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**Our Ref:** AMacN / CL / 87 097  
**Your Ref:** SO / 11 / 04  
**Date:** 28<sup>th</sup> July 2011

Mr David Ashman  
Inverclyde Council  
Municipal Buildings  
Clyde Square  
Greenock  
PA15 1LY

Dear David,

### 87097 – Gourock Pierhead Regeneration – EIA Scoping

**Proposed alterations and environmental improvements to existing car parks and construction of new public realm areas, open space, public realm link with associated car parking and associated engineering works at Gourock.**

### The Environmental Impact Assessment (Scotland) Regulations 2011

Further to our recent correspondence, please find enclosed two copies of the Scoping Report which has been prepared by W.A. Fairhurst & Partners (Fairhurst), on behalf of Riverside Inverclyde (RI), to support our request for a scoping opinion from Inverclyde Council (the Council) for the above development.

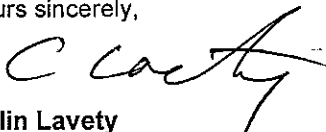
In accordance with Regulation 10(1) of The Environmental Impact Assessment (Scotland) Regulations 2011 (the Regulations), and in advance of a formal planning application being submitted, Fairhurst request that the Council provide a formal scoping opinion by stating, in writing, their opinion as to the information to be provided in the environmental statement. In line with the Regulations, and in order to enable the Council to adopt a scoping opinion, the Scoping Report includes;

- Drawings which identify the land in question (1194-37) and provides an indicative layout of the proposed development (1194-33A);
- A description of the nature and purpose of the development and its possible effects on the environment; and
- Other relevant information.

Fairhurst trust that the information provided is sufficient, however if the Council require any further information to allow them to provide a scoping opinion please contact us immediately.

We look forward to a response and would be grateful if the Council could provide their scoping opinion as soon as possible, and certainly within the statutory 5 week response period.

Yours sincerely,



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**Planning & Development**

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ENCL: Scoping Report , Drawings and Appendices (x2)

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# Gourock Pierhead Regeneration

## Proposed Environmental Improvements and Public Realm Link



## EIA Scoping Report

July 2011



engineering solutions, delivering results

## CONTROL SHEET

**CLIENT:** Riverside Inverclyde  
**PROJECT TITLE:** Gourock Pierhead Regeneration  
**REPORT TITLE:** EIA Scoping Report  
**PROJECT REFERENCE:** 87097

### Issue and Approval Schedule:

FINAL	Name	Signature	Date
Prepared by	James Jamieson	<i>James Jamieson</i>	27 / 07 / 11
Reviewed by	Colin Lavety	<i>C Lavety</i>	27 / 07 / 11
Approved by	Miles Walker	<i>Miles Walker</i>	27 / 07 / 11

### Revision Record:

Issue	Date	Status	Description	By	Chk	App

This report has been prepared in accordance with procedure OP/P03 of W.A. Fairhurst & Partners' Quality Assurance System.

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## SUMMARY

### Introduction

Riverside Inverclyde have instructed W.A. Fairhurst & Partners (Fairhurst) to prepare this Scoping Report and request a formal Scoping Opinion from Inverclyde Council (the Council) as part of the Environmental Impact Assessment (EIA) process for the Gourock Pierhead Regeneration Project (the Project).

### Site Location and Description

The application site is located within Gourock town centre, to the rear of Kempock Street and is focussed around the area of foreshore / beach directly to the west of the existing train station. The main components of the site are two areas of car parking - the first at the train station and the second between the buildings on the north side of Kempock Street and the Firth of Clyde.

### Planning Policy and Environmental Designations

The site is covered by various site specific allocations and policies in the Inverclyde Local Plan (adopted 2005). Policy R9 and Policy SA4 seek to secure the improvement / redevelopment of Gourock Town Centre. Accordingly, the site is considered by the Council to be a priority for development, and the Proposals are therefore compliant with planning policy

### Nature and Purpose of Development

The Proposals form part of a larger development strategy aimed at improving transport infrastructure, providing development opportunities and delivering environmental / public realm improvements within Gourock. RI are seeking detailed planning permission to undertake the following environmental improvements:

- Alterations to the configuration of car parking and new public realm at the existing car park to the north of Kempock Street;
- A new public realm link and car parking between car parks (involving build out across the existing beach / intertidal area);
- Alterations to the configuration of the car parking, with new public realm and open space at the existing car park at the station; and
- Associated development, such as landscaping etc

### Possible Environment Effects

Fairhurst have attempted to consider all the potential effects of the Project in terms of the following areas and identified those effects which have the potential to be significant and, therefore, should be included in the EIA;

- |                                    |                                    |
|------------------------------------|------------------------------------|
| - Noise and Vibration              | - Air Quality                      |
| - Landscape and Visual Impact      | - Soils, Contamination and Geology |
| - Ecology (Terrestrial and Marine) | - Cultural Heritage                |
| - Water Environment                | - Socio-economic                   |
| - Transport and Access             |                                    |

### Proposed Format and Content of the Environmental Statement

Taking Section 5 of this report and the Council's Screening Opinion into consideration, Fairhurst propose that the EIA contains the following:

#### **Need for Development and Alternatives**

Assessment of the need for development, discussion of alternatives and mitigation measures

#### **Marine Ecology**

Assessment of cumulative effect of the Proposals on benthic species and marine habitats

#### **Water Environment**

Potential effects of the Proposals on coastal processes, sediment disturbance etc

#### **Transport & Access**

Assess effects on pedestrian and vehicle movement and the surrounding transport network

#### **Soils, Geology and Contamination**

Potential for construction to disturb contaminated material and any resulting effects

#### **Socio-Economic**

Effects of the Proposals on economic and social conditions

### Consultation

Throughout the development of the Proposals, RI and their appointed project team have consulted with a wide range of stakeholders to guide the design process and project decisions to date. In addition, formal public consultation events will be held before the planning application for the Proposals are submitted to the Council.

### Conclusions

To conclude, Fairhurst consider that the elements / issues set out in Section 6 (above) of this report should form the basis of the ES which will accompany the application for planning permission in due course. Additionally, it should be noted that those issues which Fairhurst consider should be scoped out of the EIA will be addressed, as required, in the supporting information and Supporting Statement which will accompany the planning application(s). The proactive and front loaded nature of the design process associated with the Proposals to date will result in an environmentally sensitive design with appropriate mitigation measures which will result in no significant negative effects on the environment.

## 1 Introduction

- 1.1 Riverside Inverclyde (RI / the Applicant) have instructed W.A. Fairhurst & Partners (Fairhurst) to prepare this Scoping Report under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 (the Regulations).
- 1.2 This report accompanies Fairhurst's request (on behalf of RI) for Inverclyde Council (the Council) to adopt a Scoping Opinion under Regulation 14 of the Regulations for:
- "proposed alterations and environmental improvements to existing car parks and construction of new public realm areas, open space, public realm link with associated car parking and associated engineering works" (the Proposals).*
- 1.3 A detailed planning application for these Proposals, accompanied by the Environmental Statement (ES) which this scoping report relates to, will be submitted to the Council for determination.
- 1.4 The Proposals, form part of the wider regeneration programme in Gourock (refer to Section 3 below for details).
- 1.5 Planning Circular 3/2011 - the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011, states that the main purpose of EIA is to ensure that the Planning Authority "makes its decision in full knowledge of any likely significant effects on the environment" (Paragraph 8). With this in mind, Planning Advice Note (PAN) 58 – Environmental Impact Assessment states (in Paragraph 41) that the purpose of the Scoping stage of the EIA process is:
- To focus the EIA on the environmental issues and potential impacts which need the most thorough attention;
  - To identify those which are unlikely to need detailed study; and
  - To provide a means to discuss methods of impact assessment and reach agreement on the most appropriate.
- 1.6 To date, a significant level of technical appraisal has already been undertaken and a Screening Opinion was requested from the Council by Fairhurst on behalf of RI on 31<sup>st</sup> May 2011 (refer to Appendix A). The Council subsequently adopted a positive Screening Opinion on 21<sup>st</sup> June 2011 (refer to Appendix B), confirming that the planning application for the Proposals must be accompanied by an ES.
- 1.7 Accordingly, the aim of this Scoping Report reflects the above aims, by focussing the EIA on the likely significant effects of the Proposals. Primarily, this Scoping Report has been prepared in order to gain the opinion of the Council (as Planning Authority) as to the information to be provided in the ES which will accompany the application(s) for planning permission as well as other environmental consents / licences for the Proposals.
- 1.8 In line with the Regulations, this Scoping Report includes plans sufficient to identify the land (refer to Drawing 1194-37 which shows the site boundary) and provide an indication of the works (refer to Drawing 1194-33A which provides an indicative layout of all the Proposals) and a brief description of the nature and the purpose of the development and its possible environmental effects. Additionally, Fairhurst have set out an opinion on which aspects of the Proposal's potential effects on the environment should be assessed as part of the ES.

## **2 Site Location and Description**

- 2.1 The application site is located within Gourock town centre, to the rear of Kempock Street and is focussed around the area of foreshore / beach directly to the west of the existing train station (Gourock) (refer to Drawing 1194-37 which outlines the location of the site).
- 2.2 The main components of the site are two areas of car parking (the first at the train station and the second between the buildings on the north side of Kempock Street and the Firth of Clyde). There is an area of rough, apparently previously developed land to the north of the station car park, between the car park itself and the Firth of Clyde.
- 2.3 The station car park is currently accessed via a junction with Shore Street, and the western car park is currently accessed via a junction with Albert Road, at the western end of Kempock Street.
- 2.4 Separating these two areas is a stretch of rough ground and intertidal foreshore / beach, situated on the Firth of Clyde below buildings at the east end of Kempock Street.
- 2.5 The site's surroundings are a combination of established residential areas, commercial floor space along Kempock Street and the train station. Albert Road, Kempock Street and Shore Street provide the main arterial routes to, from and through Gourock

## **3 Planning Policy and Environmental Designations**

### **3.1 Planning Policy**

- 3.1.1 The site falls within various site specific allocations and policies in the Inverclyde Local Plan (adopted 2005). At this stage in the development of Proposals, it is not necessary to list all of the planning policies which are considered relevant to the proposals. As such, the key policies only are provided below.
- 3.1.2 Policy R9 – 'Gourock Town Centre Development Strategy' states that the Council "will seek to secure the improvement of Gourock Town Centre through the implementation of proposals set out in the 'Central Gourock Development Strategy' (the CGDS), and any successor strategy, in accordance with Special Area Policy SA4". Fairhurst consider that this policy of the Local Plan provides the Council's support to initiatives to improve Gourock's town centre.
- 3.1.3 Policy SA4 encourages the development of the Gourock Pierhead site and emphasises that any development should include an integrated transport exchange. Over the long term, a range of uses are encouraged within the area to ensure the regeneration of the town centre area.
- 3.1.4 Policy HR17 'Improving the Public Realm' states that the Council will seek to improve the public realm, by entering into Partnerships with other agencies, to promote good design and landscaping.
- 3.1.5 The above policies demonstrate that the site is considered by the Council to be a priority for development, and the Proposals are therefore compliant with planning policy.

### **3.2 Environmental Designations**

- 3.2.1 It is noted from the Local Plan's Environmental Constraints Plan (unless stated) that;
  - the site is partially within the Gourock Harbour Hazardous Use and Consultation Zone;
  - The Kempock Standing Stone Scheduled Ancient Monument (SAM) is located approximately 60 metres to the south of the site and overlooks Kempock Street;

- 44 - 50 Kempock Street (even numbers only) are B Listed Buildings (from online records); and
- The western boundary of the Inner Clyde Estuary Site of Special Scientific Interest is approximately 3.5 miles to the south east of the site.

## **4 Nature and Purpose of Development**

- 4.1 The Proposals form part of a larger development strategy / programme aimed at improving transport infrastructure, providing development opportunities and delivering environmental / public realm improvements within Gourock.
- 4.2 An overall masterplan and phasing strategy have already been produced and these are intended to guide the overall development in a planned manner. It is envisaged that the overall programme of works will take place in several phases, however the full extent of the overall development is not yet known and discussions continue regarding the scope of potential future marina and commercial developments.
- 4.3 At this stage, RI are seeking detailed planning permission to undertake only the environmental improvements which are focussed mainly around the western car park at Kempock Street. As such, the current Proposals involve Phases I, II, III and IV as shown on Drawing 1194-31A (submitted with the Screening Letter), and the combination of these Phases constitutes the following Proposals:
- Alterations to the configuration of car parking and new public realm at the existing car park to the north of Kempock Street;
  - A new public realm link and car parking between car parks (involving build out across the existing beach / intertidal area);
  - Alterations to the configuration of the car parking, with new public realm and open space at the existing car park at the station; and
  - Associated development, such as landscaping etc.
- 4.4 As part of the Proposals, the level of the ground will be raised to form a platform for the public realm link between the existing car parks. The platform will be supported by a sloped embankment with revetment protection into the existing beach / intertidal area.

## **5 Possible Effects on the Environment**

### **5.1 Introduction**

- 5.1.1 This section of the Scoping Report follows the methodology set out in 'Section B6 - Scoping Tools' of the European Commission's Guidance on EIA – Scoping (June 2001), by identifying:
- The characteristics of the Proposals which could give rise to significant effects on the environment;
  - The characteristics of the environment which could be affected; and
  - Which of these effects are likely to be significant (to focus the EIA on these issues).



- 5.1.2 In addition to the above, and with a view to ensuring that the decision making process reflects the sensitivities of the surrounding environment, alternatives and mitigation measures will also be considered as far as practicable at this stage in the Project.

## **5.2 Need for Development and Alternatives**

- 5.2.1 The Proposals form part of the wider programme of regeneration works which are aimed at improving Gourock's town centre. The Proposals will play a key role in this by improving the environment of the parking provision and the public realm area at the pierhead as well as creating a link road between the two areas of car parking. This link road will improve permeability throughout the area, including pedestrian access between Kempock Street and the seafront.
- 5.2.2 The main aspect of the scheme which has been considered in terms of alternatives is the link road, specifically in relation to its design (retaining wall / revetment).
- 5.2.3 For the link road, two main options have been considered, and these were assessed in terms of a number of factors, including technical suitability, cost and environmental considerations:
- (1) Rock revetment; and
  - (2) Retaining Wall (pre-cast concrete with vertical face).
- 5.2.4 Option 1 (revetment) has been selected by RI as the preferred option and full details of why this option was considered will be included within the ES.

## **5.3 Potential Environmental Effects**

- 5.3.1 In line with the relevant guidance and standard procedure, Fairhurst have attempted to identify all of the relevant characteristics of the Proposals which have the potential to have a significant effect on the environment. Subsequently, each characteristic has been compared against each relevant environmental characteristic to assess the likely significance of the effect.
- 5.3.2 As such, the purpose of the remaining sections of this Chapter is to scope in or out the potential environmental effects and to determine which of these should be included within the ES in addition to 'statutory' chapters such as Need for Development and Alternatives.
- 5.3.3 Generally speaking, Fairhurst consider that the main aspect of the Proposals which has the potential to have a significant effect on the environment is the section of link road between the two car park areas. However, the whole scheme has been assessed below to ensure a robust approach in identifying the likely significant effects of the Proposals.

## **5.4 Noise and Vibration**

### ***Relevant Project Characteristics***

- 5.4.1 The following aspects of the Proposals are considered by Fairhurst to have the potential to affect the environment as a result of noise and vibration:
- Construction and delivery vehicles, machinery and plant;
  - Construction activities such as ground compaction and laying down material etc;
  - End users (primarily vehicles).

### ***Potentially Affected Environmental Characteristics***

5.4.2 Fairhurst consider that the following environmental characteristics of the site and its surroundings could be affected by the above project characteristics in terms of noise and vibration:

- The settlement of Gourock (users / occupiers of nearby dwellings, commercial properties, train station etc);
- Ecological habitats and species (marine and terrestrial);
- The marine water environment (water quality, siltation etc);
- Seabed and sediment; and
- The general amenity of the site and the surrounding area.

5.4.3 The above receptors may be affected during the construction or operational phases of the Proposals.

### ***Significance of Environmental Effects***

#### ***Construction and Delivery Vehicles, Machinery and Plant***

5.4.4 In terms of the noise and vibration associated with construction and delivery vehicles, machinery and plant, it is considered that the environmental characteristics which could be affected are the settlement of Gourock, ecological species and the general amenity of the site and surrounding area. However it is considered that these effects will not be significant for the following reasons.

5.4.5 Firstly, it is acknowledged that construction materials, vehicles and plant will pass through the surrounding settlement en route to the site and there may be resulting disturbance. However, this effect will be temporary and is not expected to result in any lasting negative impact or disturbance. Additionally, it is not expected that these effects will occur early in the morning, in the evenings, at holidays or at weekends, in line with best practice.

5.4.6 There is likely to be an effect on terrestrial ecological receptors as a result of noise and vibration although this will be temporary. Additionally, it is noted that there are no environmental designations relating to ecology covering the site.

5.4.7 Furthermore, the Phase 1 Habitat and Expert Eye Survey (the Habitat Survey) which has already been undertaken to guide the design and consenting process (refer to Appendix C) notes that the land-use zone of the site is ecologically poor.

5.4.8 In terms of terrestrial ecology, the Habitat Survey notes that the site is unlikely to be used extensively by otters and that the opportunities for roosting bats and nesting bats are limited. Controlling the effects of the Proposals on bats and birds, as well as their habitats (i.e. the introduction of mitigation measures) can be controlled via condition of the planning consent. Up to date surveys would be undertaken to guide this process as deemed necessary.

5.4.9 It is expected that there will be no significant effect on marine ecology as a result of noise and vibration associated with vehicles, plant and machinery. This is because it is unlikely that vehicles, plant and machinery will be used in the marine environment.

5.4.10 In terms of the impact of the noise and vibration associated with vehicles, plant and machinery on general amenity, this is not expected to be significant. The properties which overlook the site are noted, although Fairhurst consider that the effects of noise and vibration on these from vehicles, plant and machinery will not be significant.

5.4.11 This is because construction will take place during normal working hours, in line with best practice. It will also be ensured that plant and machinery is regularly maintained to avoid excess noise and vibration. It is likely that a Construction Method Statement will be prepared, and this will provide detail relating to best practice in terms of noise disturbance minimisation etc.

#### *Construction Activities*

5.4.12 Construction activities are not expected to have a significant effect on the environmental characteristics in terms of noise and vibration other than the effects on terrestrial and marine ecology.

5.4.13 Construction activity will not result in a significant negative effect on nearby buildings and their users due to the use of appropriate working hours and appropriate, well maintained machinery and plant. The effects will also be temporary and noise generating activities will be intermittent.

5.4.14 There will be some impact on habitats and species, although this is expected to be limited. The Habitat Survey notes that the land-use zone of the site is ecologically poor, the site is unlikely to be used extensively by otters and that the opportunities for roosting bats and nesting bats are limited. It is considered that controlling the effects of the Proposals on bats and birds, as well as their habitats, can be controlled via condition of the planning application. Up to date surveys would also be undertaken (if deemed necessary) to guide this process.

5.4.15 There will be no significant effect on marine habitats and species as a result of noise and vibration. Although there will be rock placing in the marine environment, this will not extend significantly into the marine environment (refer to Drawing 1194-33A). Additionally, it is noted that the site is not within or adjacent to any environmental designations. The potential for vibration to mobile potentially contaminated sediment is noted, and this is addressed below in Section 5.12.

#### *End Users*

5.4.16 It is not expected that the noise and vibration associated with end users will have a significant negative effect on the environment. Road traffic levels on the new road are unlikely to result in significant levels of noise and vibration due to the layout and likely speed of vehicles. The noise and vibration associated with use of the car park is not expected to change from current levels, as the overall quantity of parking will not change significantly.

#### ***Assessment Methodology, Alternatives and Mitigating Measures***

5.4.17 Overall, and for the reasons set out above, Fairhurst consider that **the potential effects of noise and vibration will not be significant and should be scoped out** of the EIA.

5.4.18 It is noted that there is likely to be some impact on terrestrial and marine ecology as a result of noise and vibration associated with construction activity. However, this is not likely to be significant and can be dealt with by use of condition (to control the potential effects of the Proposals on bats and birds (especially in terms of roosting and nesting)).

## **5.5 Landscape and Visual Impact**

### ***Relevant Project Characteristics***

5.5.1 The following aspects of the Proposals are likely to affect the landscape and visual appearance of the site and its surroundings:

- Environmental improvements to car parking and public realm areas; and
- Construction of link road between car parks.

#### ***Potentially Affected Environmental Characteristics***

- 5.5.2 The site's appearance will be affected by the Proposals. Fairhurst consider that this will primarily be a result of the construction of the link road between the two car park areas and the change in views into and across the site from a range of viewpoints.
- 5.5.3 There is also the potential for the wider landscape and visual setting of the site to be affected. However, it is noted that the site is not within a National Scenic Area (NSA).

#### ***Significance of Environmental Effects***

- 5.5.4 The current appearance of the site is a combination of degraded foreshore, which is blighted by rubbish and evidence of anti-social behaviour, and areas of car park which contribute little in relation to their location on the foreshore of the area.
- 5.5.5 It is considered that there will be significant change in the appearance of the site itself. However, aesthetically this is considered to be an improvement and the effects on the overall landscape and visual setting will not be significant, as the only significant additional aspect of the Proposals is the link road.
- 5.5.6 Fairhurst also note that a Design and Access Statement (DAS) will be required to accompany the planning application and this will include analysis of the design process and how the Proposals will integrate and interact with the landscape and visual appearance of the area. Fairhurst consider that use of the DAS appropriately reflects the likely effects of the Proposals on the landscape and visual setting of the site and its surroundings.

#### ***Assessment Methodology, Alternatives and Mitigating Measures***

- 5.5.7 Due to the nature of the proposed development and the site's location outwith a NSA, it is **proposed that landscape and visual impact is scoped out of the EIA** as the effects on the landscape and visual setting of the Proposals will not be significant. A specific section in the DAS will assess the Proposals' effects on the landscape and visual setting of the site and its surroundings.

### **5.6 Terrestrial Ecology**

#### ***Relevant Project Characteristics***

- 5.6.1 The following aspects of the Proposals have the potential to affect terrestrial ecology habitats and species;
- Development of Link Road;
  - Effects of end users (primarily car park and link road users)

- 5.6.2 It should be noted that the effects of noise and vibration on terrestrial ecology are considered above in Paragraphs 5.4.8 to 5.4.9.

#### ***Potentially Affected Environmental Characteristics***

- 5.6.3 Existing habitats, flora and fauna have the potential to be affected by the Project;

#### ***Significance of Environmental Effects***

##### *Development of Link Road*

- 5.6.4 The Habitat Survey notes that the terrestrial areas of the site are ecologically poor. More specifically, the Habitat Survey notes that opportunities for roosting bats and nesting birds are very limited. Recommendations are made regarding the effects of site clearance on nesting birds (refer to Paragraph 5.6.9 below).
- 5.6.5 Evidence of otter activity was noted during the field work which forms the basis of the Habitat Survey. However the Habitat Survey notes that this should not be seen as significant in relation to the otter's territorial range. There was no evidence of sustained use of the site by otters and the rocks on the site do not appear to provide good opportunities for resting up or holts.
- 5.6.6 Taking the above into consideration, Fairhurst consider that the construction of the link road over this area will not result in a significant effect on terrestrial ecological habitats.

*Effects of End Users*

- 5.6.7 Fairhurst consider that there is unlikely to be any significant effect on terrestrial ecology as a result of end users. Surface water runoff from the proposed link road will be controlled in a sustainable way. Fairhurst consider that the effects of users of the car park and link road on terrestrial ecology are unlikely to significant.

***Assessment Methodology, Alternatives and Mitigating Measures***

- 5.6.8 Fairhurst consider that **the effects of the Proposals on terrestrial ecology should be scoped out of the EIA** as there are unlikely to be any significant effects for the reasons set out above.
- 5.6.9 The Habitat Survey notes that although otters are present, the site is unlikely to be highly significant for otters due to their territorial range. The potential effects of the Proposals on nesting birds can be controlled through use of condition stipulating the avoidance of site clearance during nesting season, or further survey work if this can not be avoided.

**5.7 Marine Ecology**

***Relevant Project Characteristics***

- 5.7.1 The following project characteristics have the potential to have an effect on marine habitats and species;
- Construction activity in the marine environment (the intertidal area in this case);
  - Introduction of built development into the marine environment (the intertidal area in this case);
  - Leachate, sediment and dust disturbance from construction activity in and around the marine environment;
  - Effects of end users and future activities on marine ecology.

***Potentially Affected Environmental Characteristics***

- 5.7.2 In terms of marine ecology, the above Project characteristics have the potential to have an effect on benthic species and habitats. Additionally, construction in the marine environment may alter coastal processes (refer to Section 5.8) and this must also be considered in terms of the potential effect on marine habitats and species.

***Significance of Environmental Effects***

- 5.7.3 It should be noted that the aspects of the Proposals which involved development in the marine environment are in the inter-tidal area and do not extend below the Mean Low Water

Spring (MLWS) level. This should minimise the impacts of construction on the marine environment of the Proposals.

*Construction Activities in the Marine Environment*

5.7.4 It is anticipated that the link road will be constructed by up-filling from the beach then finishing the road with tarmac etc, and placing rock in place to form the revetment. This will take place from the existing car parks initially, then from the link road as it is constructed. It is unlikely that construction plant will be located on the beach or in the intertidal area. As such, there will be minimal construction work undertaken in the marine environment, other than the placement of the rocks to form the revetment.

5.7.5 However, the process of building on the foreshore and placing rock to form the revetment has the potential to affect ground conditions, and may result in existing contaminants being introduced into the marine environment to the detriment of habitats and species. Fairhurst note that information contained in the Council's Screening Opinion reflects this stance.

*Introduction of Built Development into the Marine Environment*

5.7.6 The construction of the rock revetment has the potential to have an effect on the marine environment. The proposed revetment will partially extend into the intertidal zone, impacting on the species and habitats in this area. The Habitat Survey identifies a range of species in this area, although a systematic search was not undertaken.

5.7.7 However, no species of special note (i.e. protected species or other species worth drawing specific attention to in the habitat survey) were identified in this area. As such, Fairhurst consider that, notwithstanding construction activity and its potential impacts on ground disturbance, the introduction of the rock revetment into the inter-tidal area will not result in any significant effects on the environment.

*Leachate, Sediment and Dust Disturbance*

5.7.8 The construction activity associated with the Proposals has the potential to result in leachate, sediment and dust etc entering the marine environment. Due to the previously developed nature of much of the site, this may include silt and leachate etc which may harm the environment.

5.7.9 This may be a significant effect, and the full extent of the ground conditions in the site and its surroundings are not yet known. A Desk Study has been undertaken by Fairhurst (June 2010) and this states that the current understanding of ground conditions is based on desk study, and should be enhanced by intrusive investigation.

5.7.10 Although mitigation measures such as damping down stockpiles and avoiding storage of materials near water bodies will be used, there is still the potential for a significant effect on the marine environment as a result of disturbance of contaminated materials and their introduction into the marine environment.

*Effects of End Users and Future Uses*

5.7.11 The activities of end users are not expected to have a significant effect on marine ecology. Drainage design will be in line with SuDS principles to avoid any significant negative effect of surface water drainage on the marine environment.

### ***Assessment Methodology, Alternatives and Mitigating Measures***

- 5.7.12 Overall, and in line with the Council's reasons for requesting an EIA, it is proposed to **scope into the assessment the potential effects of the Proposals on marine ecology**.
- 5.7.13 This assessment will focus on the effects of the construction processes on the marine environment, and will consider the findings of the intrusive ground investigation to prepare mitigation measures to break pathways between contaminated ground etc and the marine environment. Additionally, it is proposed to prepare a Pollution Prevention Statement and Construction Method Statement(s) to mitigate the effects of the construction process on the marine environment.
- 5.7.14 It is likely that the Needs and Alternatives section of the ES will address alternative construction methods and approaches for the aspects of the Proposals which will affect the marine environment. It is also likely that there will be significant cross referencing and correlation of findings / results etc between the Marine Ecology, Water Environment and Soils, Contamination and Geology Chapters of the ES (refer to relevant sections in this report).

## **5.8 Water Environment**

### ***Relevant Project Characteristics***

- 5.8.1 The Project will result in a minor permanent physical change to the water environment as a result of the construction of the link road and its revetment.
- 5.8.2 Additionally, the facilities provided as part of the Project will result in the generation of surface water runoff. There is also the potential for existing (and potentially historic / unrecorded) infrastructure such as drainage outfalls to be affected by the Proposals.
- 5.8.3 As detailed above in Paragraphs 5.7.8 to 5.7.9, there is the potential for ground conditions to be altered and affect the water environment.

### ***Potentially Affected Environmental Characteristics***

- 5.8.4 The above project characteristics have the potential to affect the dynamics and quality of the water environment.

### ***Significance of Environmental Effects***

- 5.8.5 Due to the very minor extent of development within the marine environment, and as it is not below MLWS, the effect on hydrodynamics (tides and coastal process etc) is expected to be insignificant. Additionally, there are unlikely to be significant currents flowing across the site due to its location, which is set back from adjacent protrusions into the sea of reclaimed land.
- 5.8.6 However, there is the potential for a significant effect on the environment should construction result in leachate and dust etc being introduced into the water environment.

### ***Assessment Methodology, Alternatives and Mitigating Measures***

- 5.8.7 Overall, Fairhurst consider that the **potential effects of the Project on the water environment are scoped in to the EIA**.
- 5.8.8 This will focus on the effects of the Proposals on coastal water quality, as a result of the potential to affect existing discharges as well as new surface water drainage requirements. Additionally, the Water Environment chapter of the ES will cross reference and include the

findings of other relevant chapters such as Marine Ecology and Soils, Contamination and Geology.

## **5.9 Transport and Access**

### ***Relevant Project Characteristics***

5.9.1 Fairhurst consider that the following aspects of the Proposals have the potential to affect the environment in terms of transport and access;

- Traffic associated with construction phase and access implications / restrictions (including noise and vibration – please refer to Section 5.4);
- Traffic associated with operational phase (i.e. site users);
- Accessibility of proposed development (layout and design etc); and
- Effect of emissions from transportation on air quality (see Section 5.10).

### ***Potentially Affected Environmental Characteristics***

5.9.2 The following are considered to be the environmental characteristics of the site and its surrounding which could be affected, in terms of transportation and access, by the construction and operation of the Proposals;

- Local air quality (public health and ecological receptors);
- Amenity and character site and its surroundings; and
- Water (ground and marine) and soil (terrestrial and marine) quality.

### ***Significance of Environmental Effects***

#### ***Construction Traffic***

5.9.3 It is not considered that the traffic associated with the construction phase will have a significant effect on local air quality, the amenity of the site and its surroundings or water quality. This is due to the temporary nature of the construction phase. Issues of noise and vibration associated with construction traffic are set out in Paragraphs 5.4.4 to 5.4.5 above.

5.9.4 Best practice and the relevant legislation will be complied with in terms of maintaining vehicles and fuel storage areas. This will ensure that there is no significant effect on water or soil quality by minimising the risk of accidents and spillages etc.

#### ***Traffic – Operational Phase***

5.9.5 The overall number of car parking spaces will not increase significantly, and as such it is not expected that there will be any significant effect on the environment as a result of the Proposals.

5.9.6 There is, however, the potential for a significant effect on the environment as a result of altering the potential routes for traffic in and around the site, through alterations to traffic patterns.

#### ***Accessibility***

5.9.7 There is the potential for significant changes to the overall accessibility and permeability of the site and its surroundings, including Kempock Street, as a result of the Proposals. This is due to the anticipated site layout, which includes alterations to pedestrian movement through the creation of new and improved through routes between Kempock Street and the rear / northern sides of the commercial properties on this street.



- 5.9.8 This has the potential to affect the character of the site and its surroundings, as well as socio-economic conditions.

*Transportation and Air Quality*

- 5.9.9 Please refer to Section 5.9 for details of this aspect of the effects of transportation on the environment.

***Assessment Methodology, Alternatives and Mitigating Measures***

- 5.9.10 It is **proposed that transportation and access issues are scoped in to the EIA** as there is likely to be a significant effect.

- 5.9.11 Fairhurst consider that the ES should focus on the alterations to vehicular and pedestrian movement patterns as a result of the Proposals. This would be used to assess the effects of the Proposals on the overall character and nature of the site and its surroundings. It is also noted that this information would be set out in the DAS which will accompany the planning application.

**5.10 Air Quality**

***Relevant Project Characteristics***

- 5.10.1 Fairhurst consider that the following characteristics of the Proposals have the potential to have an effect on air quality;

- Emissions from operation of construction traffic;
- Emissions from machinery and plant associated with construction activities;
- Other construction activity (i.e. rock placement); and
- Emissions from users.

- 5.10.2 Fairhurst note that there is the potential for an effect on air quality both in terms of vehicle / machinery emissions (i.e. burning of fuel) and dust emissions / disturbances from construction activities.

***Potentially Affected Environmental Characteristics***

- 5.10.3 Fairhurst consider that the following environmental characteristics may be affected by the above project characteristics;

- Air quality and amenity (effects on dwellings and community facilities etc) in and around the site and its surroundings; and
- Terrestrial and marine habitats.

***Significance of Environmental Effects***

- 5.10.4 Overall, Fairhurst consider that in terms of air quality, the only environmental effect which has the potential to be significant is the effect of contaminated material being disturbed and resultant fugitive dust emissions entering the marine environment. This issue is considered in Sections 5.7 and 5.12).

- 5.10.5 Emissions from construction traffic are not expected to be significant and transported goods which may give rise to dust emissions will be carefully stored and washed down etc.

- 5.10.6 Additionally, best practice will be employed on the construction site, including damping down of stockpiles and wheel washes to minimise dust emissions. This, in turn, will minimise the potential effects on the nearby built up area as well as terrestrial habitats and species.

5.10.7 The effects of emissions from users' vehicles are not expected to be significantly different to the existing situation, which does not appear to be resulting in a significant effect on the environment locally. It should be noted that there is no significant increase in the number of parking spaces in the parking areas of the site.

***Assessment Methodology, Alternatives and Mitigating Measures***

5.10.8 It is **proposed that the effects of the Proposals in terms of air quality are scoped out of the EIA**. It should be noted that the potential effects of construction activity resulting in fugitive dust emissions, which may be contaminated, will be considered by the proposed Construction Method Statement and Pollution Prevention Statement. Reference should also be made to Sections 5.7 and 5.12 of this report in this regard.

## **5.11 Cultural Heritage**

***Relevant Project Characteristics***

5.11.1 The Proposals will result in a permanent change in land use and cover in the area covered by the link road. The Proposals also have the potential to result in a change in the character of the site and its surroundings, primarily by virtue of the introduction of the link road.

5.11.2 From online records it appears that the site is not of special interest in terms of archaeology. It is noted that Headland Archaeology undertook documentary research and a watching brief of the area around the train station, and this recorded the various changes in use of the area through history.

***Potentially Affected Environmental Characteristics***

5.11.3 Fairhurst have identified the following cultural heritage characteristics of the environment which could be affected by the proposals;

- 44 - 50 Kempock Street (even numbers only), B Listed Buildings; and
- The character and 'sense of place' of the site and its surroundings.

***Significance of Environmental Effects***

5.11.4 Fairhurst consider that the Proposals' effects on cultural heritage will not be significant. It is noted that the principal elevation of the listed buildings is to the south. As such, and on this basis, the setting of these buildings will not be significantly affected by the Proposals.

5.11.5 Although the visual appearance of the site will be altered, Fairhurst consider that the overall character of the area will not change significantly. Changes to the permeability of the area will be fully considered in the DAS and in the Transportation Chapter of the ES. Additionally, the effects of the Proposals on the adjacent listed buildings and general townscape setting will be considered in the DAS.

***Assessment Methodology, Alternatives and Mitigating Measures***

5.11.6 Overall, **Fairhurst propose that the Project's impacts on cultural heritage are scoped out** of the EIA as the effects are unlikely to be significant. An assessment of the changes to the character of the surrounding area and the setting of the adjacent listed buildings will be included in the DAS which will accompany the planning application.

## **5.12 Soils, Contamination and Geology**

### ***Relevant Project Characteristics***

5.12.1 Fairhurst consider that the following project characteristics have the potential to have an effect on the environment in terms of soils, contamination and geology;

- Construction activities; and
- Permanent change in land use of beach and foreshore to link road and revetment.

### ***Potentially Affected Environmental Characteristics***

5.12.2 In terms of soils, contamination and geology, there is the potential for the following environmental characteristics to be affected by the Proposals;

- Water quality and marine environment;
- Human receptors;
- Non-human receptors (i.e. buildings, materials placed in ground etc); and
- Soils and geology.

### ***Significance of Environmental Effects***

5.12.3 Overall, Fairhurst consider that there is the potential for significant effects as a result of the site's previously developed nature and the proposed construction and development activity. Careful analysis of site conditions through ground investigation and the development of appropriate mitigation measures to protect the environment are likely to be required to avoid significant negative effects as a result of disturbance of contaminated materials and subsequent leachate and fugitive dust emissions etc.

5.12.4 It is unlikely that the loss of the open area of beach and foreshore will result in significant effects on the environment in terms of soils and geology as this area appears to be of limited ecological value in terms of soil resources.

### ***Assessment Methodology, Alternatives and Mitigating Measures***

5.12.5 It is **proposed that the appropriate potential issues / effects associated with contamination are scoped in to the ES**. This will be based on detailed intrusive ground investigation as well as the existing desk study. The detailed design of the Proposals will include suitable mitigation measures and construction methods etc will be agreed with the Council to avoid any significant negative effects on the environment.

5.12.6 This is especially the case in terms of the potential of the construction of the Proposals to disturb contaminated material. This could have a significantly negative effect on the water environment, specifically including the marine environment. The options associated with appropriate construction methods and processes should be carefully considered to minimise the risk to the environment of working within a previously developed area, and develop mitigation measures as appropriate.

## **5.13 Socio-Economic**

### ***Relevant Project Characteristics***

5.13.1 The following characteristics of the Proposals have the potential to have a significant effect on the social and economic fabric of the site and its surroundings;

- Changes to the accessibility and visibility of commercial properties;
- Changes to the character of the area; and

- Changes to the parking arrangements and environmental quality of the car parks.

***Potentially Affected Environmental Characteristics***

5.13.2 In terms of social and economic considerations, the following characteristics may potentially be affected;

- Local economy, (Kempock Street and nearby commercial areas); and
- Character and 'sense of place' of the site and its surroundings.

***Significance of Environmental Effects***

5.13.3 Fairhurst consider that the Proposals are likely to have a significant effect in terms of socio-economic conditions. This is by virtue of the improvements to access to nearby businesses as a result of increased permeability between the site and Kempock Street and the improved car-parking environments.

***Assessment Methodology, Alternatives and Mitigating Measures***

5.13.4 It is proposed to **scope in to the EIA** the potential effects on social and economic characteristics of the Proposals. A qualitative assessment of the likely socio-economic effects is proposed, focussing on the likely general effects on the site and its surroundings in terms of the vitality and viability of Kempock Street, the likely effects on the character of the area and how the Proposals may affect the long term aspirations of the Council and the applicant to improve Gourock as a place to live and visit.

## **6 Proposed Format and Content of the Environmental Statement**

6.1 Taking Section 5 of this report and the Council's Screening Opinion (including the general comments as well as the reason for requesting an EIA) into consideration, Fairhurst propose that the ES contains the following Chapters / components:

**Need for Development and Alternatives**

Assessment of the need for development, discussion of alternatives and inclusion (as far as possible) of mitigation measures.

**Marine Ecology**

Assessment of cumulative effect of the Proposals on benthic species and marine habitats

**Water Environment**

Potential effects of the Proposals on coastal processes, sediment disturbance etc

**Transport & Access**

Assess effects on pedestrian and vehicle movement and the surrounding transport network

**Soils, Geology and Contamination**

Potential for construction to disturb contaminated material and any resulting effects

**Socio-Economic**

Effects of the Proposals on economic and social conditions

## **7 Consultation**

- 7.1 Throughout the development of the Proposals, RI and their appointed project team have consulted with a wide range of stakeholders to guide the design process and project decisions to date. This has included discussions with the Council, SEPA, SNH and Marine Scotland.
- 7.2 Of particular interest it should be noted that Marine Scotland (MS) have been consulted on the Proposals to receive any relevant feedback. After a series of discussions, MS confirmed that they have no concerns regarding the Proposals (as the works do not take place below MLWS). As such, MS have determined that an EIA is not necessary under the terms of Marine Legislation.
- 7.3 In addition, formal public consultation events will be held before the planning application for the Proposals are submitted to the Council. These are currently programmed to take place in August / September 2011 and will provide the opportunity for members of the community and other stakeholders to comment on the planning application and issues associated with the potential environmental effects of the Proposals. Any opinions and comments received can then be used to further refine the final design of the Proposals and determine whether or not further mitigation measures are necessary.

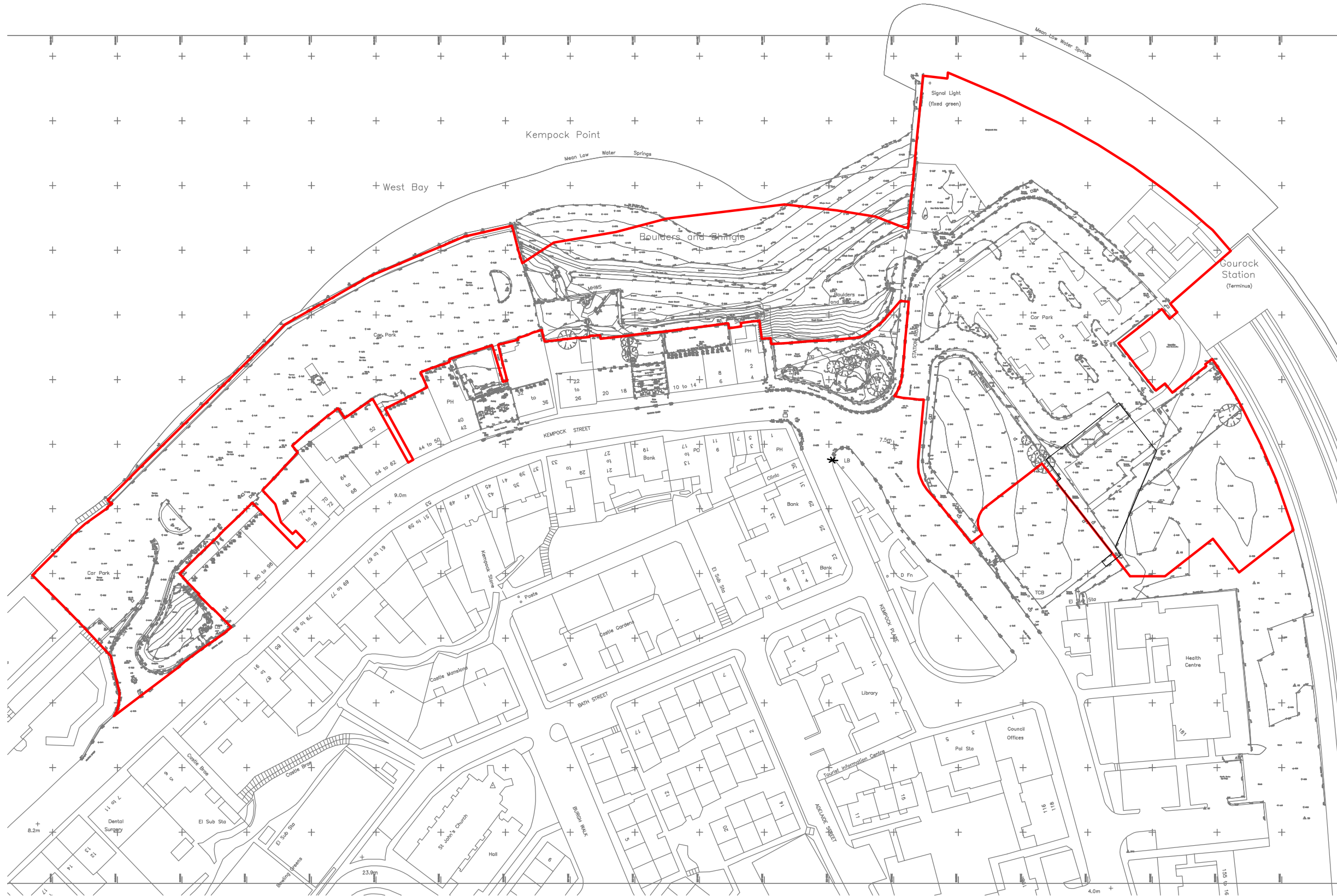
## **8 Conclusions**

- 8.1 To conclude, Fairhurst consider that the elements / issues set out in Section 6 (above) of this report should form the basis of the ES which will accompany the application for planning permission in due course. Additionally, it should be noted that those issues which Fairhurst consider should be scoped out of the ES will be addressed, as required, in the information which will accompany the planning application.
- 8.2 Overall, Fairhurst consider that the proactive and front loaded nature of the design process associated with the Proposals to date will result in an environmentally sensitive design with appropriate mitigation measures which will result in no significant negative effects on the environment.
- 8.3 Fairhurst trust that the details outlined in this Scoping Report, with regards to the Proposals, will enable the Council to make an informed response as to the exact scope of the ES. However, in the event that the Council decide that any further information is required, Fairhurst would request that the Council let Fairhurst know as soon as possible.

## Drawings

**IMPORTANT**  
 The contractor will be held to have examined the site and checked all dimensions and levels before commencing construction work. Do not make assumptions - refer to the Landscape Architect. Do not scale from this drawing. If in doubt - ask!

REVISIONS



**Hirst**  
 LANDSCAPE ARCHITECTS  
 18 ROYAL TERRACE, GLASGOW, G3 7NY - T: 0141-332-0292  
 F: 0141-332-2058 - E: info@hirsts.co.uk - W: www.hirsts.co.uk

Issue for **INFORMATION**

Project **GOUROCK WATERFRONT**

Title **SITE BOUNDARY**

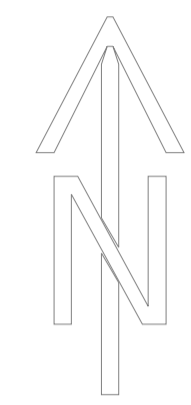
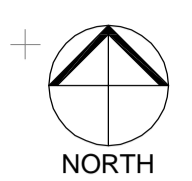
Client **RIVERSIDE INVERCLYDE**

Drawn RCG	Checked PRM
Scale 1:1250@A3	Date 13/07/11

Job No <b>1194</b>	Drawing No <b>37</b>	Revision
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**IMPORTANT**  
 The contractor will be held to have examined the site and checked all dimensions and levels before commencing construction work. Do not make assumptions - refer to the Landscape Architect. Do not scale from this drawing. If in doubt - ask!

**REVISIONS**  
 REV A 26/07/11 BM/PRM  
 DRAWING AMENDED TO REFLECT CHANGES TO RAILWAY STATION AREA AND NEW CAR PARK.



**Hirst**  
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Issue for **INFORMATION**

Project **GOUROCK WATERFRONT**

Title **OVERALL LAYOUT PLAN**

Client **RIVERSIDE INVERCLYDE**

Drawn	Checked
RCG	PRM
Scale	Date
1:500@A1	12/07/11

Job No	Drawing No	Revision
1194	33	A



## **Appendices**

## **Appendix A - Fairhurst Screening Letter**



**Ref: AMacN / JJ / 87097**  
**Date: 31<sup>st</sup> May 2011**

Inverclyde Council  
Regeneration and Planning  
Cathcart House  
6 Cathcart Square  
Greenock  
PA15 1LS

Dear Sirs,

### **87097 – Gourock Pierhead Regeneration**

**Proposed alterations and environmental improvements to existing car parks and construction of new public realm areas, open space, public realm link with associated car parking and associated engineering works at Gourock.**

### **The Environmental Impact Assessment (Scotland) Regulations 1999**

#### **Introduction**

W.A. Fairhurst & Partners (Fairhurst) have been appointed by Riverside Inverclyde (Ri) to request a Screening Opinion from Inverclyde Council (the Council) under the Environmental Impact Assessment (Scotland) Regulations 1999 (the Regulations) for the above development (the Proposals).

In accordance with Regulation 5(1) of the Regulations and in advance of a formal detailed planning application being submitted, Fairhurst request that the Council provide a formal screening opinion. This is in order to establish whether or not a formal Environmental Impact Assessment (EIA) of the Proposals is required to accompany the forthcoming planning application.

In line with the Regulations and to enable the Council to adopt a screening opinion, please find enclosed an indicative masterplan / phasing drawing showing the nature and location of the Proposals (Drawing 1194-31-A) and a drawing which provides additional detail regarding the proposed road link / build out (Drawing 1194-05-C). Additionally, a description of the nature and purpose of the Proposals and their likely significant effects on the environment have been set out below as required by the Regulations.

#### **The Site, Surroundings and Designations**

Please refer to Drawing 1194-31-A which shows the location of the Proposals and an indicative site layout.

The mains components of the site are two areas of car parking (the first at the train station and the second between the buildings on the north side of Kempock Street and the Firth of Clyde). There is an area of rough, apparently previously developed land to the north of the station car park, between the car park itself and the Firth of Clyde.

The station car park is currently accessed via a junction with Shore Street, and the western car park is currently accessed via a junction with Albert Road, at the western end of Kempock Street.

Separating these two areas is a stretch of rough ground and intertidal foreshore / beach, situated on the Firth of Clyde below buildings at the east end of Kempock Street.

The site's surroundings are a combination of established residential areas, commercial floor space along Kempock Street and the train station.

Albert Road, Kempock Street and Shore Street provide the main arterial routeways to, from and through Gourrock.

Having accessed Scottish Natural Heritage's (SNH) website (SiteLink), Fairhurst note that there are no national designations in, adjacent or in close proximity to the site which have the potential to be affected by the Proposals.

### **Proposed Development**

Ri intend to apply for detailed planning permission to develop Phases I, II, III and IV as shown on Drawing 1194-31-A, and the combination of these Phases constitutes the following Proposals:

- Alterations to the configuration of car parking and new public realm at the existing car park to the north of Kempock Street;
- A new public realm link and car parking between car parks (involving build out across the existing beach / intertidal area);
- Alterations to the configuration of the car parking, with new public realm and open space at the existing car park at the station; and
- Associated development, such as landscaping etc.

As part of the Proposals, the level of the ground will be raised to form a platform for the public realm link between the existing car parks. The platform will be supported by a sloped embankment with revetment protection into the existing beach / intertidal area. Full detail of this aspect of the Proposals is provided in drawing 1194-05-Rev C.

Detailed planning permission will be sought for the above development, which forms the basis for this request for the Council's screening opinion.

### **Possible Effects on the Environment**

Fairhurst consider that the proposals fall under Schedule 2 of the Regulations by virtue of the following aspects of the Proposals: Section 1(e) "reclamation of land from the sea" and 10(b) "urban development projects where the area of the development exceeds 0.5 hectare".

In accordance with Schedule 3 of the Regulations, Fairhurst do not consider that the Proposals will raise any significant environmental effects, having regard to the following selection criteria for Schedule 2 development:

- Characteristics of the development;
- Location of the development; or
- Characteristics of the potential impact.

As such, based on the reasoning set out below under specific sub-headings, Fairhurst consider that an EIA of the Proposals is not required.

Terrestrial and marine **ecology** has been considered, and a Phase 1 Habitat and Expert Eye Survey has already been undertaken, which will be submitted along with the planning application. The survey concludes that “ecologically, the site area is relatively poor”. Although it is noted that this is largely based on the land portion of the site and not the intertidal area, Fairhurst consider that there will be minimal loss of marine habitat, and the area in question is not protected by any designations or considered to be unique or especially unusual for the area.

The site is not protected by any environmental designations and the majority of the site is covered in hardstanding. Overall, Fairhurst consider that none of the development site has any specific special value in terms of ecology and biodiversity.

More specifically, in terms of otters, the rocks on the site “do not appear to provide any good opportunities for holts or resting-up places”. Opportunities for roosting bats and nesting birds are also limited.

Overall, Fairhurst consider that the potential effects on ecology will not be significant and mitigation measures (such as avoiding construction during sensitive times of the year) will negate any negative impacts. Additionally, the need for further surveying will be agreed with the Council and consultees and undertaken at the appropriate time to inform the planning application determination process, including the discussion of mitigation measures, conditions etc.

Fairhurst consider that it is unlikely that the Proposals will have any significant negative effect on **coastal processes** such as currents. This is because the proposed public realm link is parallel to the existing coast, and does not extend into the main body of the sea in this location. The Proposals do not have a large development footprint in the marine environment, and are unlikely to significantly affect existing coastal processes and tidal movements etc.

The potential for disturbance of **contaminated materials** on land and in the marine environment is noted. Fairhurst have already undertaken a desk study report in order to identify any potential geotechnical and geo-environmental constraints which should be taken into consideration during the design process. Ground conditions in the area are expected to comprise mainly granular, post glacial marine or beach deposits, with some made ground. No contamination issues were identified. This report concluded that there are no specific Geotechnical or Geoenvironmental constraints which would preclude development of the nature that has been indicated, although consideration of certain specific issues will be required. The report recommended that an intrusive investigation and further analysis be undertaken when the overall development layout has been finalised

In light of the above, Fairhurst consider that careful investigation, combined with full consultation with the Council’s contaminated land officer, SEPA and other stakeholders, will facilitate a design solution which does not result in any significant negative impact with regards to ground conditions or contamination.

In terms of **flooding**, a CIRIA Level 2 Flood Risk Assessment (FRA) may be prepared to accompany the planning application. This would include mitigation measures such as appropriate finished levels for the public realm link. At this stage, it is not anticipated that the Proposals will be at risk of flooding (provided that recommended finished levels are complied with) or increase the risk of flooding

elsewhere. Due to the Proposals' coastal location and the minor nature of the proposed additional footprint (only the public realm link), it is not considered that compensatory flood storage is required. Water resistant materials and construction will be used where appropriate.

In terms of **landscape and visual impact**, it is noted that the site is not located within a National Scenic Area and there are no other landscape designations covering the site. Fairhurst consider that the Proposals will not detract from views of the site from local receptors (such as from the rear of commercial and residential properties along Kempock Street or from the pierhead area) as the Proposals will improve the amenity and appearance of the site.

In terms of longer views (over the Firth of Clyde and from ferries etc), it is considered that the limited vertical scale of the Proposals will not result in any significant change to the overall view. The public realm link will reflect the appearance of existing nearby sea wall / retaining structures and will not detract from the setting of the wider area.

In terms of **transport and access** issues, Fairhurst anticipate that there will be no likely significant effects on the environment as a result of the proposals. Fairhurst consider that there will be no significant impact on the surrounding road network as a result of construction traffic. This is due to the temporary nature of the (construction) works and the likelihood of being able to manage construction traffic by containing it within the site and avoiding movements at peak and sensitive periods. It should also be noted that a Transport Statement will be provided in support of the planning application.

In terms of car parking provision, there will be no net loss of space once the Proposals are completed, as additional spaces will be provided on the public realm link. This will improve access to the train station, encouraging park and ride usage activity, reducing car dependence. Additionally, pedestrian access along the sea front at Gourrock will be greatly improved as a result of the Proposals, which will create a continuous walkway along the sea front.

In terms of **noise and vibration**, it is recognised that there is the possibility of a negative effect on sensitive receptors such as nearby properties and ecological receptors during the construction phase. However, this impact will be temporary in nature and can be mitigated by the use of time restrictions on construction activities to ensure that there is no significant negative impact on nearby dwellings.

With regards to **cultural heritage**, Fairhurst note that there are no listed buildings within the site itself and the site is not located within a Conservation Area. From online records, it is noted that there was archaeological investigation in 1999 of the area around the railway pier. Overall, Fairhurst consider that the site is unlikely to be of special archaeological value. From online records, Fairhurst note that there is a B Listed building overlooking the site from Kempock Street, however it is not considered that the Proposals will have any adverse effect on the setting of this building.

Fairhurst consider that the Proposals will have no significant impact on **air quality**, although the proximity of sensitive receptors such as the Firth of Clyde and nearby residential properties are noted. It is considered that adherence to best practice and mitigation measures such as damping down of stockpiled materials will mitigate the potential negative effects appropriately.

Fairhurst consider that the anticipated levels of traffic associated with the use of the road are unlikely to have a significant negative impact on the air quality of the surrounding area.

## **Conclusion**

The environmental considerations detailed above have been carefully considered and any future planning application will be submitted along with the accompanying information identified in this letter. All other environmental aspects of the proposals will be suitably addressed through the planning application process and detailed design.

Fairhurst also consider that, in due course, information relating to construction methods can be provided to control and mitigate any potential effects on the marine environment.

Fairhurst consider that the Proposals, do not, when determined against the Regulations, require that a planning application be accompanied by an EIA.

Fairhurst would therefore be grateful if the Council would provide a screening opinion and:

- (a) make a formal determination as to whether or not an Environmental Statement is required in this instance; and
- (b) formally record this decision on the statutory planning register.

Fairhurst also request that the Council let Fairhurst know as soon as possible if any further information is required to enable a decision to be made on this matter.

Should you require any further information other than that supplied above please do not hesitate to contact me via the means detailed above.

Yours sincerely,

**James Jamieson** MA (Hons) MRTPI  
**Development Planner**  
**Planning & Development**

**Email:** james.jamieson@fairhurst.co.uk  
**Tel:** 0141 204 8858

Encl: Drawing 1194-31-A  
Drawing 1194-05-C

cc Garry Williamson, Riverside Inverclyde  
Phil Gane, Parsons Brinckerhoff  
Paul Miller, Hirsts Landscape Architects

## **Appendix B - Inverclyde Council Screening Opinion**



11/0001/Preapp

Our Ref: SO/11/04

Your Ref: AMacN/JJ/87097

Date: 21<sup>st</sup> June 2011

**Regeneration & Environment**  
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James Jamieson  
W.A. Fairhurst & Partners  
225 Bath Street  
GLASGOW  
G2 4GZ

Dear Mr Jamieson,

**Proposed alterations and environmental improvements to existing car parks and construction of new public realm areas, open space, public realm link with associated car parking and associated engineering works at Gourrock**

**The Town and Country Planning (Environmental Impact Assessment)(Scotland) Regulations 2011**

I refer to your letter, dated 31<sup>st</sup> May 2011, in respect of the above matter and to your subsequent e-mail of 7<sup>th</sup> June enclosing the relevant plans which completed the information to allow me to reach a screening opinion for the proposed development. Under Regulation 6 of the Regulations the following screening opinion is adopted by the Council.

The proposed development is noted, under Schedule 2 to the Regulations, as falling within two categories. Firstly, as part of the construction will fall within an intertidal area it is regarded as involving "reclamation of land from the sea" (category 1(e) of Schedule 2). It is also regarded as an "urban development project" under category 10(b) of Schedule 2. I have assessed the proposed project based on your submissions, the current urban morphology of the area and the development history, together with the relevant criteria in Schedule 3 to the Regulations and have concluded that an Environmental Assessment is required.

This conclusion has been reached taking into account the characteristics of the development, particularly the area covered by the proposal, the nature of the development (especially the foreshore reclamation element and the potential for pollution through disturbance of previously developed ground) and its location on the coastal zone adjacent to a densely populated area. There is the potential for impact on this population and on marine ecology, the latter particularly from the foreshore reclamation, the "possible future visiting harbour", and the potential for leachate to the river from ground disturbance of previously developed and, therefore, potentially contaminated land especially around the pierhead area. The key concern here is that there is the potential for significant effects on the environment but these can only be determined once a full investigation of the relevant concerns has been carried out. Circular 3/2011 (see paragraph 53) is quite specific that potential environmental

impact issues must be addressed upfront by environmental investigation and not left for the imposition of conditions on a planning permission. In this respect I note that your initial studies have recommended that an intrusive investigation and further analysis require to be carried out.

Your submissions to date indicate that much of the information which will require to be included in an Environmental Statement (ES) may already be available but further investigative work will require to be brought to a conclusion to ensure the ES is fully competent.

I trust that this information is of use to you.

Yours sincerely

**David A Ashman**  
**Development Management Team Leader**

Enquiries To: David A Ashman  
Cathcart House, 6 Cathcart Square, Greenock, PA15 1LS  
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## **Appendix C - Phase 1 Habitat and Expert Eye Survey**



**GOUROCK PUBLIC REALM  
GOUROCK  
INVERCLYDE**

**PHASE 1 HABITAT & EXPERT- EYE SURVEY**

**March 2011**

*For*

**HIRST LANDSCAPE ARCHITECTS**

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## 1.0 INTRODUCTION

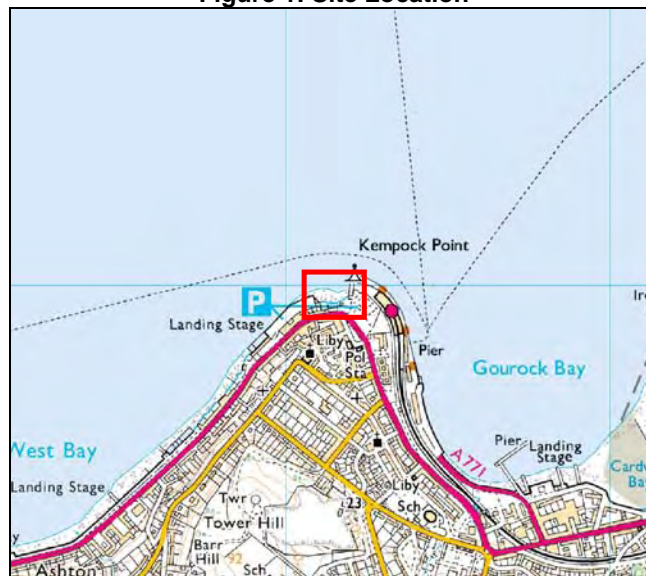
This report was commissioned by Hirst Landscape Architects and concerns a Phase 1 Habitat Survey and Expert-eye walkover of land on the shoreline of the River Clyde (Inner Firth) north of Kempock street (A770) and west of Station Road (Gourock Rail Station), Gourock, Inverclyde.

The Phase 1 survey, carried out on 16 March 2011, was requested in order to provide Hirst Landscape Architects with an overview of the area as regards the presence or likely presence of protected or notable habitats and species. Particular attention was given to the potential for otter, bats and nesting bird activity (in particular the site was assessed for the potential for black guillemot (*Cepphus grylle*) – a species known to breed in the Inner Clyde estuary).

## 2.0 SITE LOCATION AND DESCRIPTION

The site is located at Grid Reference NS 241 779. The area of land is situated to the north of Kempock Street (behind a series of buildings and small landscaped area) and to the west of Station Road. The River Clyde forms the northern boundary to the site, with a car park to the west.

**Figure 1: Site Location**



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The area is formed by a strip of land roughly rectangular in shape, lying between the car park to Gourock Rail Station to the east and a public car park to the west. The southern boundary edge is formed by the rear gardens to blocks of flats and commercial properties and a small amenity landscaped area. The River Clyde (Inner Estuary) forms the northern boundary – relative to the tidal range.



Photo 1.



Photo 2.



Photo 3.



Photo 4.

The land is made up of the 'shingle bank' – which consists of natural and man-made materials (washed up by the actions of tides and waves), coastal barriers, old walls and areas of scrubby vegetation, grasses and herbs

### 3.0 SURVEY METHODOLOGY

Phase 1 Habitat Survey was undertaken using standard Phase 1 methodology as outlined in the *JNCC Handbook for Phase 1 Habitat Survey* (JNCC, 1990). All accessible parts of the site were walked and mapped, and target notes were taken where areas of habitat were too small to map, or to provide further information on features of note.

During Phase 1 Habitat Survey note was taken of the actual or likely presence of protected or notable faunal species.

Weather conditions were generally good during the period of the Phase 1 survey (16/03/11).

Following completion of the habitat survey, all habitats (and species) identified as being present within the site are checked against the following documents in order to determine their specific legislative status and ecological significance:

- EC Habitats Directive (Annex I, II, IV);
- EC Birds Directive (Annex I, II);
- The Conservation (Natural Habitats, &c.) Regulations 1994;
- Berne Convention;
- Wildlife & Countryside Act 1981 (Schedules 1, 5, 8, 9);
- Protection of Badgers Act 1992;
- Renfrewshire, East Renfrewshire and Inverclyde Biodiversity Plan
- National Biodiversity Action Plans
- Red Data Books
- RSPB Lists of Birds of Conservation Concern
- Scarce Plants in Britain (Stewart et al 1994)
- and other publications as relevant

## 4.0 RESULTS

### 4.1 Habitat

There are six Phase 1 Habitat categories present:

- A2.1 Scattered scrub
- B2.1 Unimproved neutral grassland (poor quality)
- B2.2 Semi-improved neutral grassland
- H1.2 Intertidal shingle/cobbles
- H1.3 Intertidal boulders/rocks
- J3.4 Sea wall

The area is formed by a strip of land (including shoreline), roughly rectangular in shape lying between the raised car park by Gourock Rail Station to the east and a raised public car park to the west. The southern boundary edge is formed by the rear gardens to blocks of flats and commercial properties and a small amenity landscaped area. The River Clyde (Inner Estuary) forms the northern land boundary – relative to the tidal range.

The land rises up relatively sharply from the water line (the survey was undertaken approximately two hours before low tide) and is composed of boulders, cobbles (stones), pebbles, gravel and sand/shell. The natural material is mixed with man-made materials including brick, concrete and cut stone.

Although a systematic search of the full tidal zones was not undertaken a search of the shoreline exposed by the receding of the tide resulted in the following species being recorded:- serrated wrack (*Fucus serratus*), bladder wrack (*Fucus vesiculosus*), channelled wrack (*Pelvetia canaliculata*), along with both red and green algae; acorn barnacles (*Semibalanus balanoides*), true limpets (*Patella vulgata*), blue mussels (*Mytilus edulis*), common periwinkle (*Littorina littorea*), shore-crab (*Carcinus maenas*), a single starfish (*Asterias rubens*) and sand-hoppers (*Talitrus saltator*). Shells of the razor shell (*Ensis arcuatus*) were also washed up along the shoreline.

At the top of the slopes are small areas of unimproved and semi-improved grassland and scattered scrub. These are described in the target notes below.

The following target notes (TN) have been provided on Figure 1. Figure 1 does not use Phase 1 Habitat coding as the areas are too small to do this effectively. The description above and in the target notes should be sufficient.

#### Target Note 1

Otter spraints (3/4) were recorded (NS 24091 77954) on the large boulders brought in to act as sea defences. The spraints were very fresh and were likely deposited during the early hours of the morning. They were food packed and it would appear that an otter has climbed out of the water on to the boulders (which would have been just above the high tide mark), possibly to feed on its catch or to take a break before re-entering the water to feed.

#### Target Note 2

Two vegetated areas to the rear of the gardens and tenement properties that lie along Kemprock Road (See photograph P4). The areas lie within a walled-off section that appears to lead down to shore – old slipway (?) and a further small patch close to the car park. A number of species were recorded including cock's-foot grass (*Dactylis glomerata*), bent grass (*Agrostis* sp(p)), fescues (*Festuca* sp(p)), rosebay willowherb (*Chamerion angustifolium*), dandelion (*Taraxacum officinale* agg), broadleaved dock (*Rumex obtusifolius*), curled dock (*Rumex crispus*), creeping buttercup (*Ranunculus repens*), herb Robert (*Geranium robertianum*), ribwort plantain (*Plantago lanceolata*), common ragwort (*Senecio jacobaea*), scentless mayweed (*Tripleurospermum inodorum*) and springy turf-moss (*Rhytidiadelphus squarrosus*).

Several shrubs/small trees were recorded including willow (*Salix* sp(p)), elder (*Sambucus nigra*) and sycamore (*Acer pseudoplatanus*), with garden privet (*Ligustrum ovalifolium*), cotoneaster (*Cotoneaster* sp.) and ivy (*Hedera helix*) closer to the rear of the gardens.

Male fern (*Dryopteris filix-mas*), maidenhair spleenwort fern (*Asplenium trichomanes*) and hart's-tongue fern (*Phyllitis scolopendrium*) were also recorded – the last two growing on the walls.

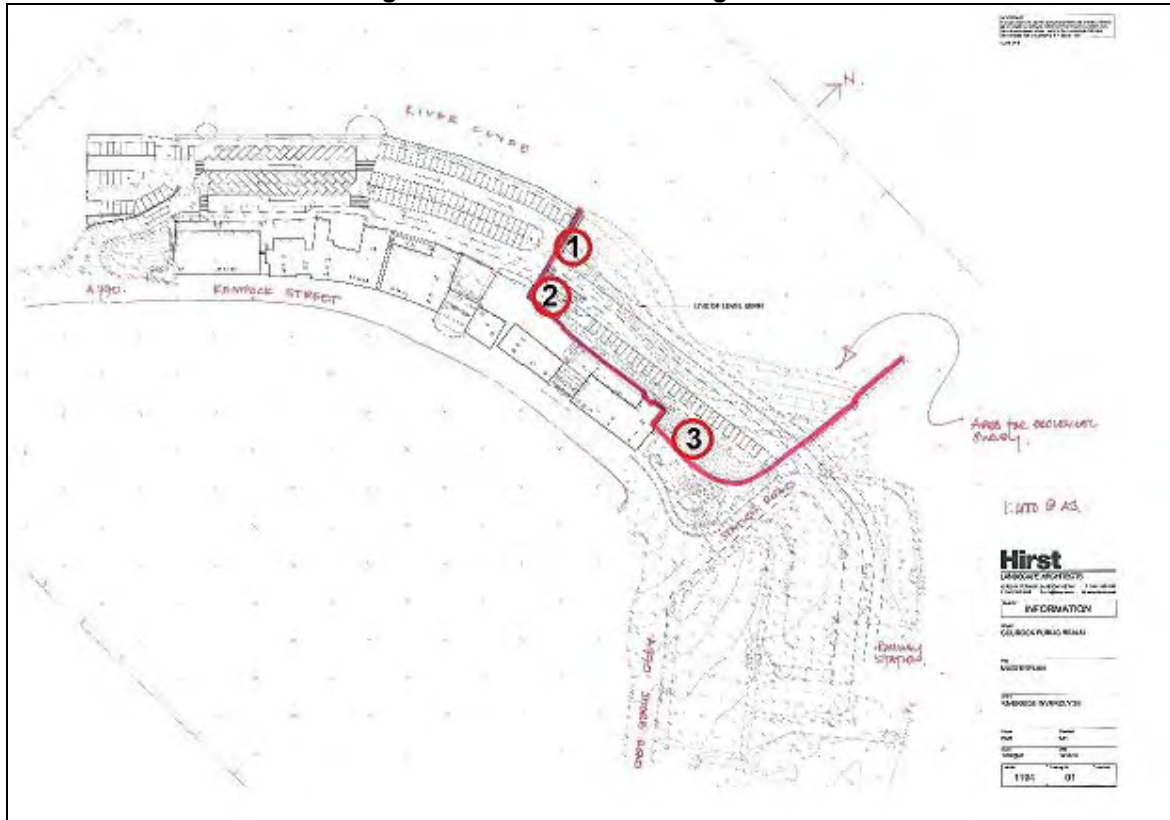
#### Target Note 3

Steep bank up to a small park/amenity landscaped area. The bank is built up with large pieces of rock and grassed over to the rail between the two areas.

A few small willow and cotoneaster shrubs are scattered over the area and the upper edge is filled with daffodils (*Narcissus* sp(p)). The grassed area has been cut and appears to have been sprayed (?). Debris/rubbish litters the wider area.



**Figure 1: Phase 1 Habitat Target Notes**



**4.2 European Protected Species**

**4.2.1 Otter (*Lutra lutra*)**

Otters are present. Otter spraints were recorded on large (cut/blasted) rocks to the shore edge (high tide zone) – See TN 1. No holts or lying up places were recorded.



Photo 5. Otter spraints were recorded on the large boulders close to the support wall.



Photo 6. Otter spraint on top of boulder – filled with fish remains

#### 4.2.2 Bats

There are opportunities within the sea walls for roosting. However, given the opportunities in nearby properties, and the exposure of the sea walls roosting in the sea walls is thought to be highly unlikely.

The trees/shrubs are all small in stature/size and lack opportunities (holes, cracks, crevices) suitable to provide roosting places.

#### 4.3 Water vole (*Arvicola terrestris*)

No evidence of water vole (*Arvicola terrestris*) activity or presence recorded within or close to the boundaries of the site and no habitat opportunities exist.

#### 4.4 Badger (*Meles meles*)

No evidence of badger activity or presence was recorded within or close to the boundaries of the site and no habitat opportunities exist.

#### 4.5 Amphibians

No opportunities exist within the site or close to the site for amphibians to breed.

#### 4.6 Nesting Birds

Oystercatchers (*Haematopus ostralegus*) were recorded on the shoreline before being disturbed, and a male common eider-duck (*Somateria mollissima*) was seen in the water off the shore.

The seawalls were checked (as far as was possible from the land side) for any signs or opportunities for black guillemots nesting, and although there were some gaps in the upper part of the seawall to the east, they appeared to be open to predation (from birds and mammals) and were not regarded to be suitable as potential nest sites. The gaps were also on part of the wall (below the station car park) where it bends away from the site.

There are opportunities within the sea walls for nesting. However, as previously stated for black guillemots it is unlikely that they would be taken up due to the potential for predation. The shoreline is unlikely to be used by waders, ducks, etc. The area is likely to attract people down to the water's edge and disturbance is likely to be a limiting factor in any take-up by nesting/breeding birds.

## 5.0 CONCLUSIONS

The site is largely an area of disturbed and previously developed land, the majority of which is covered by sea-defence reinforcements, old walled structures and slipway, and dumped materials.

Ecologically the site area is relatively poor. However, this reflects primarily on the land zone and not the intertidal zone.

The record of otter sprainting on the large rocks used as sea-defences is not seen to be highly significant in relation to the otter's territorial range. From the evidence recorded it would appear that an otter(s) left the water for a short period in time. All the recorded spraints were fresh, with no evidence of sustained use of the area (signs of old spraints, food remains). Although the large rocks have some openings they do not appear to provide any good opportunities for holts or resting-up places. Again with the proximity of the road and path networks; people moving back and forth, and the potential for dogs being allowed down to the shoreline, it is unlikely that any otters would use the site on a regular basis – apart from overnight when they would be feeding in the vicinity.

Although opportunities for roosting bats and nesting birds are very limited, the potential for a single bat or nesting bird cannot be fully discounted. This is particularly true given the timing of the survey (March 2011), which is early in the season for both bats and birds.

Depending on the timing of any works it may be appropriate to have a pre-start check. If they are carried out during the winter season this may not be necessary.

## 6.0 RECOMMENDATIONS

1. Use a Bat Method Statement throughout demolition of old walls, etc. A sample is attached. If a bat or bats are found during demolition, all work must stop until advice is sought.
2. Complete site clearance works by the end February in any year to avoid the bird nesting season.
3. If site clearance work cannot be completed by end February, nest checks will be needed from March to September in advance of any construction works. If a nest is found, or a bird building a nest is located, then this area will need to be avoided until the nest or nests are no longer active.
4. If there is any potential within the proposed project, provide opportunities for black guillemots to nest within any newly constructed seawall.

**Ends**

# BAT & NESTING BIRD METHOD STATEMENT

## PART ONE – BAT METHOD STATEMENT

### 1.0 INTRODUCTION

#### 1.1 Site Description

This Bat Method Statement has been compiled to guide any works for a site/project known as Gourock Public Realm, Gourock, Inverclyde.

#### 1.2 Use of the Site by Bats

**Table 1 : Bat Evidence**

Roost Location/Other Evidence	Status of roost	Survey Method	Species and number
No known roosts	N/A	External inspection of stone walls and sea-defence walls	None
Foraging Activity		Not undertaken	

### 2.0 HEALTH AND SAFETY

Notwithstanding any other Health & Safety issues associated with a construction site, there are Health & Safety issues with regard to bats.

*The following information is taken from advice notes produced by Scottish Natural Heritage (SNH), and from the on-site experience of JDC Ecology personnel. JDC Ecology accepts no liability for any incident that occurs as a result of site personnel coming into contact with bats.*

Notwithstanding any other parameters an experienced bat worker will be on call to attend should a bat or bat be found during any operation.

Bats can carry European Bat Lyssavirus, a virus related to classical rabies. The cases of bats being found to carry these viruses are rare, and to date only Daubenton's bats have been found carrying the virus in the UK. However sensible precautions should be taken. Scottish Natural Heritage advises in their leaflet "Bats and Human Health" that the virus can only be spread by contact with a bat, not by being near a bat. **Site staff should be made aware that no-one should handle a bat unless wearing bite-proof gloves as advised in the SNH leaflet (not kitchen or stretch gloves).**

Still wearing gloves, the bat can be moved by placing a small box over it and sliding a piece of card beneath the box, or using a small cloth, and carrying the bat outside to a sheltered high place such as a tree branch or windowsill.

Alternatively the bat can be kept in the box until a bat contractor arrives. The box should allow the bat to breathe but needs to be shut. A few holes punched in the side would suffice. A bat can escape through a hole smaller than the end of a small matchbox. **Do not** place the box on top of heat sources such as radiators or in direct sunlight. A cool, dry room or shed is the best option in most cases.

A bat found from December to March is likely to be hibernating and requires to be kept in a cool place until advice is sought. Causing the bat to come out of hibernation by inadvertently warming it in hands or in a warm room may ultimately threaten the bat's winter survival. It should be kept in a box in a cool room until a Scottish Natural Heritage area officer or bat contractor arrives.

**It is illegal to disturb a bat or its roost without an appropriate licence. Bats should therefore only be handled by licensed bat contractors. Persons other than licensed bat contractors may handle bats for reasons of the bat's welfare or to remove them from the living space of a building.**

The leaflet “**Bats and Human Health**” can be obtained from Scottish Natural Heritage Publications Dept, Battleby, Redgorton, Perth, PH1 3EW, Tel: 01738 444177 or on their website <http://www.snh.org.uk>

### 3.0 LEGISLATION

Bats are European Protected Species as listed in The Habitats Directive (Directive 92/43/EEC: Conservation of Natural Habitats and of Wild Flora and Fauna). Both bats and their roosts are protected by the Conservation (Natural Habitats, &c.) Regulations 1994, which transposes the Habitats Directive into UK law and by the Wildlife & Countryside Act 1981 (as amended).

It is an offence, except as permitted under the Regulations, to:

- deliberately capture or kill a wild animal of a European Protected Species;
- deliberately disturb any such animal in a way that is likely to significantly affect:
  - i) the ability of any significant groups of animals of that species to survive, breed, or rear or nurture their young
  - ii) the local distribution or abundance of that species
- deliberately take or destroy the eggs of such an animal;
- deliberately damage, or destroy a breeding site or resting place of such an animal..

And under the Act to intentionally or recklessly,

- kill, injure or take a bat
- possess or control any live or dead animal, or part of or anything derived from the animal,
- intentionally damage, destroy or obstruct access to any structure or place used for shelter or protection,
- disturb a bat, or disturb a bat occupying a structure or place used for shelter or protection,
- sell, offer for sale, have possession or, or transport for the purposes of sale, an live or dead animal or part or anything derived from the animal.

Persons must consult Scottish Natural Heritage before undertaking any activity that might affect a bat or a bat roost. The licensing authority with regard to bats is the Scottish Government (SGov.). Licences to disturb bats or their roost sites are issued at the discretion of the SGov., after consultation with SNH as regards disturbance to European Protected Species.

### 4.0 OTHER CONSIDERATIONS

Even if total access were possible, roosts could still exist in **wall cavities**, under roof tiles or slates, in soffit boxes, or in other diverse locations that are not accessible without dismantling the building.

All site personnel should be aware that as bats move throughout the year and can use a building/built-structure or a suitable tree for as little as one night before moving on. In other words a bat or bats could be found at any time during demolition/refurbishment or any tree felling.

### 5.0 PROCEDURES FOR WORKING

#### 5.1 BUILDINGS/BUILT-STRUCTURES

##### 5.1.1 *Timing*

The table below sets out a calendar for when operations on buildings or built-structures can be undertaken provided that survey has identified no roosts.

If a detailed method statement for demolition/refurbishment is required for work at the site, then with regard to bats it should be assumed that issues that relate to them are never complete as bats could be

present on site at any time of the year and the apparent absence of bats at one time of year does not mean they will not be present at any other time.

**Table 2: Timing of Work in Relation to Bats – No Roosts Identified on Site**

Month	Development Activity	Details
December to February	Optimum time for work on buildings/built-structures.  However, bats are in hibernation and may be found at any time.	Pre-start meeting may be required between Ecologist and Contractor to confirm <b>method statement</b> to be used. If necessary the ecologist can be present as necessary to give tool box talks and on call at all times.
Month	Development Activity	Details
March to May	Survey of buildings/built-structures required before any works start. Proceed with caution. Bats in transitional and mating roosts and highly mobile. Can arrive at the site at any time.	As above.
May to August	<b>Survey of buildings/built-structures a priority. Proceed with caution. Maternity roosts may be present and bats can arrive at the site at any time.</b>	As above
September to November	Survey of buildings/built-structures required before any works start. Proceed with caution. Bats in transitional and mating roosts and highly mobile. Can arrive at the site at any time.	As above.

### 5.1.3 Demolition/Demolition/refurbishment

- 1 If necessary demolition/refurbishment should take place after consultation between the main contractor and the ecologist to determine the best method for demolition taking into account the potential for a bat or bats to be present. Bats are commonly found in the following locations:
  - Under roof tiles
  - Within stone walls
  - Soffit boxes
  - Facia boards
  - Window frames
  - Cavity walls
  - All roof areas
- 2 Depending on the start date, survey of buildings/built-structures may be needed prior to works commencing.
- 3 If bats are found during survey then SNH will be advised immediately. No work will take place on any building/built-structure found to contain a bat until SNH advice has been informed and their advice sought.
- 4 A watching brief is placed on the main contractor, if bats are not found during any necessary survey, as bats can arrive at the site at any time. The Contractor will be made aware of the potential presence of bats, their legislative status, and that personnel must be aware at all times of the potential for a bat or bats to be present.
- 5 Demolition/refurbishment works should remove roof slates/tiles, stone walls, cladding, facia boards, or roof sections with all reasonable care so that bats present can be detected.

- 6 If personnel find any bats in the course of operations then work must stop, the site made secure and the Ecologist notified immediately.
- 7 If the site cannot be made safe and the bats must be removed immediately, the bat contractor will remove the bat or bats, and place them in a bat box. The bat box will be removed to a suitable location on site. Where the contractor cannot allow access to the bats for health & safety reasons, contractor personnel will remove the bats to the boxes, and will undertake this exercise under supervision of the Ecologist. Any bat or bats removed to a bat box should be kept in conditions as close as possible to those in which they were found. (i.e. do not put bats found in winter in minus 3 degrees, into a warm room, or near a radiator)
- 8 If the site can be made safe, SNH, the SGov., and the Ecologist will be contacted immediately for their advice on permitted action.
- 9 A contingency plan will be in place in the event of any hurt to bats. Any bats requiring medical attention will be taken immediately to a suitable wildlife rehabilitation centre under the supervision of the ecologist.

## 6.0 FINDING BATS

### 6.1 Buildings and General

- 1 If bats are found at any point then the Ecologist will be advised immediately. No work will take place at the location of the bat until the Ecologist has been contacted and any appropriate licence obtained. Should the ecologist not be available then SNH should be contacted on 0141 951 4488.
- 2 No further work will take place until SNH advice has been obtained and the Scottish Government contacted as necessary.
- 3 If the bat or bats are found in a situation that presents immediate threat to the bat's welfare, then the animal will be removed to a bat box provided by the ecologist and on site at all times in the first instance and SNH advised.

## PART 2 - BIRD METHOD STATEMENT

### 1.0 Legislation

All wild birds, their nests, and eggs are protected by the *Wildlife & Countryside Act 1981 (as amended)*.

**There is no provision under the legislation to licence disturbance for the purposes of development.**

### 2.0 Bird Calendar

Month	Bird Activity	Development Activity	Advice Required
January	Winter roosting and foraging	All development activities	n/a
February	As above	As above	n/a
March	Birds begin to exhibit territorial behaviour. Possible early nests	As above	SNH advice if nests are located.
April	Nesting and breeding behaviour underway	Nesting checks required of trees and buildings prior to felling or building works	As above
May	As above	As above	As above
June	As above	As above	As above

Month	Bird Activity	Development Activity	Advice Required
July	As above. Most young will have fledged or are fledging. Second broods possible .	As above	As above
August	As above	As above	As above
September	Second broods fledged	Last nest checks possibly required	As above
October	Birds moving for winter roosting and foraging sites	All development activities	n/a
November	Winter foraging and roosting	All development activities	n/a
December	As above	As above	n/a

### 3.0 Procedures for Working

#### 3.1 General Procedures

*Birds can begin nesting from March. Some birds will begin nesting later if they do not acquire mates or find empty territories immediately. For that reason absence of nests in March or April does not mean that nests will not occur later in the season.*

- 1 Any building works, tree felling or scrub/ground clearance between the months of March and July inclusive must take place only after inspection of the trees for active nests or nests in the process of being built. Some birds can nest to September (eg swallows), and it is prudent to undertake nest checking until the end of this month.

**If a site, or a part of a site could reasonably be expected to contain nesting birds, and nest checks are not carried out, then if an active nest or a bird building a nest is subsequently disturbed an offence may have been committed.**

- 2 Ivy cover should be carefully inspected as this can obscure nests of small birds.
- 3 Removing the weight of a branch where a crack is held open by the weight may cause the crack to close on a small nest. Cracks must be checked before removing the limb.
- 4 Removing soffit boxes, stone walls, roof slates/tiles, fascia boards, and areas such as eaves can uncover a nest and reasonable care should be taken.

#### 3.2 Finding A Nest

- 1 If a nest is found during nest checks and is active, i.e. is in the process of being built or contains eggs or young, then it must be avoided. There is no licence available to permit disturbance to nests for the purposes of development. Therefore an appropriate protection zone will be erected around the discovered nest (distance dependant on the nest location) until the nest has fledged, in order to avoid disturbance and consequent contravention of the Act.
- 2 The nest will be monitored (observation from a distance) until it is no longer in use, after which development operations can proceed in this area. Monitoring is not necessary if the protection zone can be avoided until the nesting season is over.
- 3 If a nest is found after nest checks are undertaken (possible in areas that are difficult to fully inspect, or if a late nest occurs), then the nest must again be left in situ, the site being made safe, and (2) applies).
- 4 If the nest has been found in an area that cannot be made safe without further work that would constitute disturbance then advice will be needed from the ecologist in the first instance, SNH, and possibly the SGov., to obtain a licence.

In most cases, provided that all reasonable care has been taken prior to operations commencing in order to find and avoid impacting nests, then a disturbed nest could be moved. However each case needs to be assessed on its individual circumstance and it is not recommended that further disturbance occurs without first obtaining advice from the licensing authority (SGov).

**Ends**



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