

East Ayrshire Council
State of the Environment
User Guide: Public,
Developers, Applicants

1. What is the State of the Environment Report?

The State of the Environment (SoE) Report provides an account of the current state of the environment in East Ayrshire. The SoE report captures critical information about environmental issues within the local authority area.

The SoE reporting includes assessments across a wide range of biophysical and ecological elements of the environment, as well as social and cultural aspects of environmental issues.

The principal objectives of State of the Environment reporting are to:

- Disseminate information on the state of the East Ayrshire environment and how human activity has shaped the current status and trends and to make this information available to the Council
- Ensure environmental baseline data is readily available to support Development and Environmental Planning and assist in setting environmental policies and supporting management of environmental assets.
- Promote public access to robust, peer reviewed and up-to-date information on the local environment and minerals extraction issues.

The State of the Environment Report will facilitate and enable:

- increased awareness, among decision-makers and the public, of the status and implications of the condition of the environment in East Ayrshire and pressures on it from both past activity and potential future development
- informed actions to major development proposals in East Ayrshire which steer environmental management decisions in turn leading to more sustainable use and effective conservation of environmental assets.

Electronic data including GIS and digital mapping sources used to produce the SoE is available from the planning team (see contacts). This includes East Ayrshire habitat data which has been digitised from SNH maps.



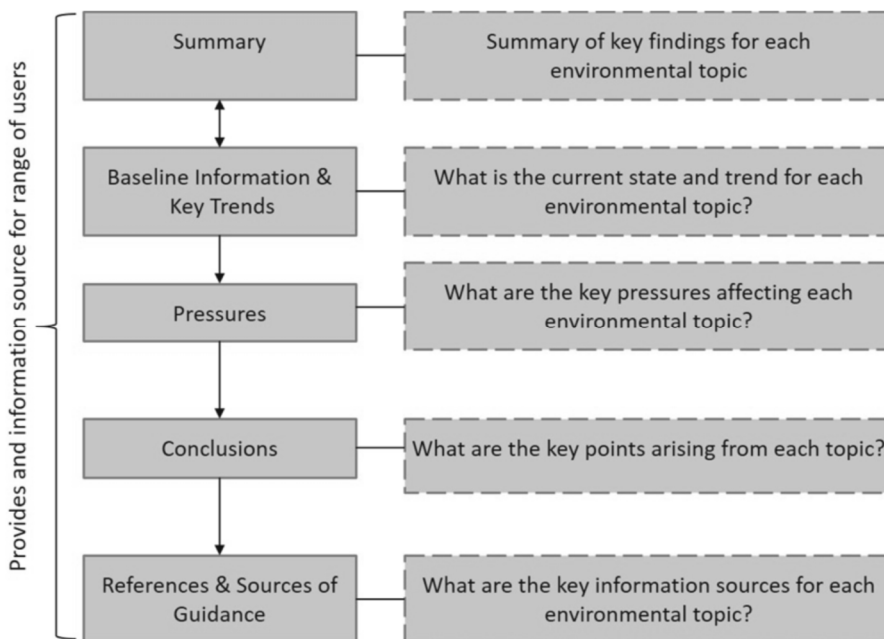
2. How to Navigate the Report

The State of the Environment Report is split into chapters according to subject area:

- Chapter 1 - Geology and Soil
- Chapter 2 - Landscape and Visual
- Chapter 3 – Ecology and Nature Conservation
- Chapter 4 - Air Quality
- Chapter 5 - Water Environment
- Chapter 6 - Climate
- Chapter 7 - Historic Environment
- Chapter 8 - Population and Human Health
- Chapter 9 - Noise and Vibration
- Chapter 10- Material Assets

Within each chapter you will find information on:

- State – what the environment is currently like in East Ayrshire
- Trend – how the environment is changing over time and whether this change is positive or negative
- Pressures – what factors are affecting the quality of the environment in East Ayrshire



3. Limitations of the Report

The State of the Environment Report for East Ayrshire is a 'snapshot in time' and is based on the most up to date information available at the time of writing. The report will be a working document and will be updated on a 3-year cycle with the exception of data noted in the update section of this guide.

4. How Can the State of the Environment Report Help Me?

The State of the Environment Report has multiple applications which will support those involved in development within East Ayrshire together with members of the public, statutory consultees and other interested parties. A number of worked examples have been provided in the following sections to demonstrate how the information can be used.

Worked Examples

5.0 Informing Development Proposals

There is a wealth of data available at the Scottish level for environmental quality and performance through Scotland's State of the Environment, Scotland's Environment Web and Partner Organisations including SNH and SEPA.

The purpose of East Ayrshire's State of the Environment Report is to present a record of data available on the environment at a local level. It is hoped that the East Ayrshire State of the Environment Report will provide a useful reference point on the current state, trend and pressures on the local environment for developers / applicants looking at potential future projects.

The review of existing and likely future environmental conditions helps to identify likely problem areas or environmental issues that could be aided or made worse by a proposed development:

- Where there are habitats or species of particular value in East Ayrshire (digitised GIS mapping of habitats);
- Where there are environmental standards that are not being met - for instance where air pollution is already above legal standards or where there has been a history of impacts on local communities e.g. landscape impacts or noise complaints;
- Environmental trends that are going in the wrong direction – such as an increase in Vacant and Derelict Land or declining air quality; and
- Sources of further information and guidance.

Promoting Best Practice and Consultation

The State of the Environment Report demonstrates East Ayrshire Council's commitment to environmental best practice informed by the public together with environmental consultees. This is an approach that the council will expect those bringing forward proposals to adopt to ensure that environmental protection is a key driver and consideration at all stages of development through to restoration and aftercare. Through the SoE the council are seeking to promote:

- Partnership working – we welcome early dialogue with developers to discuss proposals and information the council may hold which would assist;
- Quality, proportionate environmental reporting – promoting high quality, focused reporting which reflects guidance available from statutory consultees and council officers and reflects environmental baseline conditions and sensitivities; and
- Active engagement with local communities, community councils and other groups in a transparent manner

Worked Example – Development

Due Diligence and Feasibility Studies

The State of the Environment Report can be used in conjunction with other tools such as SNH Interactive Mapping, Past-map, SEPA Interactive Mapping, to review potential development sites to determine sensitivities and likely environmental assessment requirements.

- Development of Constraints and Opportunities Maps
- Identification of particular issues and potential ‘show-stoppers’
- Likely requirements for EIA and other environmental reporting to support planning which would be a key programme consideration

Pre-Application Consultation

The State of the Environment Report will be referenced where appropriate as part of Council responses for pre-application consultation. The Council are happy to provide advice and data they hold to developers at an early stage in the development process. The SoE:

- Provides a useful tool / resource to inform EIA Screening and Scoping / available data / potential issues which would influence the likely scope of Environmental Statements;
- Highlights local issues and sensitivities including current pressures – baseline situation; and
- Promotes early consideration of environmental protection in design.

Preparation of Environmental Statements

The SoE provides a useful baseline resource for developers preparing Environmental Statements / other documentation to seek to ensure that potential environmental issues have been adequately covered. The SoE:

- Provides a quick reference guide to useful information and data available at the East Ayrshire level including links to datasets;
- Identifies particular trends and pressures e.g. water quality, issues associated with private water supplies, sensitive receptors that need to be addressed through baseline water quality monitoring continued through to construction;
- Highlights ecological pressures such as sites which are in unfavourable status;
- Reviews past impacts on local community arising from major developments – looking at past noise / dust complaints and how these should be addressed;
- Digitises habitat data from SNH maps for East Ayrshire which is available in GIS format to supplement site specific surveys; and
- Promotes high quality proportionate reporting focused on the key issues with commitment to monitoring during construction and appropriate restoration and aftercare.

Monitoring, Restoration and Aftercare

The State of the Environment Report highlights the importance of environmental protection during the construction phase of projects (reflected in EAC Monitoring of Major Developments) and applicants should ensure that proposals document how the development will be progressed through, where applicable:

- Phased Restoration Plans;
- Peat Management Plans;
- Construction Environmental Management Plans;
- Private Water Supply Risk Assessment;
- Surface Water Management Plans;
- Site Waste Management Plans; and
- Species Protection Plans etc.

6. Informing Representations by the Public

The State of the Environment Report provides a centralised source of environmental data covering East Ayrshire for members of the public to use and promotes awareness of local environmental issues, history and trends that may be helpful for a range of uses:

- To enable a better understanding of the local environment and current pressures;
- To provide easy access to peer reviewed evidence / datasets at the local level which can be used as a resource to inform planning representations,
- To inform educational projects;
- To provide a baseline dataset for community funding bids e.g. Coalfield Regeneration Fund, Heritage Lottery Funding; and
- To inform local community action e.g. Community Action Plans, Community Council responses to planning applications etc.

Greater Environmental Awareness

East Ayrshire Council are aware of the importance of tackling historical environmental issues associated with coal extraction and to this end, are committed to making environmental information widely available and to ensure transparent and accountable decision making. The Council are also committed to the compliance monitoring of major development within the local authority area and monthly updates are made available on the Council website. The SoE will therefore promote:

- A greater awareness and understanding of environmental status, trends and pressures and how these will be considered in decision making by the council and statutory consultees;
- Best Practice in environmental assessment and reporting and early and constructive dialogue with local communities; and
- Greater involvement of the public in decision making – the environmental information should empower communities to make their views heard on important issues.

Informed Community Representation

As discussed above, a key driver for the State of the Environment is to support both the Local Development Plan process to ensure Plans and Policy take environmental matters into account but also to ensure consultation at the community level is strengthened. The State of the Environment Report can be referenced by communities in response to consultations. East Ayrshire are seeking to ensure:

- Communities are engaged and inspired to get involved in community planning, development management and development planning issues
- communities feel they can have a valued influence on planning decisions in their area
- projects capture positive outcomes for local communities where possible
- closer links between communities and East Ayrshire Council officers

Worked Example – Development

Powharnal Surface Mine was one of a number of sites which was disclaimed following Scottish Coal entering administration and ownership was transferred to Scottish Mines Restoration Trust who, through Mines Restoration Limited will be taking forward revised proposals for its restoration.

The State of the Environment Report included a requirement for a more detailed ecological assessment to assess the impacts of surface mining on the Muirkirk and North Lowther Uplands SPA. The State of the Environment Report was one of a number of resources which has informed the principle of the revised restoration proposals which have now been agreed with the EU and will now be taken forward to detailed design and planning. Consultation has informed the State of the Environment Report (representations from members of the public and community groups including community councils) and can be used by interested parties to inform representation to the restoration proposals as they are advanced.

It is hoped the SoE will promote informed consultation, transparent decision making and informed judgement for future development proposals.

7. Links to other East Ayrshire Council Resources

State of the Environment Report

<https://www.east-ayrshire.gov.uk/PlanningAndTheEnvironment/Development-plans/State-of-the-Environment-Report.aspx>

East Ayrshire Planning and Environment Portal

<https://www.eastayrshire.gov.uk/PlanningAndTheEnvironment/PlanningAndTheEnvironment.aspx>

8. How it is Updated and How Often?

The State of the Environment Report is a working document and will be updated by the Council to keep it fresh and current. Updates will focus on key areas which typically see the most regular data updates from robust sources. There will be an overall update every three years to look at environmental changes / new development pressures and available published datasets which will inform Local Development Plan preparation.

It is hoped that the SoE updates will promote regular environmental record keeping within different areas of the council so this information can be easily captured. This is likely to include:

- Natural Heritage – potential to set up a Local Biological Records Centre;
- Environmental Health – noise, air quality, amenity;
- Contaminated Land – Vacant and Derelict Land Register etc; and
- Planning – Major Applications, Renewables, Minerals and Local Development Plan / Policy Development.
- Historic Buildings – Buildings at Risk Register, Understanding Changes to Cultural Heritage environment

There is an obvious advantage to all parties in maintaining a robust record of data produced as part of the development management process in East Ayrshire. The Council will keep a record of information supplied as part of Environmental Statements and specific data such as that on habitats and species / ground conditions e.g. peat depths will be requested electronically from applicants to allow data collated to be used to inform SoE updates. If you have data or information you think could supplement the report please get in touch using the contact details below.

| Chapter | Update | Frequency |
|---|---|---|
| Chapter 1 - Geology and Soil | Review of planning to determine any new minerals applications | Annual |
| Chapter 2 - Landscape and Visual | Review of planning to determine any new major applications (minerals / renewables) | Annual |
| Chapter 3 – Ecology and Nature Conservation | Update to capture information gathered from development projects. | Every 3 years with annual check of significant new datasets if made available |
| Chapter 4 - Air Quality | Update to reflect East Ayrshire Air Quality Data (Update and Screening Exercise) and LAQM information | Every 3 years |
| Chapter 5 - Water Environment | Update to reflect SEPA Water Classification data issue | Annual |
| Chapter 6 - Climate | Update to reflect Renewables | Every 3 years |
| Chapter 7 - Historic Environment | Update to review Buildings at Risk Register etc | Every 3 years |
| Chapter 8 - Population and Human Health | Annually to coincide with Scottish Household Survey Data Release | Every 3 years |
| Chapter 9 - Noise and Vibration | Update in line with EAC noise complaints register and to include reference to major new developments | Annual |
| Chapter 10- Material Assets | Update to include Scottish Household Survey Data Release and Vacant and Derelict Land Survey | Every 3 years |

9. Interested in Finding Out More?

The State of the Environment Report was produced for the planning and development team - key contacts are as follows:

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Economy and Skills
Planning and Economic Development
Development Planning and Regeneration
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Glossary

Aftercare - operations necessary to maintain restored land in a condition necessary for an agreed afteruse.

Air Quality – a measurement of the quality of the air determined by the content of pollutants.

AQMA - Air Quality Management Areas – Areas where air quality objectives are not (or are unlikely to be) being met .

Bad neighbour development - developments likely to raise amenity issues beyond immediate neighbours, or during the evening and weekend hours. Issues include, noise, large numbers of people gathering in or moving through an area, significant increases in traffic movements, parking issues and so on.

Baseline - starting point used for comparison.

Biophysical - Biophysics is an interdisciplinary science that applies the approaches and methods of physics to study biological systems.

Bond – a financial instrument, money held in security.

Buildings at Risk - a Building at Risk is usually a listed building, or an unlisted building within a conservation area, that meets one or several of the following criteria:

- vacant with no identified new use
- suffering from neglect and/or poor maintenance
- suffering from structural problems
- fire damaged
- unsecured and open to the elements
- threatened with demolition

This list is not exhaustive and other criteria may sometimes be considered when assessing a building for inclusion in the Register.

Buildings at Risk Register - The Buildings at Risk Register for Scotland highlights properties of architectural or historic merit throughout the country that are considered to be at risk or under threat. It was established in 1990 and is maintained by Historic Environment Scotland.

Compliance monitoring - the quality assurance testing carried out over the activities of a development.

Construction Environmental Management Plans – a plan which outlines how a construction project will avoid, minimise or mitigate effects on the environment and surrounding area.

Contaminated Land - land where substances could cause significant harm to people or protected species and / or significant pollution of surface waters or groundwater.

Cultural Heritage - an expression of the ways of living developed by a community and passed on from generation to generation, including customs, practices, places, objects, artistic expressions and values.

Dataset - a collection of related sets of information that is composed of separate elements.

Ecological - relating to or concerned with the relation of living organisms to one another and to their physical surroundings.

EIA - Environmental Impact Assessment - the formal process used to predict the environmental consequences (positive or negative) of a plan, policy, program, or project prior to the decision to move forward with the proposed action.

Environmental Statements - an assessment of the likely significant environmental effects of a proposed development on the environment.

GIS - Geographical Information Systems- computer systems for capturing, storing, checking, and displaying data related to positions on Earth's surface.

Habitats - the type of environments in which plant and animals live.

HRA - Habitats Regulation Appraisal – an assessment of the compliance of a plan, programme or strategy with European legislation relating to habitats in European sites of nature importance.

Interactive Mapping – a map on a computer which responds to inputs from the user e.g. zooming in and out.

LEADER - Links Between Activities Developing the Rural Economy - A grassroots method of delivering support for rural development through implementing Local Development Strategies.

Local Development Plan – A plan prepared at local authority level which plans for the future development of the local area.

Main Issues Report – A document prepared in the local development planning process which considers the main areas of change required in policy terms.

Major Developments / Major Applications – describes a category of planning applications representing large scale developments.

Monitoring – systematically reviewing, in this case of a development or situation / environment.

Pastmap – an interactive map of the historic environment.

Peat Management Plans – Plans for how peat will be stored or moved.

Peer review – an assessment of work by others working in the same field which gives work an elevated status.

Phased Restoration Plans – demonstrate how an area will be restored over time, incrementally.

Pressures - what factors are affecting the quality of the environment in East Ayrshire.

RCGF – Regeneration Capital Grant Fund - a fund which supports locally developed regeneration projects that involve local communities, helping to support and create jobs and build sustainable communities.

Renewable - a natural resource or source of energy that is not depleted by use, such as water, wind, or solar power.

Restoration - a process in which a damaged natural resource / area is reinstated, partially reinstated or re-used after a period of alternative use.

Scoping - an investigation to determine the effect a proposed policy or project would have on a community or the local environment:

Screening - the evaluation or investigation of something as part of a methodical survey, to assess suitability for a particular role or purpose.

Sensitive receptors - aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape

SEPA - Scottish Environment Protection Agency - Scotland's principal environmental regulator, protecting and improving Scotland's environment.

SNH – Scottish Natural Heritage - Scottish public body responsible for the country's natural heritage, especially its natural, genetic and scenic diversity.

SPA – Special Protection Area - protected sites designated under the EC Habitats Directive for internationally important species.

Species Protection Plans - A plan which considers how to protect species from a plan, strategy or development

State - what the environment is currently like in East Ayrshire.

Statutory Consultees - A group of organisations / bodies who must be consulted according to legislation.

Surface Water - water that collects on the surface of the ground, normally rain water

Trend - how the environment is changing over time and whether this change is positive or negative

Vacant and Derelict Land:

Derelict Land - land which has been so damaged by development, that it is incapable of development for beneficial use without rehabilitation. In addition, the land must currently not be used for the purpose for which it is held or a use acceptable in the local plan

Vacant Land - land which is unused for the purposes for which it is held and is viewed as an appropriate site for development. This land must either have had prior development on it or preparatory work has taken place in anticipation of future development