

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 You can still find useful and relevant information here but be aware that some parts may be out of date and our responses to planning applications may not match the information set out here.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 your email received on !!DATED!!. **Delete next sentence if already met or no meeting required** We would welcome engagement with the applicant at an early stage to discuss any of the issues raised in this letter.

**Advice to the planning authority**

**Choose relevant paragraph. Delete both if providing only scoping advice**

**EIA req'd** To streamline planning, please note in accordance with Table 1 of Planning Advice Note 1/2013 we need only be consulted at the screening stage in exceptional circumstances. Based on the information submitted to us we consider that, with respect to interests relevant to our remit, the proposed development will be **likely to have a significant effect** (in the context of the Regulations) on **Insert the environmental receptors we think may be significantly impacted e.g. the water environment, peatlands, air quality** and therefore Environmental Impact Assessment (EIA) is required. To **avoid delay and potential objection**, the information outlined below and in the attached appendix must be submitted in support of the application. In summary this must include:

**EIA not req'd** To streamline planning, please note in accordance with Table 1 of Planning Advice Note 1/2013 we need only be consulted at the screening stage in exceptional circumstances. Based on the information submitted to us we consider that, with respect to interests relevant to our remit, the proposed development will be **unlikely to have a significant effect** (in the context of the Regulations) on the environment and therefore Environmental Impact Assessment (EIA) is not required. This is on the assumption that standard and reasonable environmental mitigation measures will be put in place. Whether or not EIA is required, this must be demonstrated through the information we have requested below. To **avoid delay and potential objection**, the information outlined below and in the attached appendix must be submitted in support of the application. In summary this must include:

Delete the next three lines if you have used one of the above two paragraphs.

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

Delete any not applicable and re-order as needed.

- a) Map and assessment of all engineering works within and near the water environment including buffers, details of any flood risk assessment and details of any related CAR applications.
- b) Map of proposed surface water drainage layout.
- c) Map of proposed water abstractions including details of the proposed operating regime.
- d) Map of proposed waste water drainage layout.
- e) Map and assessment of impacts upon Groundwater Dependent Terrestrial Ecosystems and buffers.
- f) Map and assessment of impacts upon groundwater abstractions and buffers.
- g) Peat depth survey and table detailing re-use proposals.
- h) Map and table detailing forest removal.
- i) Quarry Site Management Plan of pollution prevention measures.
- j) Map of proposed restoration measures.

Further details on these information requirements and the form in which they must be submitted can be found in the attached appendix. We also provide site specific comments in the following section which can help the developer focus the scope of the assessment.

## 1. Site specific comments

- 1.1 Review scoping report/other submitted information and detail any site specific concerns you note e.g. buffers to sensitive receptors or plans not clearly showing all built elements. If draft assessments included, detail any concerns/comments we may have on them. Potential issues or areas on which we could give site specific comments include:

- Cases where a PMP is definitely required – “In this case, where much of the site is on peat, we expect the application to be supported by a comprehensive site specific Peat Management Plan.”
- Cases where it is clear that there will be wetlands on the site and it makes more sense to go directly to NVC – “In this case, where it is clear that much of the site is likely to be peatland and/or wetland, we suggest you may wish to go straight to carrying out NVC survey without carrying out Phase 1 and Sniffer assessments.”
- Cases where much of the site is forested and NVC of these areas is not required - “We can confirm that habitat survey information is not required for areas which are heavily forested or recently felled.”

- Cases where, based on the information provided at scoping, it seems unlikely that any groundwater abstractions will be located within 250 m of excavations – “Based on the information provided at this stage it seems unlikely that any development will take place within 250 m of a groundwater supply source; if this is the case it would be helpful if the ES provides evidence to confirm this.”
- Cases where the only apparent flood risk issue is design of watercourse crossings – “Provided watercourse crossings are designed to accommodate the 0.5% annual exceedance probability event and other infrastructure is located well away from watercourses we do not foresee from current information a need for detailed information on flood risk.”

## **Regulatory advice for the applicant**

### **2. Regulatory requirements**

- 2.1 **Amend as appropriate** Proposed engineering works within the water environment will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.
- 2.2 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 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](#).*

## **Appendix 1: Detailed scoping requirements**

This appendix sets out our scoping information requirements. There may be opportunities to scope out some of the issues below depending on the site. Evidence must be provided in the submission to support why an issue is not relevant for this site in order **to avoid delay and potential objection**.

If there is a delay between scoping and the submission of the application then please refer to our website for our latest information requirements as they are regularly updated; current best practice must be followed.

We would welcome the opportunity to comment on the draft submission. As we can process files of a maximum size of only 25MB the submission must be divided into appropriately named sections of less than 25MB each.

### **1. Site layout**

- 1.1 All maps must be based on the Ordnance Survey 1: 10 000 scale or greater base mapping to provide an adequate scale with which to assess the information. Each of the maps below must detail all proposed upgraded, temporary and permanent site infrastructure. This includes all tracks, excavations, buildings, site compounds, laydown areas, storage areas and any other built elements. Existing built infrastructure must be re-used or upgraded wherever possible to minimise the extent of new works on previously undisturbed ground.

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

- 2.1 A Site Management Plan must be submitted and include the following information:
  - a) A map showing the location, size, depths and dimensions of the quarry.
  - b) A map showing all proposed excavation areas, stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250 metres from working areas.
  - c) A site-specific buffer drawn around each loch or watercourse proportionate to the depth of excavations and at least 10 m from access tracks. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse, drawings of what is proposed in terms of engineering works.
  - d) A ground investigation report giving existing seasonally highest water table including sections showing the maximum area, depth and profile of working in relation to the water table.
  - e) A site map showing cut-off drains, silt management devices and settlement lagoons to manage surface water and dewatering discharge. Cut-off drains must be installed to maximise diversion of water from entering quarry works.
  - f) A site map showing proposed water abstractions with details of the volumes and timings of abstractions.

- g) A site map showing the location of pollution prevention measures such as spill kits, oil interceptors, drainage associated with welfare facilities, recycling and bin storage and vehicle washing areas. The drawing notes should include a commitment to check these daily.
- h) A site map showing where soils and overburden will be stored including details of the heights and dimensions of each store, how long the material will be stored for and how soils will be kept fit for restoration purposes. Where the development will result in the disturbance of peat or other carbon rich soils then the submission must also include a detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's [Developments on peatland: Site surveys and best practice](#)) with all the built elements and excavation areas overlain so it can clearly be seen how the development minimises disturbance of peat and the consequential release of CO<sub>2</sub>.
- i) Sections and plans detailing how restoration will be progressed including the phasing, profiles, depths and types of material to be used.

2.2 In addition to the information requirements set out within SPP and PAN 50 [Controlling the Environmental Effects of Surface Mineral Workings](#), applicants will need to consider if their proposal will include an extractive waste area or an extractive waste facility under the terms set out in the Management of Extractive Waste (Scotland) regulations 2010. The applicant should refer to [Guidance for The Management of Extractive Waste \(Scotland\) Regulations 2010](#).

### **3. Disruption to Groundwater Dependent Terrestrial Ecosystems (GWDTE)**

3.1 GWDTE are protected under the Water Framework Directive and therefore the layout and design of the development must avoid impact on such areas. The following information must be included in the submission:

- a) A map demonstrating that all GWDTE are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.
- b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all GWDTE affected.

3.2 Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice and the minimum information we require to be submitted.

### **4. Existing groundwater abstractions**

4.1 Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:

- a) A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations

deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.

- b) If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. We are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.

- 4.2 Please refer to [Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems](#) for further advice on the minimum information we require to be submitted.

## **5. Forest removal and forest waste**

- 5.1 If forestry is present on the site, we prefer a site layout which avoids large scale felling as this can result in large amounts of waste material and a peak in release of nutrients which can affect local water quality.
- 5.2 The submission must include a map with the boundaries of where felling will take place and a description of what is proposed for this timber in accordance with [Use of Trees Cleared to Facilitate Development on Afforested Land – Joint Guidance from SEPA, SNH and FCS](#).