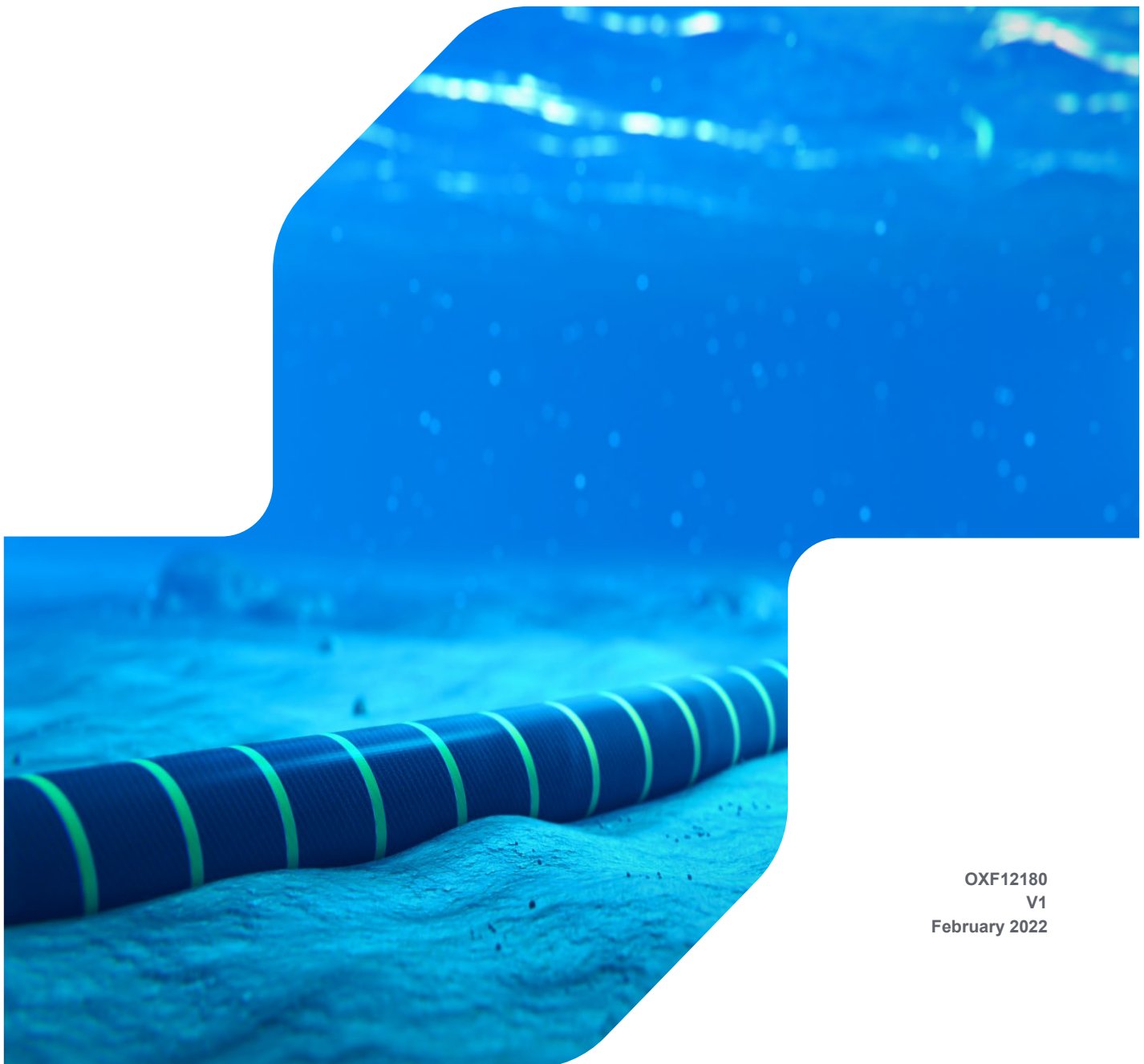


XLCC CABLE FACTORY - HUNTERSTON

Appendix 4.3: Scoping Responses



OXF12180
V1
February 2022

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Annex A

SEPA

Our ref: 3416
Your ref: 21/01094/EIA

SEPA email contact:
planning.sw@sepa.org.uk

Iain Davies
North Ayrshire Council
Planning Services
2nd Floor Cunninghame House
Irvine
KA12 8EE

16 December 2021

By email only to eplanning@north-ayrshire.gov.uk

Dear Mr Davies

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

**Proposed cable manufacturing facility including the construction of up to a 185m extrusion tower with associated factories, research and testing laboratories, offices with associated stores, transport, access, parking and landscaping with on-site generation and electrical infrastructure and cable delivery system
Southannan Sands Hunterston Coal Terminal**

Thank you for consulting SEPA on the scoping opinion for the above development proposal by way of your email dated 16 November 2021. We would welcome engagement with the applicant at an early stage to discuss any of the issues raised in this letter.

We consider that the following key issues must be addressed in the Environmental Impact Assessment process. **To avoid delay and potential objection** the following information must be submitted in support of the application.

While all the issues below should be addressed in the Environmental report (ER), there may be opportunities for several of these to be scoped out of detailed consideration. The justification for this approach in relation to specific issues should be set out within the ER. We would welcome the opportunity to comment on the draft ER.

Further details on these information requirements and the form in which they must be submitted are set out below. We also provide site specific comments in the following section which can help the developer focus the scope of the assessment.



Chairman
Bob Downes

Chief Executive
Terry A'Hearn

Angus Smith Building

6 Parklands Avenue, Eurocentral,
Holytown, North Lanarkshire ML1 4WQ
tel 01698 839000 fax 01698 738155

www.sepa.org.uk • customer enquiries 03000 99 66 99

On the basis that the site has been heavily engineered and was used a coal terminal / storage yard we do not believe that any peat or carbon rich soils are present on site. This accords with Section 6.12.3 of the Scoping report – which states “As a brownfield site comprised of hardstanding there is no existing soil or vegetation cover, so soil and woodland carbon stocks are not likely to be significant”. Despite this assessment we note that two peat related guidance documents are listed with Section 6.8.2 – Relevant Guidance. In the event that there is any peat or carbon rich soil under the site, that would be disturbed by the scope of the works associated with this proposed development, the following guidance would be applicable: [Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste](#) and [Developments on Peat and Off-Site uses of Waste Peat](#).

1. Flood risk

- 1.1. The site should be assessed for flood risk from all sources in line with Scottish Planning Policy (Paragraphs 254-268). The [Flood Maps](#) for Scotland are available to view online and further information and advice can be sought from your local authority technical or engineering services department and from our [website](#).
- 1.2. Section 2.1.10 of the Scoping Report states that “SEPA Flood maps indicate that that site lies outwith any areas of risk and coastal flooding, and that part of the site is at high risk of surface water flooding”. The applicant has confirmed that a Flood Risk Assessment will be submitted and will form part of the ER. This assessment should be commensurate with the level and sources of flood risk present and needs to be carried out following the guidance set out in [Technical flood risk guidance for stakeholders](#).

2. Waste water drainage

- 2.1. Details of the waste water provision for your development should be provided in the ER or planning submission, including consideration of options for waste water treatment facilities. Drainage is a material planning consideration and will be assessed as part of your planning application in line with [PAN 79 Water and Drainage](#). Where there is a public sewerage system, waste water drainage from development within and close to the settlement envelope should be directed to that system. If the system has insufficient capacity, then early dialogue with Scottish Water will be required to determine if works are planned to overcome this problem, or what developer pro-rata contributions will be necessary to remove the constraint.
- 2.2. If there is no or limited public sewerage infrastructure, given the scale of development we would still expect the development of strategic infrastructure to adoptable standards. Contact should be made with Scottish Water to determine the standards required to ensure adoption of new infrastructure. Please note that we are not likely to support proposals for private foul drainage systems for significant development where development of public infrastructure is the sustainable long-term solution. An interim solution may be acceptable provided an appropriate upgrade has been agreed with Scottish Water and there will be no unacceptable impact on the water environment. For further guidance please refer to our [Policy and Supporting Guidance on Provision of Waste Water Drainage in Settlements](#)

3. Surface water drainage

- 3.1. The treatment of surface water runoff by sustainable drainage systems (SUDS) is [a legal requirement](#) for most forms of development, however the location, design and type of SUDS are largely controlled through planning. We encourage surface water runoff from all developments to be treated by SUDS in line with Scottish Planning Policy (Paragraphs 255 and 268), [PAN 61 Planning and Sustainable Urban Drainage Systems](#), [PAN 79 Water and Drainage](#). SUDS help to protect water quality, reduce potential for flood risk and release capacity in the public sewerage network where the alternative is use of combined systems. Discharges to combined sewers should be avoided to free up capacity for waste water discharges.

- 3.2. It is important to ensure that adequate space to accommodate SUDS is incorporated 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 dependant on the nature of the proposed development, for example residential or non-residential, the size of development, and the environmental risk posed by the development which is principally determined by the available dilution of the receiving waterbody. Best practice requires the following levels of treatment
- Industrial developments require three levels of treatment for hard standing areas and two levels of treatment for roads. An exception is run-off from roofs which requires only one level of treatment. We recommend, as best practice, the second level of treatment to be a basin or pond designed in accordance with Sewers for Scotland Second Edition. Please also refer to section 3.3 below;
 - All roads schemes typically require two levels of treatment, except for residential developments of 50 houses or less and retail/commercial/business parks with car parks of 50 spaces or less. For technical guidance on SUDS techniques and treatment for roads please refer to the [SUDS for Roads](#) manual.
- 3.3. For all developments, run-off from areas subject to particularly high pollution risk (eg 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. Where run-off from high risk areas cannot be directed to the foul sewer we can, on request, provide further site specific advice on what would be the best environmental solution.
- 3.4. The SUDS treatment train should be followed which uses a logical sequence of SUDS facilities in series allowing run-off to pass through several different SUDS before reaching the receiving waterbody. Further guidance on the design of SUDS systems and appropriate levels of treatment can be found in the CIRIA C697 manual entitled [The SUDS Manual](#). Advice can also be found in the SEPA Guidance Note [Planning advice on sustainable drainage systems \(SUDS\)](#). Please refer to the [Regulations section](#) of our website for details of regulatory requirements for surface water and SUDS. Comments should be sought from the local authority roads department and the local authority flood prevention unit on the acceptability of post-development runoff rates for flood control.
- 3.5. Comments from Scottish Water should be sought where the SUDS proposals would be adopted by them. We encourage the design of SUDS to Sewers for Scotland Second Edition standards and the adoption of SUDS features by Scottish Water as we are of the view that this leads to best standards and maintenance.
- 3.6. SUDS must be used on all sites, including those with elevated levels of contaminants. SUDS which use infiltration will not be suitable where infiltration is through land containing contaminants which are likely to be mobilised into surface water or groundwater. This can be overcome by restricting infiltration to areas which are not affected by contamination, or constructing SUDS with an impermeable base layer to separate the surface water drainage system from the contaminated area. SUDS which do not use infiltration are still effective at treating and attenuating surface water. Please refer to the advice note on [SUDS and brownfield sites](#) for further information.
- 4. Pollution prevention and environmental management**
- 4.1. One of our key interests in relation to major developments is pollution prevention measures during the periods of construction, operation, maintenance, demolition and restoration. The construction phase includes construction of access roads, borrow pits and any other site infrastructure.

- 4.2. We advise that the applicant should, through the EIA process or planning submission, 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. Please refer to the [Pollution prevention guidelines](#).
- 4.3. A Construction Environmental Management Document is a key management tool to implement the Schedule of Mitigation. We recommend that the principles of this document are set out in the ER outlining how the draft Schedule of Mitigation will be implemented. This document should form the basis of more detailed site-specific Construction Environmental Management Plans which, along with detailed method statements, may be required by planning condition or, in certain cases, through environmental regulation. This approach provides a useful link between the principles of development which need to be outlined at the early stages of the project and the method statements which are usually produced following award of contract (just before development commences).
- 4.4. Best practice advice developed by The Highland Council (in conjunction with industry and other key agencies) on the Construction Environmental Management Process is available in the guidance note [Construction Environmental Management Process for Large Scale Projects](#)

5. Engineering activities in the water environment

- 5.1. Section 6.5.13 of the Scoping Reports states that *“no watercourses are present within the proposed development site, with the closest watercourse 60m to the east of the site boundary”*. However, we note that Section 6.8.39 states that *“that any temporary haul roads that are required will be located at least 10m from watercourses where practicable”*. On the basis that there could be off-site engineering activities that could have an impact on the water environment, in the event that a buffer strip is not practicable, this issue will need to be scope in. This is only with regards to any temporary haul roads and any coastal engineering works.
- 5.2. In order to meet the objectives of the [Water Framework Directive](#) of preventing any deterioration and improving the water environment, developments should be designed to avoid engineering activities in the water environment wherever possible. The water environment includes burns, rivers, lochs, wetlands, groundwater and reservoirs. We require it to be demonstrated that every effort has been made to leave the water environment in its natural state. Engineering activities such as culverts, bridges, watercourse diversions, bank modifications or dams should be avoided unless there is no practicable alternative. Paragraph 255 of SPP deters unnecessary culverting. Where a watercourse crossing cannot be avoided, bridging solutions or bottomless or arched culverts which do not affect the bed and banks of the watercourse should be used. Further guidance on the design and implementation of crossings can be found in our [Construction of River Crossings Good Practice Guide](#). Other best practice guidance is also available within the water [engineering](#) section of our website.
- 5.3. If the engineering works proposed are likely to result in increased flood risk to people or property then a flood risk assessment should be submitted in support of the planning application and we should be consulted as detailed below.
- 5.4. A site survey of existing water features and a map of the location of all proposed engineering activities in the water environment should be included in the ER or planning submission. A systematic table detailing the justification for the activity and how any adverse impact will be mitigated should also be included. The table should be accompanied by a photograph of each affected water body along with its dimensions. Justification for the location of any proposed activity is a key issue for us to assess at the planning stage.

5.5. Where developments cover a large area, there will usually be opportunities to incorporate improvements in the water environment required by the Water Framework Directive within and/or immediately adjacent to the site either as part of mitigation measures for proposed works or as compensation for environmental impact. We encourage applicants to seek such opportunities to avoid or offset environmental impacts.

6. Existing groundwater abstractions

6.1. Roads, foundations, and other construction works associated with large scale developments can disrupt groundwater flow and impact on groundwater abstractions. To address this risk a list of groundwater abstractions both within and outwith the site boundary, within a radius of i) 100 m from roads, tracks and trenches and ii) 250 m from borrow pits and foundations) should be provided. We note that Section 6.8.36 lists impacts on the quality of Private Water Supplies as one of the potential impacts on water resources that will be considered by the ER.

6.2. If groundwater abstractions are identified within the 100 m radius of roads, tracks and trenches or 250 m radius from borrow pits and foundations, then either the applicant should ensure that the route or location of engineering operations avoid this buffer area or further information and investigations will be required to show that impacts on abstractions are acceptable. Further details can be found in Appendix 2 (which is also applicable to other types of developments) of our [Planning guidance on windfarm developments](#).

7. Water abstraction

7.1. Where water abstraction is proposed we request that the ER, or planning submission, details if a public or private source will be used. If a private source is to be used the information below should be included. Whilst we regulate water abstractions under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended), we require the following information to determine if the abstraction is feasible in this location;

- Source e.g. ground water or surface water;
- Location e.g. grid ref and description of site;
- Volume e.g. quantity of water to be extracted;
- Timing of abstraction e.g. will there be a continuous abstraction;
- Nature of abstraction e.g. sump or impoundment;
- Proposed operating regime e.g. details of abstraction limits and hands off flow;
- Survey of existing water environment including any existing water features;
- Impacts of the proposed abstraction upon the surrounding water environment.

7.2. If other development projects are present or proposed within the same water catchment then we advise that the applicant considers whether the cumulative impact upon the water environment needs to be assessed. The ER or planning submission should also contain a justification for the approach taken.

8. Space for waste management provision within site layout

8.1. In accordance with Scottish Planning Policy (Paragraph 190) space for collection, segregation, storage and possibly treatment of waste should be allocated within the planning application site layout. Please consult with your local council's waste management team to determine what space requirements are required within the application site layout. Some local authorities have an information sheet setting out space requirements.

9. Air quality

- 9.1. The local authority is the responsible authority for local air quality management under the Environment Act 1995, and therefore we recommend that Environmental Health within the local authority be consulted.
- 9.2. They can advise on the need for this development proposal to be assessed alongside other developments that could contribute to an increase in road traffic. They can also advise on potential impacts such as exacerbation of local air pollution, noise and nuisance issues and cumulative impacts of all development in the local area. Further guidance regarding these issues is provided in Scottish Planning Specific Advice (2004) available on the Scottish Government's Planning website entitled [Air Quality and Land Use Planning](#).

10. Regulatory advice for the applicant

- 10.1. Please consider if any of the installations or processes proposed within this proposed development are likely to require authorisation under the Pollution Prevention and Control Regulations 2000 or other environmental regulations. 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 local compliance team at: SWS@sepa.org.uk.

If you have queries relating to this letter, please contact me by telephone on insert contact number or e-mail at insert area planning office e-mail.

Yours sincerely

Jonathan Werritty
Senior Planning Officer / 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](#).

Francesca Caggiano

From: FRAM <fram@sepa.org.uk>
Sent: 03 December 2021 14:06
To: Francesca Caggiano
Subject: RE: Flood Risk Data Request - Hunterston Port, Fairlie KA29 0AZ

Categories: To do

CAUTION: This email originated from outside of RPS.

OFFICIAL

Dear Francesca

I hope the following information is of use for your Flood Risk Assessment.

SEPA's requirements for undertaking a Flood Risk Assessment are in the [Technical Flood Risk Guidance for Stakeholders](#). This document provides generic requirements for undertaking Flood Risk Assessments.

Watercourses

SEPA do not have information on who is responsible for the maintenance of watercourses but the local council may know this.

We are not aware of any fixed minimum set back distances for proposed building or engineering works at the site of interest. Building or engineering works in inland water (other than groundwater) or wetlands will require an authorisation under [The Water Environment \(Controlled Activities\) \(Scotland\) Regulations 2011 \(as amended\) \(CAR\)](#). Also, building or engineering works may need an authorisation if they are in the vicinity (the lesser of 10 m or 2 channel widths) of inland water or wetlands (see Appendix V of [WAT-RM-02: Regulation of Engineering Activities](#)).

In the [SEPA Flood Risk Standing Advice for Planning Authorities and Developers](#), "We recommend that a 6m minimum (for channels less than 1m in width and increasing proportionally to channel width) undeveloped buffer strip is provided in perpetuity between all development types and watercourses, allowing space for natural fluvial processes to occur (as well as other attendant environmental benefits, not limited to but including biodiversity, open space, channel maintenance, pollution reduction and river restoration). It is important to highlight that buffer strips do not mitigate any identified flood risk that may exist at a site. Our [guidance on the Water Environment](#) provides more information on buffer strips."

We suggest that you contact the local council in case of any requirements in the Local Development Plan (LDP) about set back distances.

Modelled flood levels

SEPA is unable to provide modelled river levels and flows, as our flood hazard maps have been produced using methods and data appropriate for national scale mapping rather than detailed local models. It is possible that the local council may be able to provide this information if they have undertaken a flood study for this area. Design sea level information is available through the Coastal Flood Boundary (CFB) dataset, which is freely available under Open Government Licence from [data.gov.uk](#).

A summary of the methods used to produce the maps, including assumptions and interpretation guidance, is available on our website on the "[Developing our flooding knowledge](#)" page. Scroll down to the "Flood maps" section and you will find methodology summary documents for all the maps.

Information on future modelling proposals might be in the relevant [Local Flood Risk Management Plan](#).

Flood defences – if any are relevant to the site

We are not aware of any flood defences relevant to the site but you can contact the Flood Risk Management team at the local council (who are the local flood risk management authority and responsible for flood defences) who may provide further details on flooding and flood alleviation in this area.

Historic floodplain extent and levels and property flooding history

We do not have historic floodplain extent and levels information for the site.

The Observed Flood Event database is a collection of flood event records known to SEPA at this time and does not constitute a complete record of all flooding that may have occurred in the area. Due to a cyber-attack, which has significantly impacted our internal systems, we do not have access to the same level of information we previously held and are unable to provide any data on flood events that may have occurred since December 2020. We currently have no records of flooding affecting your site of interest but there is 1 record of flooding within about 500 m. This surface water flooding occurred on 27 February 2007 when tarpaulin blocked a culvert on the A78.

Hazard Mapping

The flood maps for Scotland are a licenced product and, due to our obligations to the underlying data licensors, we are unable to provide them to third party organisations for commercial or non-statutory uses. We are working with our licensors to make the flood maps more widely available under the Open Government Licence (OGL) but cannot provide a specific timetable for this.

The flood map viewer has been updated to support decision making in the land use planning process and allow the public to view their flood risk at a greater scale on the [flood maps](#). The increased zoom function increases the scale of the flood maps to make it easier for users to see if their site, or property, sits within an area that is at risk of flooding. [Guidance](#) is available on how the maps should be used for land use planning.

The terms and conditions of the flood maps have been updated to reflect that the maps can now be used to inform flood risk considerations to a proposed, or potential, development as part of a planning application. Apart from for planning applicants, the maps must only be viewed for personal and non-commercial business use. It's important to note that SEPA has assessed flood risk to areas within Scotland, not flood risk to individual properties.

Details of any groundwater flooding issues in the area

The SEPA [Flood Risk Management Maps](#) show “Low Likelihood” areas if you select “Groundwater” under “Other Maps” (in “STEP 2”) and then select “Groundwater” (in “STEP 3”). To view this layer, you will need to zoom to the correct scale on the map. This map shows you where groundwater could influence the duration and extent of flooding from other sources. It does not show where groundwater alone could cause flooding.

Regards, Mark

Flood Risk Assessment & Modelling Unit | Hydrology & Flooding
Scottish Environment Protection Agency

e: fram@sepa.org.uk

Disclaimer:

The information contained in this email and any attachments may be confidential and is intended solely for the use of the intended recipients. Access, copying or re-use of the information in it by any other is not authorised. If you are not the intended recipient please notify us immediately by return email to postmaster@sepa.org.uk.

Registered office: Strathallan House, Castle Business Park, Stirling FK9 4TZ. Under the Regulation of Investigatory Powers Act 2000, the email system at SEPA may be subject to monitoring from time to time.

Dh'fhaodadh gum bi am fiosrachadh sa phost-d seo agus ceanglachan sam bith a tha na chois dìomhair, agus cha bu chòir am fiosrachadh a bhith air a chleachdadh le neach sam bith ach an luchd-faighinn a bha còir am fiosrachadh fhaighinn. Chan fhaod neach sam bith eile cothrom fhaighinn air an fhiosrachadh a tha sa phost-d no a tha an cois a' phuist-d, chan fhaod iad lethbhreac a dhèanamh dheth no a chleachdadh arithist. Mura h-ann dhuibhse a tha am post-d seo, feuch gun inns sibh dhuinn sa bhad le bhith cur post-d gu postmaster@sepa.org.uk.

Oifis chlàraichte: Taigh Srath Alain, Pàirc Gnothachais a' Chaisteil, Sruighlea FK9 4TZ. Fo Achd Riaghladh nan Cumhachdan Rannsachaidh 2000, dh'fhaodadh gun tèid an siostam puist-d aig SEPA a sgrùdadh bho àm gu àm.

From: Francesca Caggiano <Francesca.Caggiano@rpsgroup.com>

Sent: 05 November 2021 12:22

To: FRAM <fram@sepa.org.uk>

Subject: FW: Flood Risk Data Request - Hunterston Port, Fairlie KA29 OAZ

CAUTION: This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madame,

RPS is currently undertaking a Flood Risk Assessment for a site located at Hunterston Port, Fairlie KA29 OAZ. A site location map is attached.

As part of our enquiries can I please request any information you have on the following aspects for the site and adjacent flood zone:

- Watercourses
 - Details of any watercourse / culverted watercourses (**GLEN BURN**) in the vicinity and who is responsible for their maintenance;
 - Minimum set back distances from any watercourse and governing statute / byelaw
- Modelled flood levels
 - Levels at the closest model nodes to the site (if 2D modelled floodplain levels are available close to the site please provide these) both FLUVIAL (GLEN BURN) AND TIDAL
 - Date of modelled data and project for which modelling was undertaken
 - Type of model (e.g. modelling software used and whether model is 1D or 2D)
 - Proximity of the site to future modelling proposals – is the modelling due to be updated in the near future?
- **Flood defences** - if any are relevant to the site
 - Location, alignment and construction of the defences
 - Height of defences and level of protection
 - Management details/responsibility for defences
- Historic floodplain extent and levels and property flooding history
- Hazard Mapping
- Details of any groundwater flooding issues in the area

Please could you inform me of the timescales of providing this information at your earliest convenience? If you have any questions, or require any further information, please do not hesitate to contact me.

Kind regards,

Francesca Caggiano

Senior Consultant - Hydrology

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RPS Group Plc web link: <http://www.rpsgroup.com>

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Annex B

Largs Community Council

To: eplanning (shared mailbox) <eplanning@north-ayrshire.gov.uk>
Subject: Consultation 21/01094/EIA - XLCC Cable Factory, Hunterston

Largs Community Council was provided with a consultation request for this application, to be returned by 30 November. However this application on OPIS states that the consultation period has expired.

The CC was consulted by e-mail and offers the following comments:

While the developer has already committed to carry out the EIA, it is imperative that one is carried out!

The reference viewpoints and baseline noise studies and monitoring sites will be chosen in conjunction with SNH and Local Authorities. We suggest that the neighbouring Community Councils should also be consulted.

As this is a 24/7 operation, it is likely that the site will require a back-up power source, but there is no mention of this in the event of supply interruption from the grid. This should be included in the EIA.

It is proposed to scope out Major Accidents and Disasters. As methane is a by-product and nitrogen is used under pressure, we suggest that an Accident Assessment is included in the EIA.

Table 6.10 proposes to scope out air quality effects relating to operational traffic and noise effects relating to operational traffic. With 24/7 operations, the EIA should address the impacts on the vehicle movements, and change of shifts, will impact on A78 movements through Largs, Fairlie and West Kilbride.

It is also proposed to scope out operational vibration effects. A baseline should be established for reference as there is likely to be noise and vibration from turntables and conveyors, but also from the loading of cable on to ships and the operations of the ships in port which could be a 24/7 operation.

James Perman
Convener
Planning Sub-committee
Largs Community Council

Annex C

Historic Environment Scotland



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to:

epanning@north-ayrshire.gov.uk

North Ayrshire Council
Development Management
1st Floor, Cunninghame House
Irvine
KA12 8EE

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our case ID: 300055133
Your ref: 21/01094/EIA

10 December 2021

Dear North Ayrshire Council

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

Southannan Sands Hunterston Coal Terminal, Fairlie, Largs, Ayrshire KA29 0AZ - Proposed cable manufacturing facility including the construction of up to a 185m extrusion tower with associated factories, research and testing laboratories, offices with associated stores, transport, access, parking and landscaping with on-site generation and electrical infrastructure and cable delivery system - Scoping Report

Thank you for your consultation which we received on 16 November 2021 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.

Your local authority 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

We understand that the proposed development comprises a High-Voltage Cable Manufacturing Facility at Hunterston Port. The project site is located on part of the former Hunterston Coal Yard, south of the settlement of Fairlie, and north of the EDF Hunterston Power Station. The Hunterston Cable Manufacturing Facility will comprise the construction of steel portal framed buildings with the tallest being 40m to eaves and the average 9m; cable extrusion tower of up to 185m in height; any associated infrastructure.



Scope of assessment

Direct Impacts

In this case we confirm that there are no scheduled monuments, category A listed buildings, inventory battlefields or gardens or designed landscapes within the development site.

Indirect Impacts

We confirm that the following scheduled monuments, category A listed buildings, gardens and designed landscapes are located in the vicinity of the development site and should be considered in terms of impact upon their setting:

Scheduled Monuments

- Castle Hill, earthwork SSE of Glenside (Index no. 3305)
- Little Cumbrae Castle (Index no. 2195)
- Little Cumbrae, lighthouse tower & associated buildings (Index no. 418)
- Castle Knowe, motte (Index no. 3694)
- Southannan Mansionhouse, Fairlie (Index no. 333)
- Fairlie Castle (Index no. 317)
- Auld Hill, fort, Portencross (Index no. 2175)
- Portencross Castle (Index no. 327)
- Bushglen Mount, ENE of Bushglen (Index no. 3336)

Category A Listed Building

- Little Cumbrae Island, Castle Island, Castle (HB no. 853)
- Little Cumbrae Island, Lighthouse Hill, Old Lighthouse (HB no. 851)
- Hunterston Castle (HB no. 14313)

Gardens and Designed Landscapes

- Kelburn Castle

Any EIA Report to be produced for this development should consider impacts upon these assets and any others in the wider area which may experience significant impacts. This assessment should contain a full appreciation of the setting of these heritage assets and the likely impacts on their settings. It would be helpful if such an analysis contained appropriate visualisations such as photomontage and wireframe views of the development in relation to the sites and their settings, illustrating views of the proposed



development. Of particular use would be a photomontage view of Hunterston Castle (from the South) looking towards the proposal.

Scoping report

We welcome that cultural heritage effects are scoped in to the assessment.

We welcome that the operational effects of the proposal on the setting of the following cultural heritage assets: Hunterston Castle (HB no. 14313), Old Lighthouse Little Cumbrae (Index no. 418), Little Cumbrae Castle (Index no. 2195) and Fairlie Castle (Index no. 317) will be assessed, as set out in paragraph 6.6.12 of the Scoping Report. However, it is unclear from the ZTV provided whether the proposal would be visible from other heritage assets located in its proximity. We would therefore seek clarification on this matter.

We recommend that our [Managing Change Guidance Note on Setting](#) is used to inform setting assessments and further information on good practice in cultural heritage assessment can be found in [Appendix 1 of the EIA Handbook](#).

Further information

The Historic Environment Policy for Scotland (HEPS 2019) was adopted on the 01 May 2019 and replaced the Historic Environment Scotland Policy Statement (HESPS 2016). The new Historic Environment Policy for Scotland is a strategic policy document for the whole of the historic environment and is underpinned by detailed policy and guidance. This includes our Managing Change in the Historic Environment Guidance Notes. All of these documents are available online at www.historicenvironment.scot/heps.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Urszula Szupczynska and they can be contacted by phone on 0131 668 8983 or by email on Urszula.Szupczynska@hes.scot.

Yours faithfully

Historic Environment Scotland

Annex D

Marine Scotland

Lisa Dempster (Technician / Planning)

From: MS.MarineLicensing@gov.scot
Sent: 16 November 2021 16:50
To: eplanning (shared mailbox)
Subject: RE: Consultation Request - 21/01094/EIA

*** This email is from an EXTERNAL source. Please be cautious and evaluate before you click on links, open attachments, or provide credentials. ***

Dear Sir /Madam,

Marine Scotland Licensing Operations Team does not intend to comment on the planning application. If any part of the project is located below Mean High Water Springs, a marine licence may be required under the Marine (Scotland) Act 2010. Please advise the applicant to contact us directly at ms.marinelicensing@gov.scot to seek advice on the marine licensing requirements.

Yours sincerely

Judith

Marine Licensing Casework Officer
Marine Scotland - Marine Planning & Policy

Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

Website: <http://www.gov.scot/Topics/marine/Licensing/marine>

COVID-19: Marine Scotland - Licensing Operations Team(MS-LOT) is working from home and as a result determination of applications may take longer than our stated timelines. In addition MS-LOT is unable to respond to phone enquiries, please communicate with MS- LOT via email. Email addresses are MS.MarineRenewables@gov.scot for marine renewables correspondence or MS.MarineLicensing@gov.scot for all licensing queries.

From: eplanning (shared mailbox) <eplanning@north-ayrshire.gov.uk>
Sent: 16 November 2021 15:34
Subject: Consultation Request - 21/01094/EIA

Please find attached a request for consultation comments for the above EIA scoping request.

Kind Regards,

Eplanning

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Annex E

North Ayrshire Council



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

ECONOMIC GROWTH
Planning Services, Cunninghame House, Irvine KA12 8EE

PUBLIC

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

EIA Schedule 2 SCOPING OPINION

REFERENCE: 21/01094/EIA

NAME AND EMAIL ADDRESS OF APPLICANT:

North Ayrshire Council c/o Growth & Investment

SITE ADDRESS or LOCATION:

Hunterston Coal Terminal, Fairlie, Ayrshire KA29 0AZ

PROPOSAL:

Proposed cable manufacturing facility including the construction of up to a 185m extrusion tower with associated factories, research and testing laboratories, offices with associated stores, transport, access, parking and landscaping with on-site generation and electrical infrastructure and cable delivery system

EIA REQUIRED

YES

The written statement of reasons is provided overleaf.

WRITTEN STATEMENT

1. With reference to Regulation 17 of the Environmental Impact (Scotland) Regulations 2017, please see below the Council's Scoping Opinion.

Any environmental impact assessment submitted in support of a planning application in respect of the above developments should have regard to Schedule 4 of the Regulations and the responses of the consultees which are attached. The proposed approach in the Scoping Report of Nov 2021 is largely agreed with the following comments:

1. Consideration of Alternatives – The current Regulations require that all EIA Reports should include an outline of the reasonable alternatives studied. This should include the main reasons for selecting the chosen option. The alternatives should include site location and layout and other design considerations.
2. Site selection – Detailed assessment of the specific selection of the site.
3. Landscape/visual impacts – The development, particularly the tower, will have significant visual impact. NatureScot (NS) consider there could be issues relating to nationally important landscapes. They highlight Waterhead Moor - Muirshiel Wild Land Area (WLA); North Arran WLA; Kyles of Bute NSA, and North Arran NSA, including the Arran Coastal Way. The submitted ZTV suggests that the development could be visible from the northern and western fringes of the Waterhead Moor WLA. A viewpoint to assess this should be included. Viewpoint 24 is within the North Arran WLA and NSA. A viewpoint from the coastal path, somewhere around Millstone Point, should be considered. A viewpoint from within the Kyles of Bute NSA should also be included. NS's comments have been provided and you may wish to contact them directly for advice on their preferred viewpoint locations.
4. Biodiversity/Ecology – The EIA Report should include an assessment of the potential effects on important ecological features and should detail proposed mitigation and/or compensation measures required to avoid, minimise, restore or offset adverse effects and demonstrate positive effects for biodiversity.

NS advise that potential impact on the Southannan Sands SSSI requires to be assessed in accordance with their guidance. The Kames Bay and Ballochmartin Bay SSSIs can be scoped out.

NS advise that the potential impact on cetaceans requires to be assessed.

5. Historic Environment/Archaeology – It is not considered there will be any direct impacts on heritage assets. However, there may be indirect impacts on a number of Scheduled Monuments, Listed Buildings and a Designed Landscape. HES give advice as to the sites they consider should be considered in terms of the visual impact on their setting. The ZTV for any LVIA should identify if the proposal would be visible from the assets. Please see HES response for full details.

6. Noise/Vibration - There will likely be impact from construction noise, operation of the facility, and transportation of product to the jetty. If generators or similar are proposed, this should be included in the operational activity. NAC Environmental Health require that they be consulted to agree a methodology for background/baseline noise levels and noise targets (and it is understood discussions are ongoing).

7. Air Quality – An air quality assessment will be required for the development. Any associated air quality risks will be identified through this assessment and mitigation measures implemented if required.

8. Water environment/Flooding – The site should be assessed for flood risk, commensurate with the risk level. Details of wastewater provision should be provided. Scottish Water confirm where within their network the site will be serviced from but are unable to confirm capacity. It is advised to contact them directly on this issue. Please see Scottish Water comments. The impact on Private Water Supplies should be considered.

Surface water drainage should be treated through SUDs. The exact details would be assessed through the planning application(s) process. All aspects of site work that might impact on the environment and the potential pollution risks should be identified. This should include proposed mitigation measures. This will have particular relation to the assessment of potential impacts on the adjacent SSSI

SEPA advise that the effect of engineering works in the water environment should be scoped in if temporary haul roads, and a 10m buffer cannot be achieved, or coastal engineering works are required. Please see attached SEPA response for further information.

9. Soil and Subsoil – Given the history and previous uses of the site, it is considered that assessment of the soil and subsoil and contamination be included in the EIA. Existing ground investigation reports are available for the site. Further investigations will be required. Any associated land use risks will be identified through this assessment and remedial measures implemented if required.

SEPA advise that given the site history, they do not believe any peat or carbon rich soils are present.

10. Traffic and Transport – Transport Scotland, as Trunk Roads Authority, has advised they no longer comment on the scoping of EIAs. As a first principle any assessment should consider use of the rail and port linkages, particularly in relation to any abnormal loads. The following road routes are identified as unsuitable/undesirable by the Council's Active Travel and Transportation team for construction/delivery vehicles – the C26, the B781, the B780 (Dalry to Ardrossan), the A78 through Fairlie and all unclassified local roads.

11. Structure of the document – The EIA should concentrate on those elements likely to have 'significant' consequences for the receiving environment. It should make passing reference to other issues of lesser importance to indicate that they have been considered. Short-term and long-term consequences should be identified with an indication of expected degree of magnitude and any mitigation measures advanced along with the degree of confidence as to the efficacy of such measures. Where significant effects are anticipated, mitigation measures should be identified and provided. This should include proposals for implementation and monitoring of those measures. A summarised table of the measures should be provided within the EIA report. In accordance with the requirements of the Regulations, the EIA should be accompanied by a non-technical summary of the issues addressed in the main document.

Please note that the above scoping opinion does not constitute pre-application advice, which should be sought separately.

SENIOR PLANNING SERVICES MANGER: James Miller

DATE: 17th December 2021

Annex F

Fairlie Community Council

Fairlie Community Council Response to NAC Planning

Re: 21/01094/EIA for

Proposed Subsea Cable Manufacturing Facility 30/11/21

Dear Mr Davies,

Fairlie CC agrees that this proposed development necessitates a full and effective EIA. It is a major development, planned to operate 24/7, 350/365 days of the year. If built, it will be 1km from the south of our village and make use of the Hunterston Jetty which is less than 800 metres from the village. Therefore, we would wish to make some observations regarding the Report which appears professional and well presented, albeit it, with quite a lot of padding in terms of what an EIA is and Scottish and local planning background.

We note with concern, that the document is only about the shore side manufacturing activity, despite the fact that the red boundary line includes the jetty and the access from land to it, as part of the project. Surely, the project should include the ship loading aspects, as at this stage, without addressing this aspect, an important and effective EIA cannot be completed unless the project is looked at as a whole. Only then, will all potential impacts from noise, light pollution and effects on marine species etc. be able to be considered. In fact, the missing aspect of this project is probably of more significance to us, our amenity and health. To look at one without the other is rather like the salami slicing we experienced already with the oil rig decommissioning project. Is this a case of, the developers don't know how to mitigate the detrimental impacts from the jetty, so are intentionally ignoring it to facilitate the initial part of the project? It would not be the first time this tactic has been used by developers. So we would wish NAC to require:

(a) further information from the Developers Consultants regarding relevant aspects of the various plans and processes, particularly the impacts from the jetty operations and the cross linking which the report gives a fairly detailed process description of, but fails to provide a clear identification of the cross linking method to be used.

(b) the Report says the project does not give rise to any unusual accidents or disasters, but then goes on to say that these aspects will form part of the project description section of the full EIA report. So how can they conclude there is no risk at this stage?

One potential hazard, not mentioned, is the possibility of an uncontrolled fire in the extrusion tower. There is a large mass of combustible fuel in the form of polyethylene, possible vigorous oxidiser in the form of peroxide, if that is the chosen cross linking agent, inside what is an enormous chimney which could cause a powerful updraught. Grenfell Tower was clad in a polyethylene cored material and it burned as if contained in a tall chimney. So we are interested to know the exact cross linking method to be used. The report also describes the degassing of the hot extruded cable as liberating methane, which is a product of the cross linking reaction, yet there is no mention of what they intend to do with the methane which rather detracts from any green credentials. We hope that NAC will require more information with regard to whether storage, reuse or disposal is intended for the methane and the other gases likely to be by products of the processes.

We wish to comment on the analysis of the cable market demand and supply as this, despite it being outwith the scope of the EIA, is used by XLCC to enhance its arguments. This analysis focuses on European manufacturers only, rendering its predictions wrong if there are large manufacturers elsewhere, for example in China.

In addition, for such a large development with potential for detriment to the environment and employing complex processes we would like to have available to NAC and ourselves

(b) a body of trusted independent scrutineers set up to enable a full and objective Assessment of the Environmental Impacts.

This should be done sooner rather than later, to better facilitate the stated intention of developments for Hunterston Parc being sustainable and environmentally positive. As it is, the Framework for Development at Hunterston is a Peel Port's wishlist, rather than a structured and considered plan which should be able to develop this huge site relevant to its unique and beautiful setting. It has had past criticism from us, yet is likely to be adopted today by NAC, with few, if any changes made in the interest of the health and wellbeing of the communities.

As a small community, we are concerned that NAC and Scottish Enterprise's Memorandum of Understanding with Peel Ports, somewhat compounded by a desperation to enhance employment in our beleaguered North Ayrshire, may predispose those assessing to a lack of incentive to effectively investigate the true impacts or even apply and

enforce stringent conditions, that might better ensure the areas amenity, particularly regarding noise on us locally and potential for damage to seawater quality and the SSSIs from leaching of contaminants from the coalyard. NAC requiring an EIA for the whole project which includes XLCC operations and infrastructure at the jetty with facilities for direct cable laying to the ship appears to be missing, would restore trust in the EIA process.

Aspects of concern to us are:

- 1 Visual Impact
- 2 Noise impact
- 3 Leachate to waterway and the Sites of Special Scientific Interest
- 4 Light Pollution from facility and jetty
- 5 Cross linking of cable/ processes and storage/ treatment /disposal of wastes (solids, liquids and gases), potential toxicity and noxious smells
- 6 Inadequacy of current road Infrastructure
- 7 Inadequacy of mains power to whole jetty
- 8 Inadequacy of Storage/ Treatment / Disposal of sewage
- 9 Availability of sufficient mains water supply to the site and any potential impact on our mains water supply

1 Visual Impact

This development, particularly

(i) the extrusion tower, will dominate the land and seascape. It will be 40 metres higher than Goldenberry Hill to the south west on the Hunterston Peninsula. Effective mitigation of the negative visual impact on our area of this huge structure, other than laying it horizontally, is not possible.

(ii) any proposed infrastructure between the northwestern end of the coalyard and the jetty will affect us negatively, unless structures are kept below current causeway road level. This area is between the magnificent views of Wee Cumbrae and Arran to the southwest and the settlements to the north east, ie. Fairlie and Largs.

It concerns us that there is no detail about the planning area encompassing the access road to the jetty and the jetty. As we look onto these areas, it is important for us to understand what XLCC needs by way of infrastructure, its design and size and also what Peel Ports plan to install. As Peel Ports own the land and is the Port Authority, it has power and responsibilities. We expect it to be an ethical company that

genuinely cares about the environment and the people here. However, it has already informed us, it can do as it wants as Port Authority. This is true, as it has subjected us to visual blight and noise from two drillships berthed at the jetty and is more than willing to moor redundant oil rigs there if it can. We see this land ownership and its power as Port Authority as a conflict of interest, and certainly one that stymies our democratic rights in our area, as well as, in effect, rendering North Ayrshire Council powerless. Without meaningful consideration, regulation and enforceable, effective conditions now, that will support the intent of any green environmentally friendly economic development at Hunterston, NAC is paving the way for Peel Ports and other developers to take full advantage of any vulnerability and as it has stated “do what it wants” at Hunterston, Fairlie and any sites it owns on the Clyde.

2 Noise Impact

(i) from the twin facility

Fairlie does want to support development at Hunterston, development that will bring sustainable jobs and help retain our young people in the area. If NAC allows XLCC to dictate the hours of operation, we may be subjected to noise at night from the facility`s operations. Assurances are not enough. Neither are assessments carried out by the developers acousticians. We would recommend that Officers and an independent assessor visit similar facilities and gauge for themselves the noise levels.

(ii) from the vessels including the cable laying ships likely to be at Hunterston Jetty for extended periods.

We note, as a positive step, that XLCC is intending to install mains power for its cable laying ship. Does this mean for all cable laying ships or solely for its own? We remind NAC that the last ships of this type, one old, one new, caused noise nuisance at 8kms, so we would hope that mains power is available at the outset for all vessels coming into Hunterston. It is the 21st Century and we are not yet third world ! Peel Ports has always been mean when it comes to financing anything that could alleviate nuisance to its neighbours, such as mains power supply for vessels using the jetty. This should be a condition of any further development in order that our human rights, under the Aarhus

Convention, are not breached. Peel Ports will substantially gain financially with this large scale development and positive practise rather than empty words signifies an ethical company, considerate of its close neighbours..

We would ask that permanent effective noise monitoring be set up and regulations upgraded with regard to low frequency noise in advance of the development at Hunterston Parc.

(iii) from the extra road traffic to and from the site, whilst it is under construction and operating.

Fairlie already has part of the A78 that is so narrow, larger vehicles have to mount the pavement to pass each other safely. The potential bypass route was lost to housing and without additional or alternative road infrastructure, we will be negatively impacted by noise and safetywise. When the coal lorries operated, they could not go through the village until after 7am and before 10 pm. We would wish similar restrictions put in place for any heavy traffic to and from the facility.

3 Leachate

of unknown and unlisted contaminants from the former coalyard site which is reclaimed land with contaminated dump material. Negative impact is likely to be significant once preparation and construction work starts. There is no indication of whether pile driving will be necessary for the foundations of the tower or any other structures. We would like this looked at as part of the EIA and any noise from this taken into consideration, as well as the potential for any techniques employed to release contaminants into the water, air or SSSIs. Displaced contaminants could be detrimental to flora and fauna as well as those using the water for recreation and work.

Fairlie had a sandy beach from the Fairlieburne to the power stations at one time and that was consumed and replaced by dump material for land reclamation and Colombian coal with a high radioactive content was stored at the coalyard where the facility is to be located.

A comprehensive study of the coalyard is necessary and an assessment made of the level of radioactivity.

4 Light Pollution

This has been a problem at the jetty from the moored drillships, as well as from further afield at the Nuclear Power stations. We would like the

potential impact of this to be assessed with regard to the facility and the jetty.

5 Process for Cross linking of cable

We addressed this in our initial comments, mentioning methane . We would like to know if there is a potential for noxious smells emanating from the processes or materials on site.

6 Inadequacy of the current road infrastructure

The A78 in parts of the village is not wide enough for two buses to pass each other without one mounting the pavement, so any additional traffic during construction or operation of the facility will add to risk of accidents. Also heavy traffic to the coal yard was not allowed overnight as the noise for those along the A78 in the village was intolerable. We would wish a similar condition for this facility`s heavy traffic As the original planned bypass route was taken up by housing, we feel an alternative route needs to be identified if Hunterston is developed in any way.

7 Need for mains power for vessels at the jetty

We feel this will alleviate some of the noise nuisance we have experienced and are experiencing from vessels at the jetty .

8 and 9

We would like information on adequacy of sewage treatment / disposal and any impacts from any high usage of mains water for the facility`s processes or human use and consumption.

Fairlie Community Council is acutely aware of the restrictive nature of valid and effective consultation during the pandemic and is dismayed that such a large complex project is unable to be discussed in public.

Yours sincerely,

Rita Holmes. (Chairwoman, Fairlie Community Council)

Annex G

NatureScot

Mr Iain Davies
Senior Development Management Officer
Planning Services
Place Directorate
North Ayrshire Council

13 December 2021

Our ref: CEA165150

Dear Mr Davies

Town and Country Planning (Scotland) Act 1997
The Environmental Impact Assessment (Scotland) - Regulations 2017 Scoping Opinion
Proposed cable manufacturing facility including the construction of up to a 185m extrusion tower and associated Infrastructure-Hunterston PARC-21/01094/EIA

Many thanks for your consultation of 16 November 2021 requesting a scoping opinion for the above development and for allowing us additional time to submit our response.

1 Background

- 1.1 The proposed development is a High-Voltage Cable Manufacturing Facility, located in the planning authority area of North Ayrshire Council, south of the settlement of Fairlie and north of the EDF Hunterston Nuclear Power Station. The overall footprint of the Facility is 50.3 ha.
- 1.2 We have previously provided the Applicant's consultants with advice on the landscape aspects of the project by email dated 5 November 2021.
- 1.3 We have previously provided responses relating to EIA screening opinions within the PARC site on 16 and 24 January and 17 February 2020 in relation to The Marine Works (Environmental Impact Assessment) (Scotland) Regulations 2017 Consultation and on the 9 March 2021 in relation the Town and Country Planning (Scotland) Act 1997-Environmental Impact Assessment Request for EIA Screening Opinion in relation to the replacement and enlargement of existing jetty at Hunterston Marine Yard (21/00109/EIA) and Request for EIA screening opinion for the erection of Caisson gates and removal of existing bund (21/00107/EIA) and on 19 July 2021 for an Town and Country Planning (Scotland) Act 1997-Environmental Impact Assessment Request for EIA Screening Opinion for a proposed

49.9MW cryogenic energy storage (CES) facility at Hunterston Construction Yard-21/00622/EIA.

- 1.4 The Scoping Report (Section 6.14) outlines how the process of assessing the cumulative effects of other relevant developments will be undertaken. We advise that the cumulative impact of this current proposal should be considered alongside these additional proposed projects in determining the environmental impact of this proposal within the EIA. We recommend that assessment of cumulative impacts arising from multiple activities potentially under different consenting regimes, proposed for the wider site, and including wider port activities should be undertaken.

2. General scoping advice.

- 2.1 The applicant should refer to our general pre-application and scoping advice for onshore wind farms¹. Although this advice outlines the survey and assessment work that developers need to undertake to support a wind farm planning application the principles are similar. It includes information on recommended survey methods, sources of further information and guidance, and data presentation. Attention should be given to the full range of advice included. The checklist in Annex 1 of the guidance note sets out our expectations of what should be included in the Environmental Impact Assessment (EIA) Report, while Annex 2 provides our advice on the assessment of turbine lighting impacts on landscape and visual amenity, and birds. The guidance document will be updated over time to reflect any changes to available information and our guidance, so users should ensure they download the most up to date version before use.
- 2.2 The Ecology Chapter of the EIA Report should assess the potential effects of the proposed development on important ecological features and should detail proposed mitigation and/or compensation measures required to avoid, minimise, restore or offset adverse effects and demonstrate positive effects for biodiversity. We recognise the commitment of the applicant to follow current CIEEM standards in order to achieve these outcomes. All of our current standing advice for planners and developers can be found here².

3. Key natural heritage interests

Protected areas within 20km

- 3.2 The scoping report (section 6.5.5 and table 5.1) accurately identifies the statutory and non-statutory sites that should be assessed for potential impacts, including those arising from any changes in air quality as a result of the proposed development. We advise that the impact of air emissions and deposition on designated sites within the screening area should be undertaken according to our guidance³.

Internationally important areas for nature conservation

Special Protection Areas (SPA)

- 3.3 The proposed development is approximately 9.5km from the Renfrewshire Heights SPA

¹ <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/renewable-energy/onshore-wind-energy/advice-wind-farm-development>

² <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-standing-advice-and-guidance-documents>

³ <https://www.nature.scot/guidance-considering-air-pollution-impacts-development-management-casework>

classified for its breeding population of Hen Harriers and 19km to the east of the Arran Moors SPA, also classified for its breeding population of Hen Harriers. See NatureScot SiteLink for more details about these sites. (Renfrewshire Heights SPA⁴ and Arran Moors SPA⁵).

- 3.4 The status of these sites means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the “Habitats Regulations”) apply or, for reserved matters, The Conservation of Habitats and Species Regulations 2017. Consequently, North Ayrshire Council is required to consider the effect of the proposal on the SPAs before it can be consented (commonly known as Habitats Regulations Appraisal). The NatureScot website has a summary of the legislative requirements⁶.
- 3.5 To help you to do this we advise that given the separation distance between the development site and these SPAs and the type of habitats in the application area we consider that the proposal will not have a likely significant effect on the qualifying interests of Renfrewshire Heights SPA and Arran Moors SPA either directly or indirectly. An appropriate assessment is therefore not required and we confirm that both Renfrewshire Heights and Arran Moors SPAs can be scoped out of the EIA.

Nationally protected sites

Southannan Sands Sites of Special Scientific Interest (SSSI)

- 3.6 The Southannan Sands SSSI extends for over 4km along the coast, is adjacent to the proposed development and is designated for its nationally important Intertidal marine habitats, saline lagoons and sandflats. Southannan Sands SSSI comprises a coastal section, subdivided into three discrete areas, which together support one of the best examples of intertidal sandflats habitat within the entire Clyde coastline. See NatureScot SiteLink for more detail⁸. The Southannan Sands SSSI management statement (SNH, 2013, also available on Sitelink) mentions that the Hunterston area has been identified for specific types of development and the need to address the potential impacts on the SSSI is specifically highlighted.
- 3.7 An assessment of the potential impacts on the Southannan Sands SSSI and its notified interests should also consider project specific and cumulative impacts on the recently discovered mussel reef, supporting a native oyster bed, as well as the other Priority Marine Features identified in Annex A. Priority Marine Features (PMF) do not have legislative protection, but the basis for protection of their national status across Scottish waters is included in the National Marine Plan. As such North Ayrshire Council, as regulatory authority, must be provided with sufficient detail to consider the effect of the proposal on PMFs before it can be consented. We may object to a proposal that could significantly impact on PMFs because it could raise issues of national interest. We have set out our approach in our document Identifying Natural Heritage Issues of National Interest in Development Proposals⁹.

⁴-<https://sitelink.nature.scot/site/8667>

⁵-<https://sitelink.nature.scot/site/8614>

⁶ <https://www.nature.scot/professional-advice/planning-and-development/environmental-assessment/habitats-regulations-appraisal-hra>.

⁷ <https://www.nature.scot/assessing-connectivity-special-protection-areas>

⁸-<https://sitelink.nature.scot/site/10261>

⁹ <https://snhintranet.snh.gov.uk/node/987>

- 3.8 Wintering and breeding birds are present in and around the SSSI and development site in such numbers that the area is classified as of regional importance for waders and wildfowl (Hunterston Construction Yard Environmental Review Peel Ports and Envirocentre February 2017 p16¹⁰). We welcome the survey commitment proposed to address this issue.
- 3.8 We welcome (section 6.8 of the Scoping Report) that an assessment of the impacts of hydrological changes (via a flood risk assessment and surface water management assessment) on habitats and sensitive ecological receptors will be carried out. We advise that all direct and indirect impacts are assessed and addressed through appropriate mitigation and management, and are included in a Construction Environmental management Plan (CEMP), to ensure that water draining from the proposed site is free from pollutants.
- 3.9 We note the undertaking to carry out dust and noise assessments on relevant receptors and to implement any necessary mitigation. We recommend that these impacts on the SSSIs located within the impact zone of this development are considered as part of the assessment process. We advise the impact of task lighting is also considered as part of this process.

Kames Bay SSSI and Ballochmartin Bay SSSI

- 3.10 These two SSSIs are located 2.2 km to the north east and 2.7km to the north of the proposal area respectively. The notified features of these two sites are the flora and fauna of the intertidal area (the area between the highest and lowest tidal levels). See NatureScot SiteLink for more detail: Kames Bay SSSI¹¹ and Ballochmartin Bay SSSI¹²
- 3.11 Atmospheric and water based pollution impacts may arise from the enabling work and the construction and operation of this development. We advise that these impacts are assessed and mitigation proposed if necessary.
- 3.12 In addition to these SSSIs, Table 5.1 of the Scoping report identifies a large number of SSSIs within 20km of the proposed development. We agree that, due to the nature of the project and the separation distance to these designated sites, they can be scoped out of the EIA.

Landscape and Visual Amenity

- 3.13 We confirm that EIA and LVIA is required-together with assessment of effects on landscape qualities for nationally important landscapes including relevant Wild Land Areas (WLA) and National Scenic Areas (NSAs) where there is potential for a significant effect on the qualities. A key function of the EIA is to iteratively explore all possibilities for achieving the very best integration of the development within the existing landscape. It should be clear how the EIA process has informed the proposed design.

¹⁰ http://marine.gov.scot/sites/default/files/hunterston_-_environmental_review_-_february_2017_1.pdf.

¹¹ <https://sitelink.nature.scot/site/825>

¹² <https://sitelink.nature.scot/site/132>

- 3.14 The nature and scale of this proposal in this location may potentially raise issues of National Interest in relation to nationally important landscapes⁹. However, once we have further information on the likely potential for significant effects, we can advise further about scoping these in or out, and the level of assessment required.
- 3.15 The proposed tower will need aviation lighting and this should be assessed in accordance with our lighting guidance. Given the scale of the proposed tower (185m high) there will be extensive potential visibility as confirmed by the draft ZTV. At this early stage, we highlight the following sensitivities (i.e. nationally important landscapes) which should be scoped in:
- Waterhead Moor - Muirshiel Wild Land Area (WLA)
 - North Arran WLA
 - National Scenic Areas (NSAs) with a focus on potential for significant effect; in particular the Kyles of Bute NSA, and North Arran NSA
 - Arran Coastal Way – a promoted national route, including the relevant section of the east/north east coast within North Arran NSA.
- 3.16 We advise that potential effects on these nationally important landscapes should be further explored to ascertain the potential for significant effects on their qualities. Aviation lighting and any plume from the chimney should be fully assessed in accordance with current guidance and illustrated on visualisations. We request further initial information for these nationally important landscapes as follows:
- draft detailed ZTVs and visualisations e.g. wirelines/ sketches/ photomontage
 - a brief summary of whether there is potential for significant adverse effect on these landscapes and a brief justification for their inclusion or omission in the EIAR.
- 3.17 This information should be provided as early as possible to allow us to advise further regarding which of these areas, in our opinion, require further detailed assessment. Should this flag up potential significant effects in relation to the NSAs or WLAs then the respective assessments should be carried out in accordance with guidance. We can provide the latest version of our ‘Assessment of Effects on Special Landscape Qualities’ (AESLQ) guidance for NSAs if you do not already have a copy (not available on our website). Our Wild Land Descriptions and Wild Land Assessment guidance is available on our website¹³.
- 3.18 We welcome the intention to align the Project Masterplan with the objectives of the PARC development framework and advise that any opportunities to integrate the development with its surroundings should be fully considered in accordance with place-making principles adopting a design-led approach. For example, explore opportunities for physical and visual connections along the coast, making connections with coastal routes and nodes, explore new woodland opportunities including expanding any existing mature trees on/ adjoining the site.
- 3.19 We encourage the applicant to exploit design opportunities and the natural assets of the site and its surroundings, following place-making principles. We believe there is potential

¹³ <https://www.nature.scot/professional-advice/landscape/landscape-policy-and-guidance/wild-land/wild-land-area-descriptions-and-assessment-guidance>

on this site to set out a clear and beneficial landscape framework that both provides an attractive setting for built form and delivers a successful approach to active travel, habitat and biodiversity, and appropriate forms of amenity. We recommend the appropriate professionals (including a landscape architect) should be employed on the project team to deliver this.

3.20 Please see Annex B for our advice in relation to Viewpoint Assessment.

4. General

Landscape and habitat enhancement strategy

4.1 We welcome the commitment to produce a landscape and ecology mitigation and monitoring plan for the proposed development alongside an outline Habitat and Species Management Plan (HMP). Development of the HMP should follow our guidance on *Planning for development: What to consider and include in Habitat Management Plans*¹⁴. We advise that these plans should facilitate a development that delivers multifunctional green and blue infrastructure. In that regard we would encourage an approach to landscape design which produces useable open space, maximises the value of the existing coastal path and wider integration of active travel, SUDs and biodiversity, therefore helping connect people and nature.

Cetaceans & Priority Marine Features (PMFs)

4.2 The Scoping report does not address the topic of marine species that need to be evaluated as part of the impact assessment for this development. We advise that the following European Protected Species (EPS) and PMF species are all found within the Firth of Clyde: *harbour porpoise, bottlenose dolphin, common dolphin, minke whale, harbour seal, grey seal and basking shark*. Due to the potential for disturbance and auditory injury impacts via noise during construction and noise and direct disturbance during operation, the impact of the development needs to be evaluated.

4.3 We would encourage any coastal developer who produces noise at a level that could risk injury or disturbance, to follow these guidelines¹⁵ to help minimise the impacts of noise.

4.4 Cetaceans are European protected species and the need for any EPS licensing and the likelihood of any required licences being forthcoming should be fully established as part of the planning application process. We advise that the Applicant should carry out a cetacean risk assessment to determine whether they need to apply for a licence, and to outline their proposed mitigation. The cetacean risk assessment should be submitted as part of an EIA or environmental report to support a planning application. There is guidance available to help with this¹⁶.

4.5 We advise that work to establish the numbers of individuals of each species likely to be disturbed must accompany any licence application. To help with this assessment we advise

¹⁴<https://www.nature.scot/guidance-planning-development-what-consider-and-include-habitat-management-plans>

¹⁵<https://www.webarchive.org.uk/wayback/archive/3000/https://www.gov.scot/Resource/0044/00446679.pdf>.

¹⁶http://jncc.defra.gov.uk/pdf/JNCC_Guidelines_Piling%20protocol_August%202010.pdf

that for low risk projects, such as this, site specific surveys will not be required and that a desk-based approach using existing data (e.g. Cetacean Atlas and Clyde Marine Mammal Project) would be appropriate in this instance. Once further details are available on the proposed construction methodologies, timing, duration and potential impacts etc. we will be happy to advise further regarding this proposal.

Invasive non-native species (INNS)

- 4.6 During operation of the facility we understand that the majority of the factory production output will be carried by ship (Scoping Report section 6.10.3). This increased marine activity will need to be assessed for its potential to increase the spread of INNS into the surrounding area, including the adjacent SSSIs and also to disturb or directly harm Cetaceans and PMF. These risks should be assessed in the EIA and mitigated where required.

Wider countryside birds

- 4.7 As the proposed Extrusion Tower is in excess of 150m in height, night time lighting will be required. We advise that the applicant considers effects on birds in relation to night time lighting of tall structures as part of their assessment of the proposed development. The sensitivity to birds arising from any lighting required will depend on the species likely to be affected as well as the extent of lighting required. Relevant issues to consider will include the nature of the lights (number and position) and how long they will be lit for. Please see our recent guidance on this subject¹⁷

Coastal sea level rise impacts

- 4.8 We advise that information provided by the Dynamic Coast assessment is utilised to ensure the most appropriate coastal defence techniques are employed for this site if determined to be required through the proposed Flood Risk Assessment. Utilising the Dynamic Coast data sets¹⁸ would help analyse risk of potential sea-level rise and coastal erosion impacts to 2100. An assessment of nature based solutions to managing coastal change and its impact on the adjacent Southannan sands SSSI should also be undertaken to ensure that opportunities to utilise soft techniques to manage coastal flooding and erosion are undertaken where suitable whilst maintaining the condition of notified features of the SSSI.

Mitigation and best practice in environmental management

- 4.7 As this proposal could adversely affect Southannan Sands SSSI, a natural heritage interest site of national importance, our advice is that any future application for planning permission includes an outline construction method statement detailing mitigation and pollution prevention measures.
- 4.8 We recommend that the following information is included as part of the overall assessment of environmental impact, but is not restricted to:
- Before any works starts, the boundary of the SSSI should be clearly marked and contractors advised not to enter it or use it for storage.

¹⁷ <https://www.nature.scot/information-note-effect-aviation-obstruction-lighting-birds-wind-turbines-communication-towers-and>

¹⁸ <https://www.dynamiccoast.com/>

- If crushed stone and recycled aggregates are to be used to construct hard-standing areas, they should be sourced from materials free from contaminants, so that there is no possibility of run-off onto the intertidal areas of the SSSI.
- Any materials from the excavation of the tower foundation / other groundworks should be sensitively re-used onsite and or disposed of appropriately and not released onto the intertidal areas of the SSSI.

4.9 Securing net positive effects for biodiversity from development is a key theme of the emerging NPF4 and of The Planning (Scotland) Act 2019. The environmental assessment process is a key mechanism to help embed and demonstrate this approach and guide delivery. We welcome opportunities to discuss options to demonstrably improve overall biodiversity in and around this important site for commerce and the environment.

4.10 The development is required to undertake consideration of greenhouse gases as part of the EIA. Methane is identified as being a by-product (Scoping report section 2.2.27) of the cable manufacturing process and our advice is that this source of GHG is also included in the calculation of Operational phase GHG emissions from activities on site.

Concluding remarks

This advice is provided by NatureScot, the operating name of Scottish Natural Heritage. Our advice is given without prejudice to a full and detailed consideration of the impacts of the proposal if it is subsequently submitted as a formal application.

I hope that this response will assist you in your consideration of this scoping request. However, please contact me should you wish to discuss our advice.

Yours sincerely

Ian Cornforth

Area Officer, Strathclyde & Ayrshire.
Ian.Cornforth@nature.scot

Enc-

Annex A-Designation of key marine features of Southannan sands
Annex B-Viewpoint Assessment

Annex A

Designation of key marine features of Southannan sands

	Priority Marine Feature	UKBAP	Annex 1 Habitat	Component of SSSI intertidal sandflat feature
Blue mussel beds	habitat	habitat	yes	yes
Native Oyster	Habitat and species	species	no	yes
Dwarf eelgrass	Habitat	Species	Yes	yes

Annex B

Viewpoint Assessment

Visual receptors should include not only ferries but also recreational water-based receptors e.g. boats, kayaks etc as these areas include popular sailing and kayak routes as well as areas popular for informal water-based recreation.

Great Cumbrae:

The two viewpoints at Millport represent similar views. We suggest a better option would be either one from the OS panoramic VP at the highest point of Great Cumbrae, and one at the main town of Millport or at the Lion where there is an OS viewpoint.

Arran:

Confirm VP is located on Goat Fell, (not Cir Mhor).
Explore an additional viewpoint on Arran at Glen Sannox.

Bute:

Explore Rothesay or the ferry to represent water-based receptors.

Cowal:

Toward Point

Kyles of Bute NSA:

Viewpoint on the A8003, (National Trust Viewpoint) as referenced in the Kyles of Bute NSA Special Qualities providing easterly views to the hilly moorland and coastal settlements of North Ayrshire. Explore additional viewpoint at Buttock Point or Strone Point.

Waterhead Moor- Muirshiel Wild Land Area (WLA):

One or two viewpoints to represent this WLA where the ZTV indicates visibility. Explore areas of visibility including representative view from Girtley Hill. Hill of Stake area should be ground truthed to ensure no visibility as indicated on the ZTV. The WL Description states that there is not any visibility of human elements to the south west towards Arran at the time of writing.

ends

Annex H

Transport Scotland

Mr Iain Davies
North Ayrshire Council
Planning Services
2nd Floor Cunninghame House
Irvine
KA12 8EE

Your ref:
21/01094/EIA

Our ref:
GB01T19K05

Date:
30/11/2021

eplanning@north-ayrshire.gov.uk
iaindavies@north-ayrshire.gov.uk

Dear Sirs,

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
(SCOTLAND) REGULATIONS 2017**

**PROPOSED CABLE MANUFACTURING FACILITY, SOUTHANNAN SANDS, HUNTERSTON
COAL TERMINAL**

With reference to your recent correspondence on the above development, I wish to inform you that from 1st October 2015, planning authorities are no longer required to consult with Scottish Ministers on EIA development.

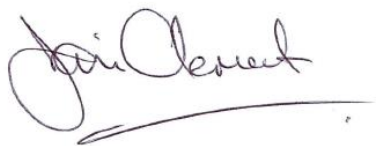
Historic Scotland has merged with Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS) to form Historic Environment Scotland (HES). HES is named as both a statutory consultee in the planning system and as a consultation body for Environmental Impact Assessment (EIA) purposes. Planning authorities are required to make their own arrangements for consulting HES directly on EIA development. Further information on these wider changes can be found in Historic Environment Circular 1.

In light of the above changes, the Scottish Government has taken the opportunity to streamline EIA consultation arrangements such that Transport Scotland will no longer respond to EIA consultations in a statutory capacity. Planning Authorities must, however, continue to consult Transport Scotland on applications where required by Regulation 25 and Schedule 5 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. These consultations should be sent to Transport Scotland's Development Management Team.

It should be stressed that this response relates only to the EIA consultation. Transport Scotland will require to be formally consulted on the planning application for this development and will respond separately by means of a TRNPA2.

I trust that the above is satisfactory and should you wish to discuss any issues raised in greater detail, please do not hesitate to contact myself on 0141 272 7953.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Iain Clement', with a long horizontal flourish underneath.

Iain Clement

**Transport Scotland
Roads Directorate**

cc Alan DeVenny – SYSTRA Ltd.

Annex I

NAC Environmental Health Officer

From: Paul Brennan (Spec Environmental Health Off / Protective Services) <paulbrennan@north-ayrshire.gov.uk>

Sent: 07 December 2021 16:13

To: eplanning (shared mailbox) <eplanning@north-ayrshire.gov.uk>

Cc: Iain Davies (Snr Development Man Off / Planning) <iaindavies@north-ayrshire.gov.uk>

Subject: 21/01094/PP

Dear Sirs,

Town and Country Planning (Scotland) Act 1997

Environmental Protection Act 1990

Consultation Type: Environmental Impact Assessment Scoping/Screening

Planning Authority Reference:21/01094/EIA

Nature of Proposal(Description): EIA Scoping Request for proposed cable manufacturing facility including the construction of up to a 185m extrusion tower with associated factories, research and testing laboratories, offices with associated stores, transport, access, parking and landscaping with on-site generation and electrical infrastructure and cable delivery system

Site: Southannan Sands Hunterston Coal Terminal Fairlie Largs Ayrshire KA29 0AZ

I refer to the above mentioned application on which Environmental Health has been consulted and can advise the following should receive attention during the screening/scoping process:

1. Existing ground investigation reports are available for the current brownfield site. Further investigations will be required for the development as part of the planning process. Any associated land use risks will be identified through this assessment and remedial measures implemented if required. Therefore any potential contaminated land impacts should be included in any EIA screening, if it is deemed necessary.
2. An air quality assessment will be required for the development as part of the planning process. Any associated air quality risks will be identified through this assessment and mitigation measures implemented if required. Therefore any air quality impacts should be included in any EIA screening, if it is deemed necessary.
3. The RPS report "XLCC Cable Factory-Hunterston EIA Screening Report-NP 12180-V6.0 November 2021" submitted as part of the application confirms that a baseline noise survey will be undertaken and the scope of this will be discussed and agreed with the EHO at North Ayrshire Council. I can advise that contact has been made to discuss the baseline noise survey and applicable noise targets that will require to be met during the construction and operational phases of the proposed development.

Regards,

Paul Brennan

Paul Brennan
Specialist Environmental Health Officer

Economic Development and Regeneration
North Ayrshire Council
Cunninghame House, Irvine, KA12 8EE

Email: paulbrennan@north-ayrshire.gov.uk
Tel: 07833 480435

Due to the impact of the COVID-19, I am working remotely. If possible, please communicate with me by email to enable a prompt response. Thank you, in advance, for your cooperation.

Annex J

Scottish Water

Thursday, 09 December 2021



Local Planner
Planning Services
North Ayrshire Council
Cunninghame House
KA12 8EE

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Southannan Sands, Hunterston Coal Terminal Fairlie, Largs, KA29 0AZ
Planning Ref: 21/01094/EIA
Our Ref: DSCAS-0053082-XF3
Proposal: EIA Scoping Request for proposed cable manufacturing facility including the construction of up to a 185m extrusion tower with associated factories, research and testing laboratories, offices with associated stores, transport, access, parking and landscaping with on-site generation and electrical infrastructure and cable delivery system

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ This proposed development will be fed from Camphill Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via [our Customer Portal](#) or contact Development Operations.

Waste Water Capacity Assessment

- ▶ This proposed development will be serviced by Fairlie Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via [our Customer Portal](#) or contact Development Operations.

Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

- ▶ 1 x 150mm DI water main in the site boundary

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

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 activity.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk
 - ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
 - ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
 - ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
 - ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
 - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
-

Next Steps:

▶ **All Proposed Developments**

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer,

which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ **Trade Effluent Discharge from Non-Domestic Property:**

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Angela Allison

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Annex K

Private Individual - Mr Riddle

**49 Castlepark Drive
Fairlie
Ayrshire, KA29 0DG**

Tel: 01475 568586
email: annegreengates@btinternet.com

Mr M Barrett, RPS Group

25th November 2021

XLCC Cable Factory – Hunterston/EIA Scoping Report

I have read through the above report and provide the following comments which may be of assistance to you.

As with all industrial developments at Hunterston, the human receptors that potentially are most affected by the development are residents of Fairlie. My comments therefore relate solely to Fairlie and are submitted only as an individual living in the village. The following comments refer to the paragraph numbers of the report.

2.2.6 Includes the words 'bi-products of cross-linking (including methane) are driven off'. There is no further reference in the report as to how the methane driven off is to be managed, and prevented from being released to the atmosphere. There is no reference to methane management in the Air Quality section of 6.15 Supporting Technical Assessments.

6.7 Visual Effects. The main visual impact from the proposed development will be from the 185 m high extrusion tower. The tower will be 'static' unlike, for example, a wind turbine or a gas emission stack. The tower base will be close to sea level. As viewed from receptors to the south-west, west and north west the tower will be seen against hills to the east which are significantly higher than the tower. When viewed from the north, north-east, east and south-east the tower will 'stand alone' visually. When viewed from Fairlie, including many homes, the tower will be a significant feature. It is likely to be have aircraft safety lighting.

6.7.18 /6.7.20 The reaction of Fairlie to the visual impact of the tower will be very dependent on who sees it and from where. This is likely to require a wide range of fully representative local viewpoints to be assessed through a thorough site visit and local consultation. Photomontages showing the proposed tower should take account of how views might change with time of year, eg leaf cover. It is suggested that it might be very helpful to local residents if a balloon or similar feature could be flown at the 185 m height at a date and time advertised to local residents, and of course in calm weather, and also used to complement the photomontages.

6.10.3/6.10.10 The proposed development will have a (very welcome) high number of site employees presumably working 24 hours on a 2 or 3 shift pattern. As the Hunterston area is not readily accessed by public transport, this is likely to result in significant road traffic flow at times of shift change, as occurs at present with the Hunterston power stations. The traffic survey should take account of this, including assessing how many vehicles exiting from the power stations onto the A78 go south towards West Kilbride, or north towards Fairlie, as a reasonable guide.

6.10.11 The suitability of the A78 through Fairlie for abnormal loads. This does require to be assessed.

6.10.15 In addition to assessing the traffic volume the study should include the suitability of the A78 through Fairlie for a significant increase in HGV traffic.

6.10.17 Evening/night time road traffic through Fairlie is not at present significant. If night hours traffic is to increase, eg by shift changes, the additional night time noise should be assessed (see also 6.11.12).

Section 6.10 should include reference to alternative public transport to the site. At present there is not even a bus stop at the site entrance.

6.11.3 The site is not in a rural location. It is in an industrial location which has had industrial use for around 50 years.

6.11.4 The site is screened to the east and north by an 'environmental mound' which serves to reduce site noise levels at nearby locations 'shadowed' by it. Other parts of Fairlie are at levels higher than the mounding crest. Noise assessments should include a fully representative range of village locations.

6.11.5 During earlier industrial developments at Hunterston the main source of noise for village receptors has been operations on the deepwater jetty, eg cargo handling. An assessment of the noise likely from movement of the cable along the jetty approach and onto the receiving vessel should be included for residential receptors at different locations in Fairlie. This should be added after 6.11.13 and highlighted in 6.11.14.

6.12.5 Reference to methane needed.

6.12.13 An additional bullet point required 'fuel used in movement of persons to and from the proposed development'. (suggested mitigation: provision (large number) of electric vehicle charging points within employee parking area!)

6.15.7 Refers solely to combustion plant, but additional statements required as to gaseous and particulate emissions, including odours, from all aspects of the operational phase, including both on site and ship sources.

6.15.8 The scope of the assessment should not be limited to the risk of dust impacts during construction but must include emissions during the operational phase (as 6.15.7).

Table 6.10 Air quality effects related to operational traffic and from the operational facility should not be scoped out. Noise effects related to operational traffic should not be scoped out. It is essential that all potential emissions of noise, odours, gases and particulates from the operational phase of the development be fully assessed.

I trust that the foregoing is of interest.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'John Riddell', with a horizontal line underneath.

John Riddell
By email