

# AGENDA ITEM 5

## APPENDIX 5

05/495/CP

SEPA RESPONSE  
19 FEBRUARY 2015

Our ref: PCS/138279  
Your ref: 05/495/CP

Cairngorms National Park Authority  
14 The Square  
Grantown-on-Spey  
PH26 3HG

If telephoning ask for:  
Jessica Fraser

19 February 2015

By email only to: [planning@cairngorms.co.uk](mailto:planning@cairngorms.co.uk)

Dear Sir/Madam

**Town and Country Planning (Scotland) Acts**  
**Planning application: 05/495/CP**  
**117 dwelling houses with associated infrastructure, roadways and footpaths**  
**Land bounded by Crannich Park, Rowan Park and Carr Road, Carrbridge**

Thank you for your consultation letter of 29 January 2015 which SEPA received on 30 January 2015 requesting our advice on this major development proposal.

We **object** to this planning application on the grounds of a **lack of information** relating to Groundwater Dependant Terrestrial Ecosystems (GWDTE), peat and surface water drainage. We will review our comments if the issues detailed in Sections 2, 3 and 4 below are adequately addressed. Due to the complexity of these issues, we recommend that these sections are read in conjunction with each other.

Should the above objections be overcome, we ask that the planning **conditions** in Sections 5.5, 5.6, 5.9 and 6.2 be attached to the consent. If any of these will not be applied, then please consider this representation as an **objection**. Should you wish to pursue the relevant information at this stage we would be happy to provide advice on it.

In the event that the planning authority proposes to grant planning permission contrary to the advice on flood risk set out in Section 5 below, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.

Notwithstanding our position on Flood Risk we would expect the Cairngorms National Park Authority to consult the relevant council to undertake their responsibilities as the Flood Prevention Authority.

**Advice for the planning authority and applicant**

**1. Background discussion**

- 1.1 For clarity, it should be noted that in our response we refer to the area south of Carr Road as 'Carr Road', the area east of the B9153 as 'Crannack Park' and the 5 proposed dwellings south of Rowan Park as 'Rowan Park'. We understand that the current



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masterplan for the application is plan ref 2467-006 Rev D (September 2007) and it is upon this that we base our comments. Please inform us if this is not the correct plan by re-consultation.

- 1.2 We understand that this application is a historic application for approval of matters specified in conditions (outline planning permission 03/00292/OUTBS) which was submitted to your Authority in 2005, but has not yet been determined. We note that we previously provided comments to the application in 2006 and 2007 in our letters which were referenced P7/05/495/CP and dated 14 February 2006, 20 July 2006, 22 May 2007 and 30 October 2007. We also understand that this application is now being taken to committee and, given the time that has lapsed since the previous round of consultation, we are being re-consulted in order to provide an updated response.
- 1.3 We would highlight that there have been many internal and external policy changes since this application was submitted in 2005 and there are some aspects of the environment which we previously didn't assess or provide comments on which we now do. The response set out below is therefore based on current policy, guidance and best practice.
- 1.4 We are also aware of a separate application on the site (your ref: 2013/0120/DET, our ref: PCS/137816 (23 January 2015)) which we understand has been submitted by the same applicant, but is for a smaller site area and a different layout. In updating our advice to 05/495/CP we have considered the information submitted under 2013/0120/DET which has helped to inform our position.
- 1.5 We note that the site is included within the current and proposed Local Development Plan for the area. However, the comments set out within our letter are based on the new information which has been received as part of these planning applications.

## **2. Disruption to wetlands**

- 2.1 At this time we **object** to the application on the grounds of a **lack of information** relating to Groundwater Dependant Terrestrial Ecosystems (GWDTE). In this respect, we also currently do not consider that the proposals meet the requirements of condition 4 of the outline planning permission.
- 2.2 We note that there are several references within the submitted documents to bog woodland and/or wetland areas on the site. We are also aware that a phase 1 habitat survey was carried out in 2010 to support the Cairngorms Local Development Plan which indicates that there are boggy-marshy grassland types present. It would therefore appear that GWDTE may be present on site. However, National Vegetation Classification (NVC) has not been submitted in support of this application to confirm the presence or absence of GWDTE. If present, it is therefore unclear what impact this development proposal may have on the GWDTE.
- 2.3 We note that an Ecology and Nature Conservation Report (MBEC, March 2014) (hereby referred to as 'ENC' report) was submitted in support of the more recent application 2013/0120/DET which included information on a phase 1 habitat survey and NVC. This showed GWDTE present on the site, however did not include the entire area covered by application 05/495/CP.
- 2.4 In light of the above, we **request** that an NVC survey is carried out and submitted for review. This should include any areas proposed for development and also a 100m buffer from those areas (which may include areas outwith your site boundary). We also **request**

that a site layout plan is submitted overlain with the NVC results to clearly demonstrate the location of the proposed development in relation to any GWDTE onsite and how impacts on the GWDTE have been minimised. We will be able to provide further comments on the acceptability of the development following the submission of this information.

- 2.5 In respect of the ENC report submitted under 2013/0120/DET we would also wish to provide the following comments:
- 2.6 Figure 4 of the ENC report shows NVC for the Crannack park site. As this has been undertaken to support application 2013/0120/DET rather than 05/495/CP it is unclear if the boundaries are the same for both applications. However, it appears that there is a large area of M23 habitat on the Crannack park site, an area of M6 habitat in the east of the site and an area of MG9 habitat in the west of the site, all considered to be GWDTEs, with M23 and M6 being highly groundwater dependent.
- 2.7 Development (including garden land) should, where possible, avoid areas of GWDTE and should especially not occur within wetlands which have a direct, point connection to the groundwater such as the M6 flushes on this site. It is unclear if the area of M6 is avoided by the housing development (including garden land) in the Crannack Park site and it appears that the link road may also be proposed over an area of M6. In addition to this, a buffer zone may be required between the development (including gardens) and the M6 habitat. We will be able to comment further on this issue following the submission of the requested additional hydrological information (see below). We would highlight that it will need to be **demonstrated** that the area of M6 habitat is protected. This should include demonstration that all development (and garden areas) will occur outwith the M6 habitat and an appropriate buffer zone may also be required. We are likely to request that this is ensured by condition. In this respect, a **modification** to the existing site layout may be required.
- 2.8 It would appear that large areas of M23 and possibly some MG9 are proposed for development in the Crannack park site. Given the location of the M23 habitat and the surrounding wetland types, the area of M23 is likely to be strongly groundwater dependant, although we note that this habitat type is more widespread than M6 and MG9 habitats. We are unfortunately unable to comment on the significance of the loss of these habitats at this time and we therefore **request** that, in the first instance, a hydrological survey is carried out to enable us to assess the acceptability of the proposed development, final layout and mitigation requirements. We acknowledge that a hydrological survey has been produced by Envirocentre (2007) for the central portion of the site surveyed as 'bog woodland'. However, this is not sufficient to allow a full assessment of impacts to be made. In particular, it is unclear how other wetland habitats on site, within the development area, will be impacted.
- 2.9 Depending on the results of the above requested NVC survey, the hydrological survey may need to cover a wider area than solely the Crannack park site. We therefore **suggest** that the NVC survey is carried out first to help inform the scope of the requested hydrological survey. We would be happy to comment on the NVC survey if this would be helpful to the applicant.
- 2.10 Based on the current information available, the hydrological survey for the Crannack Park site should, as a minimum, consider the following:
- a) the dependence of all of the identified GWDTE habitats on groundwater;
  - b) the impacts of the loss of the M23 and MG9 habitat on the surrounding GWDTE and peat areas (particularly deep peat). This should include impacts of, for example,

housing foundations. The report should specifically focus on site specific investigation of the recharge zone of the springs and flushes on site and how the impact of the housing development will affect this recharge zone;

- c) solutions and mitigation to minimise any impacts found in point b), for example an engineered solution involving permeable surfaces (roads etc) that is demonstrated to mitigate any impact on spring recharge;
- d) demonstration that the groundwater in the area is protected both in terms of quantity and quality (chemistry). This may involve proposals to utilise SUDS treatment systems and ensure that site run-off is discharged downstream of the sensitive flushes identified;
- e) demonstration that the surrounding GWDTE and peat areas are protected; and
- f) potential off-site compensation for any loss of GWDTE e.g. M23 habitat.

2.11 In addition, the following issues should also be given further consideration:

- a) The ENC report shows that the proposed footpath link between the Carr road site and Rowan Park will cross an area of acid/neutral flush. Unless further survey details are supplied, we consider that this area is a GWDTE. Further consideration is therefore required on the construction of the footpath and the potential impacts it could have. We would suggest that a boardwalk could be installed or other solution suggested by the developer that would maintain the hydrological connectivity of this area. This may also apply to the area of bog woodland which is crossed by a proposed footpath within the centre of the site.
- b) Section 4.2.6 of the ENC report highlights the importance of maintaining the hydrological regime in the surrounding wetlands, particularly the wetland to the north-east of the Crannack Park site, and that porous surfaces should be used rather than a closed pipe system for surface water drainage. As highlighted in point 2.10 c) above, we recommend that the hydrological report considers this issue further.
- c) The ENC report recommends that the small wetland areas to the east of the Crannack Park site could be improved by increasing the wetness of the site possibly by diverting surface water from a small number of the proposed dwellings to the wetland area. Any proposals to improve the surrounding wetlands should be considered within the hydrological report and it would need to be ensured that the hydrochemistry of the wetland was not altered. We would however highlight that any water diverted to the wetland area should be clean water only and should have primary treatment to ensure that the chemistry of the wetland is not impacted.
- d) We would highlight concerns regarding possible excavation into the impermeable layer of clay/sediment which is retaining the peat basin (as referenced in the A.F.Crudens Hydrological Assessment 2007). It should be ensured that this does not occur so that the hydrology of surrounding wetlands is not impacted.
- e) In respect of the construction of the link road between the Crannack park and Carr road sites further consideration may be required and mitigation put in place to ensure that hydrological connection is maintained and roadside drainage is carefully managed to prevent pollution. This may require the developer to; align the road to avoid areas of wetland which are most strongly groundwater dependent, construct the road so as to ensure that the clay layer underneath the peat soils is not perforated, construct the road so as to allow hydrological connection across the road structure and maintain hydrological connectivity across the wetland and manage surface water appropriately.
- f) References are made within the submitted documents to a proposed protective bund for the area of bog woodland. However, we are unable to locate this bund on the submitted plans and therefore request that clarification is provided as part of the requested further information. In this respect, we would draw your attention to the comments made within section 5 below relating to flood risk.

### 3. Disturbance/ impacts on peatland and re-use of excavated peat

- 3.1 The submitted hydrological and hydrogeological assessments (A.F.Cruden Associates (May 2005 and September 2007)) make reference to peat on site. It appears that some soil investigation works have taken place, although specific details have not been provided. Figure 4.1 shows peat depth contours and it would appear from this that the development generally avoids areas of deep peat which we welcome. However, the specific locations of the peat probing have not been provided and it is therefore unclear if the entire site has been probed to full depth. In this respect, section 4.2 of the hydrological assessment indicates that probing may have only taken place in the vicinity of the bog woodland/wetland area. We also note that the document references 'peaty soils' across the site.
- 3.2 As highlighted above, details of the investigation that has taken place to date have not been provided in support of the application. We are therefore unable to fully assess the potential impacts on peatland or advise on issues relating to the re-use and disposal of the peat. Scottish Government guidance on development on peat is clear that surveys should be conducted and information submitted as part of the planning application process. Guidance can be found at: [www.scotland.gov.uk/Topics/Business-Industry/Energy/Energy-sources/19185/17852-1/CSavings/PSG2011](http://www.scotland.gov.uk/Topics/Business-Industry/Energy/Energy-sources/19185/17852-1/CSavings/PSG2011).
- 3.3 In light of the above, we therefore **object** and seek further information on the potential impacts on peat. In the first instance we request that details of the peat probing that has taken place to date are submitted for review and clarification provided as to whether the entire site has been probed to full depth. If there are specific reasons as to why an area of the site has not been surveyed, these should also be provided.
- 3.4 However, please note that if this information is not sufficient to allow an assessment of the impacts on peat to be made, additional investigation may be required. This may include further peat probing (to full depth) across the site, a map of peat depths with all built elements overlain, demonstration of how the layout of the development minimises impacts on peatland and avoids any areas of deep peat on the site, detail of the volumes (acrotelmic, catotelmic and amorphous) of peat that will need to be excavated (if necessary) and proposals for re-use/disposal.
- 3.5 We highlight that the uses for reinstatement of peat on a development such as this can be limited and only small volumes of peat may be justifiably used for purposes such as landscaping. Excavation of peat material that cannot be justifiably reinstated should be avoided.
- 3.6 In addition, we would highlight that there are important waste management implications with regard to dealing with surplus peat. This is set out within our [Regulatory Position Statement - Developments on Peat](#). The applicant is advised to contact their local operations team on the number given below for further advice and guidance.
- 3.7 Please see our [Planning and Energy webpage](#) which provides links to current best practice guidance on peat survey, excavation and management. Further information is available on our website at: [www.sepa.org.uk/planning/sustainable\\_waste\\_management/surplus\\_peat\\_management.aspx](http://www.sepa.org.uk/planning/sustainable_waste_management/surplus_peat_management.aspx) and in the following guidance document: [Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste](#).

3.8 In relation to peat issues, please also see section 2 where we comment on maintaining the hydrology of the peat areas.

#### **4. Surface water drainage**

4.1 Having reviewed the SUDS Statement (A.F.Crudens Associates, Rev A, September 2007, included as Appendix F of A.F.Crudens Hydrological and Hydrogeological Assessment September 2007), we currently do not consider that the proposed drainage scheme for site is adequate in terms of water treatment. In addition, although the permeability of the soils is discussed and it appears some percolation testing may have been carried out, full details of this, including locations, have not been submitted and it is therefore unclear whether the ground conditions are suitable in those locations. In this respect, we are aware that there are wetland areas on the site. Please also note, that there may be outputs from the GWDTE and hydrological information requested in section 2 above which will require consideration in the surface water drainage scheme.

4.2 In light of the above **object** to the application on the grounds of a **lack of information** relating to surface water drainage. This objection could be removed if appropriate information is provided in order to demonstrate that a satisfactory SUDS scheme, with no unacceptable adverse impact on the water environment including the surrounding wetlands, can be accommodated on the site. We would highlight that this may require a modification to the layout of the development. We have provided guidance to the applicant regarding the information necessary to review our objection in section 9 below.

4.3 Please be aware that we have not considered the water quantity aspect of this scheme. Comments from Scottish Water, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on the SUDS strategy in terms of water quantity/flooding and adoption issues.

#### **5. Flood risk**

5.1 We refer to the masterplan, drawing no 2467-006 Rev D (September 2007) and also the phasing layout plan, drawing no 2467-007 Rev C (September 2007).

5.2 There do not appear to be any watercourses crossing the area of housing indicated as Phase 1 and Phase 2 of the development (The Carr road and Rowan Park areas) on the phasing layout plan or any of these areas identified within the SEPA Flood Map\*. Therefore, with no apparent fluvial flood risk to phases 1 and 2 of the housing development, we would have no objection in relation to this aspect of the development. We would however highlight that there are some areas of pluvial flooding shown on the SEPA flood map. We would wish to ensure that a pluvial hazard is recognised and considered by the relevant bodies to ensure no adverse impacts. Solutions that involve on-site engineering design considerations for SUDS will be matters for the Local Authority to consider in conjunction with Scottish Water.

5.3 In relation to phase 3 of the development (the Crannack Park area), we refer to the findings of the Hydrological and Hydrogeological Assessment reports (A.F.Crudens dated May 2005 and September 2007). In these reports flow estimates and channel capacity for the local unnamed watercourse were derived. Analysis demonstrated that the B9153 culvert is of limited capacity and would only be able to convey the 10-year return period flood before surcharging, however it was concluded that the upstream weir and storage ponds would provide storage and attenuation for larger flows before they reach the culvert. It was

estimated in the May 2005 report that the 1 in 200 year flood event would increase levels in the neighbouring wetland by 0.2m to 0.3m. The current wetland level is taken as 256mAOD. In addition a 0.3m freeboard was allowed for and therefore it was recommended that all development should be above 256.5mAOD.

- 5.4 The proposed masterplan (2467-006 Rev D (September 2007)) shows that 14 houses are proposed in phase 3 in a circular formation. The gardens of plots 5, 6, 7 and 8 lie adjacent to the unnamed watercourse. Plots 9 and 10 lie to the south of plot 7 and 8. Present ground levels vary between 256.78mAOD on the drive of plot 7, 256.26m AOD close to the drive of plot 8, and 256.44 on the drive to plot 9. We would highlight that it is difficult to read the second decimal place of the indicated levels from the drawings provided. However, it would appear that the driveways of plots 8 and 9 may lie slightly below the level of 256.5mAOD.
- 5.5 As highlighted within previous correspondence, we request that the final layout of the development takes into account flood risk at the site. We therefore **object** unless a **condition** is appended to ensure that all development, including land re-profiling, is situated on ground which is at an existing level of at least 256.5m AOD.
- 5.6 With regard to finished flood levels, we advise that an appropriate level of freeboard should be included above the level of 256.5mAOD and we request that this is also ensured by **condition**. We now generally recommend a freeboard of 600mm. However, we **recommend** that you consult with your Flood Prevention colleagues at The Highland Council for their required freeboard for this area.
- 5.7 Please note, in order to comply with the condition requested in Section 5.5 a **modification** to the existing layout may be required. We would be happy to review an amended layout plan if this would be helpful.
- 5.8 In addition, should the layout of the development be amended as a result of the comments provided within the proceeding sections of this letter, flood risk should be taken into account to ensure that all development, including land re-profiling, is situated on ground which is at an existing level of at least 256.5m AOD.
- 5.9 The masterplan (2467-006 Rev D (September 2007)) shows two proposed crossings of the small unnamed watercourse, one for a footpath north of phase 3 (Crannack park) and one for a road crossing linking phases 1 (Carr road) and Phase 3 (Crannack park). We would have no objection to these bridges on flood risk grounds provided that a **condition** is appended to ensure that they are designed to have the capacity to pass the 1 in 200 year flow and construction follows SEPA guidance on watercourse crossings which can be found on our website. Note that flow estimates for this unnamed watercourse are available in the Enviro Centre report for 2007 A.F Cruden Associates Hydrogeological Assessment.
- 5.10 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Cairngorms National Park as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "*Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities*" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from [www.sepa.org.uk/planning/flood\\_risk.aspx](http://www.sepa.org.uk/planning/flood_risk.aspx).

\* The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed



to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit [http://www.sepa.org.uk/flooding/flood\\_maps.aspx](http://www.sepa.org.uk/flooding/flood_maps.aspx).

## **6. Pollution prevention and environmental management**

- 6.1 Construction works have the potential to cause environmental impacts, for example pollution of the water environment and impacts upon habitats located on/adjacent to the site. This is particularly relevant at this site due to its location upstream of the River Spey, designated a Special Area of Conservation, and the wetland features found present on/adjacent to the site.
- 6.2 Therefore, to ensure that the development does not significantly effect the environment we request that a **condition** is imposed requiring that a finalised site specific Construction and Environmental Management Plan (CEMP), which should include waste management issues, is submitted for approval to the planning authority at least two months prior to the proposed commencement of the development (or relevant phase) in order to provide consultees with sufficient time to assess the information. To assist, the following wording is suggested:

Condition: No development shall commence on site until a site specific Construction and Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Planning Authority in consultation with SEPA. All works on site must be undertaken in accordance with the approved CEMP unless otherwise agreed in writing with the Planning Authority.

Reason: In order to minimise the impacts of necessary demolition/construction works on the environment.

- 6.3 This document should address all pollution prevention and environmental management issues related to the development and operation of the site. We have provided further advice to the applicant on this matter in section 10 below.

## **7. Waste water drainage**

- 7.1 We understand that this development will drain to the public foul sewer which is in line with current policy. We would however **recommend**, if you have not already done so, that Scottish Water is consulted to ensure that there is sufficient capacity in the foul sewerage infrastructure (waste water treatment works and foul sewer network) to accommodate flows from this development. If upgrades are required, these should be in place prior to the occupation of the development and confirmation on funding mechanisms would be required.

## **8. Engineering activities in the water environment**

- 8.1 The submitted masterplan (2467-006 Rev D (September 2007)) shows two crossings of the small unnamed watercourse, one for a footpath north of the Crannack park area and one for a road crossing linking the Carr road and Crannack park areas. In this respect, our prior authorisation would be required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) (as amended). We request that full details of the crossings are submitted within the CEMP (see section 10) and also in relation to flood risk (see section 5).

8.2 Having reviewed the submitted plans, it would not appear that any other engineering works in or adjacent to the water environment are proposed within this application. However, should such works be proposed, we would wish to provide further comment and would ask that we are re-consulted.

## **Detailed advice for the applicant**

### **9. Surface water drainage**

9.1 Please note that we lodged an objection to this application due to a lack of information on surface water drainage. To enable us to review this objection, we request the submission of additional information within an amended surface water drainage scheme. This should clearly demonstrate how surface water drainage will be managed to ensure that the water environment including wetland habitats are adequately protected from pollution. Full details of the proposed scheme should be submitted including plans showing the types and location of each SUDS facility, supported by appropriate site investigation. We request that the following issues are considered further:

- a) SUDS treatment facilities: The SUDS statement confirms that soakaways are proposed for individual house units and infiltration trenches or blankets for roads and pavements. We currently do not consider that this will provide adequate water treatment for surface water runoff. Best practice requires that residential developments of more than 50 houses include two levels/types of treatment for all hardstanding areas including roads. An exception is run-off from roofs which requires only one level/type of treatment. This is particularly important given the sensitive location of the development site. Currently it appears that only one level of treatment is provided for roads and pavements.
- b) Infiltration: we note that the SUDS statement makes reference to the permeability of the site, which we welcome. However, where infiltration is proposed as part of a SUDS scheme, percolation tests should be carried out in the location of the proposed facility and submitted in order to demonstrate that the infiltration proposals are viable and in order to justify the SUDS choices in these locations. If ground conditions are not suitable, an alternative means of surface water drainage should be proposed taking into account the sensitivities of the sites.
- c) Maintenance of surrounding hydrology: We recommend that the amended surface water drainage scheme considers the issues raised in section 2 above and any relevant outputs of the requested GWDTE and hydrological information.

9.2 Please also note that we advise that all SUDS facilities are located outwith the flood plain and should not therefore be sited on ground below an existing level of 256.5mAOD.

9.3 The SUDS treatment train should be followed which uses a logical sequence of SUDS facilities in series allowing run-off to pass through several different SUDS before reaching the receiving waterbody. Best practice requires the first level of SUDS treatment to take the form of source control. Further guidance on the design of SUDS systems and appropriate levels of treatment can be found in the CIRIA C697 manual entitled [The SUDS Manual](#). Advice can also be found in the SEPA Guidance Note [Planning advice on sustainable drainage systems \(SUDS\)](#). Please refer to the [SUDS section](#) of our website for details of regulatory requirements for surface water and SUDS.

## 10. Pollution prevention and environmental management

- 10.1 Please note that we have requested that a planning condition is attached to any consent granted requiring the submission of a site specific and detailed Construction and Environment Management Plan (CEMP). Measures should be included to ensure that there is no impact upon the environment and particular consideration should be given during the construction and operation works to the protection of the water environment (including wetlands) in and adjacent to the site. The CEMP should incorporate detailed pollution prevention, site waste management and mitigation measures for all elements potentially capable of giving rise to pollution or causing environmental harm. This is particularly important given the sensitive location of the site.
- 10.2 For the avoidance of doubt the finalised CEMP should, as a minimum, consider and address/include the issues set out on our Pollution prevention and environmental management webpage ([www.sepa.org.uk/planning/construction\\_and\\_pollution.aspx](http://www.sepa.org.uk/planning/construction_and_pollution.aspx)). Particular emphasis should be given to construction phase SUDS and sediment mitigation during construction. This should be especially stringent with rigorous safeguards, for example several levels of SUDS and a monitoring scheme. We also recommend that the CEMP considers the issues raised in section 1 above, the maintenance of surrounding hydrology and any relevant outputs of the requested hydrological report.
- 10.3 In addition, the CEMP should include full details of the proposed watercourse crossings and also details of waste management issues, which should include forestry waste. Further guidance can be found on our website and within document [SEPA: Guidance: Management of Forestry Waste](#).
- 10.4 We produce a series of [Pollution Prevention Guidelines](#) (PPGs). The principles of any relevant PPGs should be incorporated into the plan rather than just referenced, with particular attention given to the [construction PPGs](#). We would also draw the developer's attention to the CAR General Binding Rules. Further information on these can be found in our CAR Practical Guide which is available on our [website](#).
- 10.5 We find it helpful if much of the site specific information is provided by way of plans (for example identifying storage locations, buffers to sensitive receptors including natural water features on site, field drains and Scottish Water pipe network infrastructure, location of construction phase SUDS etc). We would be happy to provide advice on draft plans before they are formally submitted to the planning authority and suggest that early contact is made with our local operations team (details below).

## **Regulatory advice for the applicant**

### 11. Regulatory requirements

- 11.1 As highlighted above, authorisation for engineering works in or adjacent to the water environment may be required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) (as amended). For further advice, the applicant should contact a member of the local operations team on the number given below.
- 11.2 Details of regulatory requirements and good practice advice for the applicant can be found on our website at [www.sepa.org.uk/planning.aspx](http://www.sepa.org.uk/planning.aspx). If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office at: 28 Perimeter Road, Pinefield, Elgin, IV30 6AF, Tel: 01343 547663.

If you have any queries relating to this letter, please contact me by telephone on 01224 266698 or e-mail at [planning.aberdeen@sepa.org.uk](mailto:planning.aberdeen@sepa.org.uk).

Yours faithfully

Jessica Fraser  
Senior Planning Officer  
Planning Service

*Disclaimer*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at the planning stage. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. Further information on our consultation arrangements generally can be found in [How and when to consult SEPA](#), and on flood risk specifically in the [SEPA-Planning Authority Protocol](#).*