

Scotland's 4th National Planning Framework has recently been published. This letter is therefore being reviewed and updated to reflect the new policies. You can still find useful and relevant information here but be aware that some parts may be out of date and our responses to planning applications may not match the information set out here.



Our ref: !!SREF!!  
Your ref: !!CPREF!!

If telephoning ask for:  
!!OFFICER!!

**INSERT DATE**

!!CPNAME!!  
!!CPORNAME!!  
!!CPADD!!  
!!CPADD2!!  
!!CPADD3!!  
!!CPADD4!!  
!!CPPCODE!!

By email only to: !!CPEMAIL!!

Dear !!CPNAME!!

**!!LEGISLATION!!!!SUMMARY!!  
!!SITE!!**

Thank you for consulting SEPA on the **screening / scoping** opinion for the above development proposal by way of your letter of **dd month yyyy**, which we received on **!!DATED!!**. We would welcome engagement with the applicant at an early stage to discuss any of the issues raised in this letter.

**Delete next paragraph if only providing scoping advice**

We consider that, with respect to our interests, Environmental Impact Assessment **is / is not** required for the above proposal. Whether or not Environmental Impact Assessment is required, to **avoid delay and potential objection** the following key issues must be addressed and information submitted in support of the application.

**Delete next paragraph if only providing screening advice**

We consider that the following key issues must be addressed in the Environmental Impact Assessment process. To **avoid delay and potential objection** the following information must be submitted in support of the application.

**List key site specific issues identified or remove this section**

While all of the issues below should be addressed in the Environmental Statement (ES), there may be opportunities for several of these to be scoped out of detailed consideration. The justification for this approach in relation to specific issues should be set out within the ES. We would welcome the opportunity to comment on the draft ES. Please note that we can process files only of a maximum size of 25MB and therefore, when the ES is submitted, it should be divided into appropriately sized and named sections.

## 1. **Scope of the ES for marine developments <Delete this section if only offshore development proposed>**

- 1.1 From the information submitted we understand the development will include both onshore and offshore components. As such, the development will be subject to a range of different consenting regimes. We encourage you to consider producing a single ES, which covers all aspects of the proposed development. This will enable a full assessment of the potential effects of the development as a whole, rather than assessing certain details of the development individually.

## 2. **Water Framework Directive and River Basin Management Planning**

- 2.1 The Water Framework Directive (2000/60/EC) was implemented in Scotland through the Water Environment and Water Services (Scotland) Act 2003 (WEWS). This legislation requires SEPA to lead and co-ordinate in the Scotland and Solway Tweed river basin districts to protect and improve Scotland's water environment. Further information is available from the [River Basin Management Planning](#) section of our website. [The Water Environment \(Controlled Activities\) \(Scotland\) Regulations 2011 \(as amended\) \(CAR\)](#) provide controls over activities affecting the water environment.
- 2.2 Engineering works in transitional (estuaries) and coastal waters are not regulated by SEPA under CAR. Such works below the Mean High Water Springs mark or in any tidal river up to the tidal influence will require a marine licence from Marine Scotland Licensing Operations Team, designated a Responsible Authority under The Water Environment (Relevant Enactments and Designation of Responsible Authorities and Functions) (Scotland) Order 2011 made under Section 2(8) of WEWS. By this designation Marine Scotland is required to ensure that marine licensing assists in the delivery of River Basin Management Planning objectives. Similarly, planning authorities are designated Responsible Authorities by the Water Environment and Water Services (Designation of Responsible Authorities and Functions) Order 2006. In order to meet the requirements of the [Water Framework Directive](#) Responsible Authorities must carry out their statutory functions in a manner that secures compliance with the objectives of the Water Framework Directive (i) preventing deterioration and (ii) promoting improvements in the water environment in order that all water bodies achieve "good" ecological status by 2015.
- 2.3 River basins comprise all surface waters, including transitional (estuaries) and coastal waters extending to 3 nautical miles seaward from the territorial baseline. Within the River Basin Management context, the ES should identify if the impacts of the proposal are likely to lead to deterioration of the marine environment or present opportunities for improving the marine environment. Marine Scotland and, where applicable, the planning authority, must take this into account in considering the application due to their designation as Responsible Authorities.
- 2.4 The Water Framework Directive (WFD) requires considerations of Scotland's water bodies in terms of their chemical, biological and hydromorphological parameters and combines these parameters to score each water body in terms of it's status, ranging from bad, through poor, moderate, good to high. A system of River Basin Planning has been put in place to ensure delivery of the WFD and manages the current targets set for each water body in support of Directive targets.
- 2.5 Water body data collated in support of the WFD is available on the [Scottish Environment](#) website and should be used in assessing any development proposal. The website provides data on the overall status of all Scotland's water bodies, with the options of filtering by local

authority, catchment or water body name or alternatively just panning across the map. A summary table of the 'overall status' and an indication of whether there has been 'change' or 'no change' in status in the last year is provided for each water body in the search results, below the spotfire map. This table can be exported if required. Classification results are updated annually (following any necessary verification requiring to be completed post-publication). If you require further information for a water body which has undergone a change in status in the last year you can request verification of the change by emailing the RBMP Unit ([rbmp@sepa.org.uk](mailto:rbmp@sepa.org.uk)) entitling your email "Urgent request for data verification". Detailed information on the pressures affecting an individual water body and the measures (actions) set against it to address the pressures are available by accessing the individual water body datasheet via the relevant hyperlink. This data should form part of the baseline characterisation in the ES.

- 2.6 In order to meet the objectives of the Water Framework Directive, coastal development should be designed wherever possible to avoid engineering activities in the marine environment.
- 2.7 We recommend that it be demonstrated in the ES that every effort has been made to leave the marine environment in its natural state. There is a need to protect the remaining areas of intertidal zone along some stretches of the developed coastline as these areas have become fragmented and degraded by the coalescence of development in the past.
- 2.8 As responsible authorities, planning authorities should promote measures already agreed in respect of relevant water bodies as well as considering other enhancement opportunities to contribute to River Basin Management Plan, Nature Conservation (Scotland) Act 2004 and sustainability development objectives. Examples may include restoration, coastal realignment, soft engineering or the incorporation of naturalistic features in the design of shoreline works, or planting with salt tolerant species. Guidance that may be drawn upon includes:
  - [Water Framework Directive Mitigation Measures Manual](#)
  - [Estuary Edges: Ecological Design Guidance](#)

### 3. Site layout and nature of construction for marine developments

<Delete subsections that do not apply to specific proposals>

- 3.1 The ES should contain site plans and cross sections showing the location, footprint, type and design of all the engineering structures, including temporary works, in the marine environment. Information for onshore elements such as access tracks, buildings, temporary works etc. should also be included. Access routes and working compounds for vehicles should be specified during construction. This information will allow us to screen the proposals and determine whether they are likely to present a risk to ecological status.
- 3.2 For development projects involving **dredging** works, the ES should include information on the dredge footprint area, dredging method, quantities of material to be dredged and a description of the substrate type/habitats and species within the area. Although by its nature dredging is a destructive activity, adverse effects can be minimised (e.g. timing, dredging technique). Options for the subsequent disposal and beneficial reuse of the material should also be considered.
- 3.3 For **coastal protection and flood defence** the ES should include a section on the appraisal process and justification for the preferred defence option. The feasibility of soft

engineering and natural flood management techniques should always be considered in the appraisal process. Any coastal defence scheme should be appropriate in scale and type for the area.

- 3.4 For **coastal water abstractions and discharges** associated with new coastal power stations particular emphasis should be paid to assessing the significance and potential impacts of any proposed cooling water abstraction and discharge temperature effects in combination with those that may already exist in adjacent water bodies. Modelling should also consider the dilution and dispersion of biocides and any other pollutants. To ensure that the development will be consentable under Pollution Prevention and Control we recommend that modelling be carried out at the Environmental Impact Assessment stage.

Where existing discharges exist in the vicinity of the proposals the ES will need to demonstrate that the development will not result in significant changes to the dispersion characteristics of the receiving waters.

Discharges to marine waters, including those under Pollution Prevention and Control, are usually subject to the CAR supporting guidance document – [WAT-SG-11: Modelling Discharges to Coastal and Transitional Waters](#). The most important part is the Appendix, which explains the mixing zone approach and the calculation of dilution. Typically, we would expect applicants to demonstrate that the discharge will undergo adequate initial dilution (50 times minimum initial dilution as a 95 percentile) and comply with any concentration limits at the edge of the mixing zone.

Please submit a detailed modelling method statement early in the application process to the SEPA planner who will forward to [oceanmod@sepa.org.uk](mailto:oceanmod@sepa.org.uk). By agreeing a modelling methodology before the modelling studies commence, potential problems and unnecessary work can be avoided later.

- 3.5 For **marine renewables** including **offshore wind, shoreline wave, tidal stream and barrage related developments** the ES should include plans showing the array of the devices, inter-array cabling, subsea cabling routes and landfall, and any associated off/onshore infrastructure (see section 8) within 3 nm of the shoreline. The ES should describe device and cable installation methods and should discuss the likelihood of any significant impacts during construction, operation and decommissioning. The significance of any potential impacts to the coastal zone e.g. sand dune and saltmarsh habitats, should be assessed with mitigation measures applied where appropriate.

Background information to help inform the ES process is available from [Marine Scotland](#) and the [European Marine Energy Centre](#) (EMEC). The EMEC guidance is designed to assist developers in considering the range and scale of impacts that may result from the testing of devices. Generally, if this standard industry guidance is followed for scoping, preparing and undertaking EIA for marine renewables, then SEPA is likely to be satisfied with the standard of assessment.

- 3.6 For **oil and gas**, related development plans should be included showing the pipeline routes and associated onshore infrastructure within 3 nm of the shoreline. The ES should describe pipeline installation methods and should discuss the significance of impacts during construction, operation and decommissioning. Potential impacts to the shoreline and coastal zone, e.g. sand dune and saltmarsh habitats and appropriate mitigation should also be addressed.

- 3.7 The applicant should consider if the nature of the proposal or the nature of the location could result in disturbance of contaminated sediments. The ES should demonstrate that this issue has been addressed, and, if a significant issue, then measures to minimise disturbance and subsequent relocation of such contamination, and to monitor impacts, should be set out within the ES. If it is suspected that such sediments may be contaminated with radioactive substances, further advice should be sought from SEPA as disturbance and movement of radioactively contaminated sediments may require authorisation under the Radioactive Substances Act 1993.
- 3.8 Should the proposal involve the disposal of radioactive waste, this will need to be undertaken in accordance with an authorisation issued by SEPA under the Radioactive Substances Act 1993. The applicant will need to give further consideration to how these wastes will be managed and details of the proposed methods will need to be submitted to SEPA as part of their application for authorisation under the Radioactive Substances Act 1993. As this information relates to potential significant environmental effects, SEPA's advice is that such information should also be included within the ES.
- 3.9 Please note that Oil Spill Contingency Plans should be sent directly to SEPA's Emergency Planning Unit to co-ordinate a response.

#### **4. Marine ecological interests**

- 4.1 Advice on designated sites and European Protected Species should be sought from Scottish Natural Heritage. Marine and transitional Special Areas of Conservation (SAC) and Special Protected Areas (SPA) and Marine Protected Areas (MPA) are also Water Framework Directive Protected Areas. Therefore, their objectives are also River Basin Management Plan objectives which should be taken into account when developing the ES. In such situations, Scottish Natural Heritage may contact SEPA for input on the consultation.
- 4.2 The Nature Conservation (Scotland) Act 2004 gives all public bodies, including SEPA and planning authorities, a duty to further the conservation of biodiversity. The developer is recommended to consult both the UK Biodiversity Action Plan and Local Biodiversity Action Plan lists for marine and coastal features found within the proposed areas of development, and consider mitigation measures, as appropriate. During the construction, operation and maintenance phases, it is important that good working practice is adopted and that wider habitat damage is mitigated against or kept to a minimum within defined acceptable limits. These should be controlled through a Construction Environmental Management Plan (see section 6 below).
- 4.3 Given that the accidental introduction of Marine Non-Native Species (MNNS) has been highlighted as a risk for water body degradation, we recommend that controls should be included in development planning and marine licensing for MNNS in line with Water Framework Directive and Marine Strategy Framework Directive objectives, and [EU Biodiversity Strategy](#) targets. Under the Water Framework Directive the presence of MNNS within a water body can constitute a significant pressure on the biological elements. Good status is usually the maximum a water body can achieve if MNNS are detected and this can fall to moderate status if MNNS are present above certain thresholds. Once well established, efforts to eliminate MNNS species have proven to be extremely expensive and so far, no non-native species have been successfully eradicated from the marine environment. Therefore, in view of these difficulties, we support the [GB Non-Native Species Secretariat](#) recommendation to put into place effective biosecurity measures to prevent introduction and to stop their spread.

Accidental introduction of MNNS can also occur via attachment to construction plant, specialised equipment and moorings as these are moved from one area to another. Please detail the measures to minimise the risks of introducing of MNNS into the adjacent water bodies within the ES and draft Construction Environmental Management Plan. Guidance that may be drawn upon includes:

- [The alien invasive species and the oil and gas industry guidance](#) produced by the Oil and Gas industry;
- SNH web-based advice on [Marine non-native species](#);
- [Marine non-native guidance](#) from the GreenBlue (recreation advice).

- 4.4 For operations that require coastal water abstractions, e.g. new coastal power stations, particular emphasis should be paid to assessing the impacts of fish (all mobile species) entrainment and how this will be mitigated. The assessment should also consider the potential impact of the proposed cooling water abstraction and discharge infrastructure in combination with those already existing in the vicinity. Studies show that the greatest rate of impingement is at low water, as fish are more concentrated than at high water – this effect can be increased where estuaries narrow. The ES should include drawings showing the design of the cooling water intakes and discharge infrastructure. Guidance that may be drawn upon includes [British Energy Estuarine and Marine Studies, Scientific Advisory Report Series 2010 No 005 Ed2 - Methodology for the measurement of Entrainment Edition 2](#).

## **5. Coastal processes**

- 5.1 Depending upon the nature, scale and location of the proposed development the potential exists for there to be changes to coastal and sediment transport processes in the adjacent water body on completion of the development. The ES should assess the significance of such alterations and discuss the implications of these with respect to shoreline and seabed morphology, and wider ecosystem health in line with RBMP objectives. Marine Scotland is the responsible authority for licensing coastal development under the Marine Scotland Act 2010, and therefore we recommend that they be consulted with respect to the scope of any assessments.

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

- 6.1 One of SEPA's key interests in relation to major developments is pollution prevention measures during the periods of construction, operation, maintenance, demolition and restoration. The construction phase includes construction of access roads, borrow pits, temporary storage areas and any other site infrastructure.
- 6.2 We advise that the applicant should, through the EIA process, systematically identify all aspects of site work that might impact upon the environment, potential pollution risks associated with the proposals and identify the principles of preventative measures and mitigation. This will establish a robust environmental management process for the development. A draft Schedule of Mitigation should be produced as part of this process. This should cover all the environmental sensitivities, pollution prevention and mitigation measures identified to avoid or minimise environmental effects. Please refer to the Pollution prevention guidelines. Other pollution prevention and environmental best practice guidance that may be drawn upon includes that produced by CIRIA .

- 6.3 Any application involving large scale beach replenishment and/or dredging works should be cross checked as to whether the proposals lie within or close to a designated bathing water or shellfish growing water. Ideally all physical works should be done outwith the Bathing Water Season (1 June to 15 September) and spatfall periods. Please refer to the [Bathing waters](#) section of our website for further guidance on the Bathing Waters Directive (2006/7/EC).
- 6.4 A Construction Environmental Management Plan is a key management tool to implement the Schedule of Mitigation. We recommend that the principles of this document are set out in the ES outlining how the draft Schedule of Mitigation will be implemented. This document should form the basis of more detailed site specific Construction Environmental Management Plans which, along with detailed method statements, may be required by planning condition or, in certain cases, through environmental regulation. Best practice advice developed by The Highland Council (in conjunction with industry and other key agencies) on the Construction Environmental Management Process is available in the guidance note [Construction Environmental Management Process for Large Scale Projects](#).

## **7. Flood risk**

- 7.1 Any coastal development should be assessed for flood risk from all sources in line with Scottish Planning Policy (paragraphs 254-268). The [Flood Maps for Scotland](#) are available to view online and further information and advice can be sought from your local authority technical or engineering services department and from the planning and flood risk section of our [website](#), which also contains information on SEPA's role in flood risk.
- 7.2 If a flood risk is identified then a Flood Risk Assessment should be carried out following the guidance set out in the document [Technical flood risk guidance for stakeholders](#).
- 7.3 Climate change is placing increasing pressures on coastal marine environments. SEPA's guidance within this document helps to demonstrate SEPA's commitment to its public body duties under Section 44 of the Climate Change (Scotland) Act 2009, by assisting in ensuring that a consistent and proportionate approach is taken to maintaining the resilience of our coast to changes in our climate.

## **8. Onshore engineering activities in the water environment**

- 8.1 In order to meet the objectives of the [Water Framework Directive](#), the onshore components of the development should be designed wherever possible to avoid engineering activities in the water environment. The water environment includes burns, rivers, lochs, wetlands, groundwater and reservoirs. We require it to be demonstrated that every effort has been made to leave the water environment in its natural state. Engineering activities such as culverts, bridges, watercourse diversions, bank modifications or dams should be avoided unless there is no practicable alternative. Paragraph 255 of Scottish Planning Policy deters unnecessary culverting. Where a watercourse crossing cannot be avoided, bridging solutions or bottomless or arched culverts which do not affect the bed and banks of the watercourse should be used. Further guidance on the design and implementation of crossings can be found in our [Construction of River Crossings Good Practice Guide](#). Other best practice guidance is also available within the water [engineering](#) section of our website.
- 8.2 If the engineering works proposed are likely to result in increased flood risk to people or property then a Flood Risk Assessment should be submitted in support of the planning application.

- 8.3 A site survey of existing water features and a map of the location of all proposed engineering activities in the water environment should be included in the ES. A systematic table detailing the justification for the activity and how any adverse impact will be mitigated should also be included. The table should be accompanied by a photograph of each affected water body along with its dimensions. Justification for the location of any proposed activity is a key issue for us to assess at the planning stage.
- 8.4 Where developments cover a large area, there will usually be opportunities to incorporate improvements in the water environment required by the Water Framework Directive within and/or immediately adjacent to the site either as part of mitigation measures for proposed works or as compensation for environmental impact. We encourage applicants to seek such opportunities to avoid or offset environmental impacts. Improvements which might be considered could include the removal of redundant weirs, the creation of buffer strips and provision of fencing along watercourses. Fencing off watercourses and creating buffer strips both helps reduce the risk of diffuse water pollution and affords protection to the riparian habitat.

## **9. Onshore water abstraction**

9.1 Where water abstraction is proposed we request that the ES details if a public or private source will be used. If a private source is to be used the information below should be included. Whilst we regulate water abstractions under CAR, the following information is required at the planning stage to advise on the acceptability of the abstraction at this location:

- Source e.g. ground water, the sea or surface water;
- Location e.g. grid reference and description of site;
- Volume e.g. quantity of water to be extracted;
- Timing of abstraction e.g. will there be a continuous abstraction?;
- Nature of abstraction e.g. sump or impoundment;
- Proposed operating regime e.g. details of abstraction limits and hands off flow;
- Survey of existing water environment including any existing water features;
- Impacts of the proposed abstraction upon the surrounding water environment.

9.2 If other development projects are present or proposed within the same water catchment then we advise that the applicant considers whether the cumulative impact upon the water environment needs to be assessed. The ES should also contain a justification for the approach taken.

## **10. Disruption to wetlands including peatlands**

- 10.1 If there are wetlands or peatland systems present, the ES should demonstrate how the layout and design of the proposal, including any associated borrow pits, hard standing and roads, avoid impact on such areas.
- 10.2 A Phase 1 habitat survey should be carried out for the whole site and the guidance [A Functional Wetland Typology for Scotland](#) should be used to help identify all wetland areas. National Vegetation Classification (NVC) should be completed for any wetlands identified. Results of these findings should be submitted, including a map with the entire proposed infrastructure overlain on the vegetation maps to clearly show which areas will be impacted and avoided.
- 10.3 Groundwater dependent terrestrial ecosystems, which are types of wetland, are specifically



protected under the Water Framework Directive. The results of the NVC survey and Appendix 2 (which is also applicable to other types of developments) of our [Planning guidance on windfarm developments](#) should be used to identify if wetlands are groundwater dependent terrestrial ecosystems.

- 10.4 The route of roads, tracks or trenches within 100 m of groundwater dependent terrestrial ecosystems (identified in Appendix 2) should be reconsidered. Similarly, the locations of borrow pits or foundations within 250 m of such ecosystems should be reconsidered. If infrastructure cannot be relocated outwith the buffer zones of these ecosystems then the likely impact on them will require further assessment. This assessment should be carried out if these ecosystems occur within or outwith the site boundary so that the full impacts on the proposals are assessed. The results of this assessment and necessary mitigation measures should be included in the ES.
- 10.5 For areas where avoidance is impossible, details of how impacts upon wetlands including peatlands are minimised and mitigated should be provided within the ES or planning submission. In particular impacts that should be considered include those from drainage, pollution and waste management. This should include preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, dewatering, excavations, drainage channels, cable trenches, or the storage and re-use of excavated peat. Detailed information on waste management is required as detailed below. Any mitigation proposals should also be detailed within the Construction Environmental Management Plan as detailed below.

## **11. Carbon balance**

- 11.1 Scottish Planning Policy (SPP) states (Paragraph 205) that "Where peat and other carbon rich soils are present, applicants should assess the likely effects of development on carbon dioxide (CO<sub>2</sub>) emissions. Where peatland is drained or otherwise disturbed, there is liable to be a release of CO<sub>2</sub> to the atmosphere. Developments should aim to minimise this release." The ES or planning submission should include a) a summary demonstrating how the development has been designed with regards to layout and mitigation to minimise release of CO<sub>2</sub> and b) preventative/mitigation measures to avoid significant drying or oxidation of peat through, for example, the construction of access tracks, drainage channels, cable trenches, or the storage and re-use of excavated peat.

## **12. Disturbance and re-use of excavated peat**

- 12.1 Where the proposed terrestrial infrastructure will impact upon peatlands, a detailed map of peat depths (this must be to full depth) should be submitted. The peat depth survey should include details of the basic peatland characteristics.
- 12.2 By adopting an approach of minimising disruption to peatland, the volume of excavated peat can be minimised, reducing CO<sub>2</sub> emissions and the commonly experienced difficulties in dealing with surplus peat. The generation of surplus peat is a difficult area which needs to be addressed from the outset given the limited scope for re-use.
- 12.3 The ES should detail the likely volumes of surplus peat that will be generated, including quantification of catotelmic and acrotelmic peat, and the principles of how the surplus peat will be reused or disposed of.
- 12.4 There are important waste management implications of measures to deal with surplus peat as set out within our [Regulatory Position Statement – Developments on Peat](#). Landscaping

with surplus peat (or soil) may not be of ecological benefit and consequently a waste management exemption may not apply. In addition we consider disposal of significant depth of peat as being land-filled waste, and this again may not be consentable under our regulatory regimes. Experience has shown that peat used as cover can suffer from significant drying and oxidation, and that peat redeposited at depth can lose structure and create a hazard when the stability of the material deteriorates. This creates a risk to people who may enter such areas or through the possibility of peat slide and we are aware that barbed-wire fencing has been erected around some sites in response to such risks.

- 12.5 It is, therefore, essential that the scope for minimising the extraction of peat is explored and alternative options identified that minimise risk in terms of carbon release, human health and environmental impact. Early discussion of proposals with us is essential, and an overall approach of minimisation of peatland disruption should be adopted. If it is proposed to use some excavated peat within borrow pits or bunding then details of the proposals, including depth of peat and how the hydrology of the peat will be maintained, should be outlined in the ES.
- 12.6 Our [Energy/Renewable webpage](#) provides links to current best practice guidance on peat survey, excavation and management.

### **13. Existing groundwater abstractions**

- 13.1 Roads, foundations and other construction works associated with large scale developments can disrupt groundwater flow and impact on groundwater abstractions. To address this risk a list of groundwater abstractions both within and outwith the site boundary, within a radius of i) 100 m from roads, tracks and trenches and ii) 250 m from borrow pits and foundations) should be provided.
- 13.2 If groundwater abstractions are identified within the 100 m radius of roads, tracks and trenches or 250 m radius from borrow pits and foundations, then either the applicant should ensure that the route or location of engineering operations avoid this buffer area or further information and investigations will be required to show that impacts on abstractions are acceptable. Further details can be found in Appendix 2 (which is also applicable to other types of developments) of our [Planning guidance on windfarm developments](#).

### **14. Borrow pits**

- 14.1 Scottish Planning Policy (SPP) states (Paragraph 243) that “Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries, they are time-limited; tied to a particular project and appropriate reclamation measures are in place.” The ES or planning submission should provide sufficient information to address this policy statement.
- 14.2 Additionally, a map of all proposed borrow pits must be submitted along with a site specific plan of each borrow pit detailing the:
- a) Location, size, depths and dimensions of each borrow pit;
  - b) Existing water table and volumes of all dewatering;
  - c) Proposed drainage and settlement traps, turf and overburden removal and storage areas;

d) Restoration profile, nature and volume of infill materials, and, if wetland features form part of the restoration, management proposals.

14.3 The impact of such facilities (including dust, blasting and impact on water) must be assessed in accordance with Planning Advice Note PAN 50 Controlling the Environmental Effects of Surface Mineral Workings (Paragraph 53). In relation to groundwater, information (Paragraph 52 of PAN 50) only needs to be provided where there is an existing abstraction or GWDTE within 250 m of the borrow pit.

## 15. Air quality <Delete this section if not relevant>

15.1 The local authority is the responsible authority for local air quality management under the Environment Act 1995, and therefore we recommend that Environmental Health within the local authority be consulted.

15.2 They can advise on the need for this development proposal to be assessed alongside other developments that could contribute to an increase in road traffic. They can also advise on potential impacts such as exacerbation of local air pollution, noise and nuisance issues and cumulative impacts of all development in the local area. Further guidance regarding these issues is provided in Scottish Planning Specific Advice (2004) available on the Scottish Government's Planning website entitled [Air Quality and Land Use Planning](#).

## 16. Regulatory advice for the applicant

16.1 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulations team in your local SEPA office at: [Insert local office details](#)

If you have any queries relating to this letter, please contact me by telephone on [insert contact number](#) or e-mail at [insert area planning office e-mail](#).

Yours [insert closure \(sincerely/faithfully\)](#)

!!OFFICER!!

[Insert job title](#)

Planning Service

ECopy to: !!COPYTO!!; [Planning Authority case Officer Direct Email if Available and Requested](#)

### *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 this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar 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 or similar 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. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).*