



Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

By e-mail only to: eplanning@north-ayrshire.gov.uk

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

For the attention of: Gordon Craig

Date: 2 March 2018
Our ref: CNS/DC/NA/CDM149068
Your ref: 17/01273/PP

Dear Mr Craig

**The Town and Country Planning (Scotland) Act 1997 (as amended)
Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to
vary Condition 1 of Planning Permission ref 16/00268/PP to allow use of the site for
decommissioning of large marine structures
Hunterston Construction Yard, Fairlie**

Thank you for your consultation on the above application to amend condition 1 of permission 16/00268/PP and allowing us extra time to respond to this proposal.

Background

We understand that the proposal seeks to vary condition 1 of permission 16/00268/PP to allow the use of the site for the '*decommissioning of large marine structures*' in addition to the '*construction, repair and subsequent removal on completion of large marine related structures*' as specified under the existing wording of condition 1. We believe that all other conditions associated with permission 16/00268/PP remain unchanged and continue to apply.

The Hunterston Construction Yard site lies directly adjacent to the Southannan Sands Site of Special Scientific Interest (SSSI) and is notified for its intertidal sandflats habitat.

Summary

Our main comments are summarised below with more detailed comments provided in Appendix 1.

This proposal could be progressed with mitigation measures. However, the proposal could adversely affect natural heritage interests of national importance, and we therefore **object** to it unless it is made subject to the measures set out below:

Scottish Natural Heritage, Caspian House, Mariner Court, Clydebank Business Park, G81 2NR
Tel: 0131 3146750 www.nature.scot

Dualchas Nàdair na h-Alba, Taigh Caspian, 2 Cùirt a' Mharaiche, Pàirc Gnothachais Bhruch Chluaidh,
Bruach Chluaidh G81 2NR
Fòn: 0131 3146750 www.nature.scot

- The approval of “*preventative measures to avoid pollution of the foreshore*”, required under Condition 2 of permission 16/00268/PP prior to the recommencement of the development, must be done in consultation with SNH. These measures must include full details of the mitigation that will be implemented during the construction and operation of the site to ensure that they adequately manage the risk of any pollution entering the SSSI.

You are reminded that if the planning authority is minded to grant planning permission without the changes recommended above the case must be notified to Scottish Ministers.

Please see Appendix 1 for further details of our appraisal.

Should you have any queries about this letter, in the first instance please contact Graeme Heenan at Graeme.heenan@snh.gov.uk

Yours sincerely,

Lyndsey Kinnes
Operations Manager
Strathclyde & Ayrshire

Appendix 1

Appraisal of the impacts of the proposal

Southannan Sands SSSI

The Hunterston Construction Yard site lies directly adjacent to Southannan Sands Site of Special Scientific Interest (SSSI) which is notified for its intertidal sandflats habitat. Further details of SSSI can be found on the SiteLink page of the SNH website - <http://gateway.snh.gov.uk/sitelink/index.jsp>.

We understand that the proposal is to use the site for the '*decommissioning of large marine structures*' and that this may include the recovery of hazardous waste at the site. Given the proximity of the site to Southannan Sands SSSI, there is a risk of contamination entering the SSSI through these operations if the process is not properly managed. Any contamination entering the SSSI could have a negative impact on the extensive areas of dwarf eelgrass (*Zostera noltei*) that are a biologically and structurally important component of the intertidal sediment flats at this site. There could also be impacts on the associated communities of polychaetes (marine annelid worms such as lugworms), crustaceans (including species of crab and shrimp) and molluscs (such as mussels and cockles).

This proposal could be progressed with mitigation measures. However, the proposal could adversely affect natural heritage interests of national importance, and we therefore **object** to it unless it is made subject to the measures set out below:

- The approval of "*preventative measures to avoid pollution of the foreshore*", required under Condition 2 of permission 16/00268/PP prior to the recommencement of the development, must be done in consultation with SNH. These measures must include full details of the mitigation that will be implemented during the construction and operation of the site to ensure that they adequately manage the risk of any pollution entering the SSSI.

You are reminded that if the planning authority is minded to grant planning permission without the changes recommended above the case must be notified to Scottish Ministers.