

**ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 2017**

**Application Screening Opinion Checklist**

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| Case Details | | | | | |
| **LLTNP Planning Application or Screening Request Reference Number** | | | 2020/0260/DET | | |
| **Location** | | | Trossachs Pier up to the Roderick Dhu Watch Tower Trossachs Pier, Loch Katrine | | |
| **Description of the project / development** | | | Formation of new footpath and installation of viewing tower and platforms | | |
| Schedule 2 Details | | | | | |
| **Is the project Schedule 1 development according to Schedule 1 of the EIA Regulations?** | | | No | | |
| **Is the project of a type listed in Schedule 2 development under the EIA Regulations?** | | | Yes | | |
| **If YES, under which description of development in Column 1?** | | | 10. Infrastructure projects | | |
|  | | | (b) Urban development projects | | |
| **Is the development within, partly within, or near a ‘sensitive area’ as defined by Regulation 2 of the EIA Regulations?** | | | Yes | | |
| National Park |  | Scheduled Monument | | |  |
| SSSI |  | World Heritage Site | | |  |
| European Sites(SPA/SAC) |  |  | | |  |
| background / es history | | | | | |
| **For matters specified in conditions or variation application -does the application relate to a previous application for which an ES was submitted?** | | | | N/A | |

| **PART A / B**  **Answer to the question and explanation of reasons**  (Yes/No or Not Known (?) or N/A) | **PART C / D (only complete if Yes in A)**  **Is a Significant Effect Likely?**  (Yes/No or Not Known (?) or N/A) |
| --- | --- |
| Briefly explain answer to A and, if applicable and/or known, include name of feature and proximity to site  (If answer for A is ‘No’, the answer to C/D is ‘N/A’) | Is a significant effect likely, having regard particularly to the magnitude and spatial extent (including population size affected), nature, intensity and complexity, probability, expected onset, duration, frequency and reversibility of the impact and the possibility to effectively reduce the impact?  If the finding of no significant effect is **reliant on specific features or measures** of the project envisaged to avoid, or prevent what might otherwise have been, significant adverse effects on the environment **these should be identified in bold**. |

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| **PART** | **A** | **B** | **C** | **D** |
| Natural resources | | | | |
| Will construction, operation or decommissioning of the project involve actions which will cause physical changes in the topography of the area? | Yes | Minor changes to site topography to allow for construction of footpath. | No | Minor changes only. |
| Will construction or operation of the project use natural resources above or below ground such as land, soil, water, materials/minerals or energy which are non-renewable or in short supply? | No |  | No |  |
| Are there any areas on/around the location which contain important, **high quality or scarce resources** which could be affected by the project, e.g. forestry, agriculture, water/coastal, fisheries, minerals? | No |  | No |  |
| Waste | | | | |
| Will the project produce solid wastes during construction or operation or decommissioning? | Yes | Some waste from construction. | No | These aspects would be appropriately managed by current regulations. |
| POLLUTION AND NUISANCES | | | | |
| Will the project release pollutants or any hazardous, toxic or noxious substances to air? | No |  | No |  |
| Will the project cause noise and vibration or release of light, heat, energy or electromagnetic radiation? | Yes | Some minor noise impacts during construction. | No | These would not be of a scale that would cause significant impacts. |
| Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea? | No | **Low risk of pollution accidents during construction given the nature of the development.** | No | These aspects would be appropriately managed by current SEPA regulations. |
| Are there any areas on or around the location which are already subject to pollution or environmental damage, e.g. where existing legal environmental standards are exceeded, which could be affected by the project? | No |  | n/a |  |
| population and human health | | | | |
| Will there be any risk of major accidents (including those caused by climate change, in accordance with scientific knowledge) during construction, operation or decommissioning? | No |  | n/a |  |
| Will the project present a risk to the population (having regard to population density) and their human health during construction, operation or decommissioning? (for example due to water contamination or air pollution) | No |  | n/a |  |
| water resources | | | | |
| Are there any water resources including surface waters, e.g. rivers, lakes/ponds, coastal or underground waters on or around the location which could be affected by the project, particularly in terms of their volume and flood risk? | Yes | Loch Katrine is located close to the development site.  The project does not involve  development or land raising within  the functional floodplain.  Surface water run-off from the small development area will not increase flood risk elsewhere. | No | Effects would be negligible / neutral. |
| BIODIVERSITY (SPECIES AND HABITATS) | | | | |
| Are there any protected areas which are designated or classified for their terrestrial, avian and marine ecological value, or any non-designated / non-classified areas which are important or sensitive for reasons of their terrestrial, avian and marine ecological value, located on or around the location and which could be affected by the project? (e.g. wetlands, watercourses or other water-bodies, the coastal zone, mountains, forests or woodlands, undesignated nature reserves or parks. (Where designated indicate level of designation -international, national, regional or local)). | Yes | Trossachs SAC and Ben A'an and Brenachoile Woods SSSI. | No | Although the existing tree canopy seems likely to be retained and losses of existing trees are likely to be minimal, there will be permanent loss of woodland ground flora which is an integral component of the woodland habitat. An appropriate assessment has been carried out in accordance with the Conservation (Natural Habitats, &c.) Regulations 1994 (“Habitats Regulations”). This concludes that there will be an **adverse effect on the integrity** of the Trossachs Woods SAC. Notwithstanding this, the proposed path and viewing tower/platforms are considered to be of small and, whilst there will be an adverse effect on the designated site, given the small scale physical nature of the development there will be no overall significant effect on the environment.  Note: An appropriate assessment is to be distinguished from Environmental Impact Assessment and is undertaken under the Habitats Regulations. Its purpose is not to consider the likely significant effects on the environment but to avoid adverse effects on European sites. |
| Could any protected, important or sensitive species of flora or fauna which use areas on or around the site, e.g. for breeding, nesting, foraging, resting, over-wintering, or migration, be affected by the project? | Yes | **The site supports a number of trees that contain potentially suitable habitat for birds, bats, pine martin and red squirrels. It is also located near Loch Katrine which has the potential for otter activity.** | No | Protected species surveys were carried out for otter, bats, pine martens, red squirrels and beavers. There was no evidence found of activity.. Pre-construction surveys and appropriate mitigation will ensure that impacts will be minor. |
| landscape and visual | | | | |
| Are there any areas or features on or around the location which are protected for their landscape and scenic value, and/or any non-designated / non-classified areas or features of high landscape or scenic value on or around the location which could be affected by the project?[[1]](#footnote-1) Where designated indicate level of designation (international, national, regional or local). | Yes | The site is located within a National Park and within the Trossachs National Scenic Area. | No | Given the small scale nature of the development, and presence of existing trees that would screen the proposals, it would not be highly visible and landscape impacts would not be significant. |
| Is the project in a location where it is likely to be highly visible to many people? (If so, from where, what direction, and what distance?) | No |  | No |  |
| CULTURAL HERITAGE/ARCHAEOLOGY | | | | |
| Are there any areas or features which are protected for their cultural heritage or archaeological value, or any non-designated / classified areas and/or features of cultural heritage or archaeological importance on or around the location which could be affected by the project (including potential impacts on setting, and views to, from and within)? Where designated indicate level of designation (international, national, regional or local). | No | There is no record of any archaeological features within the site however there references within literature and paintings that a watchtower may have existed at this location. | No | An archaeological watching brief (imposed by condition), along with appropriate mitigation, would ensure no significant effects. |
| Transport and Access | | | | |
| Are there any routes on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project? | Yes | The site is located next to an existing car which is the starting point for walkers and cyclists accessing the south of Loch Katrine | No | The proposals will be a visitor attraction that could increase parking demand however given the scale of the development any impacts would not significant. |
| Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project? | Yes | The A821 can be busy in peak periods and experiences indiscriminate parking next to the site when the car park is full. | No | Given the small scale nature of the development the proposal will not result in a significant increase in traffic using this road. |
| land use | | | | |
| Are there existing land uses or community facilities on or around the location which could be affected by the project? E.g. housing, densely populated areas, industry / commerce, farm/agricultural holdings, forestry, tourism, mining, quarrying, facilities relating to health, education, places of worship, leisure /sports / recreation. | No |  | n/a |  |
| Are there any plans for future land uses on or around the location which could be affected by the project? | No |  | n/a |  |
| land stability and climate | | | | |
| Is the location susceptible to earthquakes, subsidence, landslides, erosion, or extreme /adverse climatic conditions, e.g. temperature inversions, fogs, severe winds, which could cause the project to present environmental problems? | No |  | n/a |  |
| cumulative effects | | | | |
| Could this project together with existing and/or approved development result in cumulation of impacts together during the construction/operation phase? | No |  | n/a |  |
| Transboundary effects | | | | |
| Is the project likely to lead to transboundary effects?[[2]](#footnote-2) | No |  | n/a |  |

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| CONCLUSIONS – ACCORDING TO EIA REGULATIONS SCHEDULE 3 | | |
| Loch Lomond & the Trossachs National Park, as Planning Authority, hereby adopts the Screening Opinion that an Environmental Impact Assessment **WILL NOT** be required.  In reaching this opinion the Authority has had regard to Schedule 3 of the Regulations. | | |
| Assessment (EIA regs schedule 2 development) | **OUTCOME** | |
| **Is likely to have significant effects on the environment** | ES required |  |
| **Not likely to have significant effects on the environment** | ES not required |  |
| **More information is required to inform opinion** | Request further info |  |

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| --- | --- |
| **NAME** | Vivien Emery |
| **DATE** | 17 August 2021 |

Checklist updated on 17 August 2021

1. See question 8.1 for consideration of impacts on heritage designations and receptors, including on views to, within and from designated areas. [↑](#footnote-ref-1)
2. The Regulations require consideration of the transboundary nature of the impact. Due to the Scotland’s geographical location the vast majority of cases are unlikely to result in transboundary impacts. [↑](#footnote-ref-2)