but to consider them as integral to the assessment in each relevant chapter, e.g. noise, air quality. Possible impacts are an increase in fugitive dust and pollution levels, noise pollution, ground and airborne vibration, and transport. These matters should be examined in detail and the existing mitigation measures in place as a result of the existing quarry operations revisited to ensure that they are sufficient to protect the local population. This is particularly important given that your forthcoming planning application takes the place of a formal ROMP process, deferred to allow a greater examination in detail of all relevant environmental impacts to take place through the planning application.

Traffic and Transportation

The methodology and scope of this chapter is considered to be acceptable. The comments below should be taken into consideration when compiling the EIAR:

- The Roads Construction Consent (R43069) was granted several years ago for the formation of the quarry vehicular access with the A914. The works should have been eligible for adoption some time ago, but there is no record of an application being submitted for the works to be adopted. I would request the submission of an application for the works to be adopted – the adoption limit being some 2 metres

from the channel line to tie-in with the road gully on the north side of the access. A joint site inspection with the Clerk of Works, Transportation Development Management, will be required to agree any remedial works. The remedial works shall be satisfactorily addressed prior to the works being adopted by Fife Council.

Cumulative Effects

I note from your submitted Scoping Report that you do not propose to have a separate chapter on this topic but that you will consider cumulative effects in both the Noise and Water Environment chapters. I am content with the stated approach, with the caveat that any potential cumulative effects arising in any of the other EIA report chapters are fully considered as part of those relevant chapters. The EIA Circular provides guidance on how the assessment of cumulative effects should be approached.

Alternatives and Site Selection

A description of the main alternatives considered such as alternative sites, alternative technologies and alternatives for the proposed development within the site should be included in the EIAR. The description must include the main reasons for the choice made, taking into account the environmental effects of the decision. This should not focus on planning matters. This should also provide a “no development” scenario as an alternative.

Environmental Commitments

It is considered good practice in EIA assessment to include a chapter that would contain a summary of all mitigation methods proposed as part of the development. A robust EIAR submission would normally include such a chapter as a conclusion. Where relevant, the EIAR should also identify monitoring measures to prevent, reduce or offset significant adverse effects of the development identified through the EIA process.

EIA documents submission

As part of the planning application registration process, Fife Council is required to provide document submissions to be viewed online at www.fifedirect.gov. To allow this to be done in the most efficient manner it is requested that each document you submit is limited to less than 10MB in size. Documents submitted exceeding this capacity are required to be split into smaller units. Fife Council does not have the resources to actively decide how best to split documents at legible points and therefore it would be to your benefit if the documents were grouped together into associated order (preferably split into individual chapters where possible), each under 10mb in size. This would allow your

documents to be viewed online by members of the public and consultees in a legible and concise format.

It should also be noted that, given that some of the information within any Ecology chapter may have information relating to the number and habitat location of protected species, this information should not be made public. To ensure the non-protected species information is still available to the public and consultees it is advisable to separate any protected species information from the remainder of the information and hold it within a separate appendix to the chapter to ensure this can be passed only to the relevant section. NatureScot can advise on the information to be left sensitive.

Closing Comments

I trust that the above comments and information enclosed is of assistance to you in developing the EIAR. Please note that this scoping opinion should not be construed as giving support for the development at the present time and that the above comments are made without prejudice to the eventual decision of the Planning Authority with respect to any future application submitted. Although every attempt has been made to present you with the information necessary in order to determine a planning application of this nature, this scoping opinion does not prejudice the ability of the Planning Authority to request further information during the application process should this be necessary. The consultation responses used to formulate this opinion are available to view within the online planning file for this submission (24/01046/SCO), and I would recommend that these are viewed prior to completion of the EIAR and submission of the planning application.

Yours sincerely



Martin McGroarty
Lead Professional (Minerals)



Mary J Stewart
Service Manager