

**SEPA Planning Advice Note for Planning Authorities**

**SEPA engagement in LDP site appraisal and assessment**

**May 2025**

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## Context

Key Agencies have a duty to cooperate with a planning authority in the preparation of the proposed plan. This advice note sets out SEPA’s approach to cooperating with planning authorities in reviewing proposed site allocations to support the spatial strategy. Our approach aligns with the [Guidance on Key Agency Engagement with Local Development Plan Site Appraisals.](https://www.sepa.org.uk/media/igimevzr/kag-site-appraisal-guidance-march-2025.docx)

The [Scottish Government’s Local Development Plan Guidance](https://www.gov.scot/publications/local-development-planning-guidance/) states that a site appraisal should be undertaken so that all sites are assessed using the site appraisal methodology agreed in the Evidence Report. This should include:

• sites allocated in an existing LDP;

• sites proposed through any call for ideas; and

• any other sites the planning authority considers may have potential.

The importance of ensuring that all potential sites are covered by the Strategic Environmental Assessment (SEA) is highlighted in the guidance. This ensures that, if the reporter considers at the Examination that insufficient land has been identified and seeks to recommend the addition of other sites into the plan, that these have already been covered by the SEA. We therefore recommend that the site assessment approach closely aligns with the SEA.

The guidance also makes it clear that all proposed site allocations should have been assessed for their deliverability through the site appraisal process and that they should be free of constraints as far as possible. Where constraints exist, sites can still be regarded as deliverable providing that the Delivery Programme sets out how constraints will be removed with an associated timeline.

To ensure that the site appraisal process is as efficient and effective as possible in delivering these outcomes we will take the approach outlined below.

## Alignment with SEA

The SEA Consultation Authorities have updated the [Local Development Plan Site Assessment and SEA Checklist](https://www.sepa.org.uk/media/0drpmb15/local-development-plan-site-assessment.docx) to align with NPF4.  It has been developed to help inform approaches to site assessment and to avoid duplication of effort. There is no expectation that the proforma must be used, and you are welcome to adapt and modify the proforma to suit your needs.

## Review

All key evidence sources required for the initial screening of sites for constraints and opportunities have been gathered as part of the Evidence Gathering stage. The site appraisal/assessment methodology put forward by the planning authority should be used to undertake an initial screening of sites to consider the implications for the environment, including flood risk. This initial assessment can be carried out by the planning authority as all the information needed, including the Strategic Flood Risk Assessment, has been collated for the Evidence Report.

Following the initial sifting process, we should be consulted on sites that:

* are preferred or a reasonable alternative and align with your spatial strategy and associated infrastructure first approach; and,
* relate to issues or opportunities that fall within our remit where further bespoke advice is required to support delivery. We’ve outlined the circumstances where this may be the case in [Table One](#Table_One).

This approach enables us to use the resources we have available in the most efficient and effective way. In practice this means that we can offer to review the preferred and reasonable alternative sites just once, after the sifting process and prior to the publication in the draft Proposed Plan.

There may be exceptional circumstances at a later stage in the plan preparation process, where the exclusion of a site is being challenged by third party, and you consider that input from SEPA would be useful.  In such circumstances we may be able to provide a view on the site at this stage if the reason for the consultation is clearly outlined including why the view of the agency is considered necessary.

We will engage with site consultations that are:

* supported by a summary of the reason for requesting SEPA input;
* grouped in one batch - repeated individual requests undermine the advice provided and may not enable us to provide robust advice on potential cumulative impacts;
* supplied with a GIS shapefile;
* accompanied by the initial site assessment findings (and indicative or draft SEA site assessment findings); and,
* presented in an easy to understand and clear format e.g. preferred/alternative sites and different site use classes could be colour coded and/or clearly categorised.

A minimum six-week consultation period is requested for the consultation to allow SEPA adequate time to undertake a review and provide a full response. Where we consider we need more time we will contact you as soon as possible to agree a suitable extension.

[Table One](#Table_One) outlines evidence that should be used for the initial stages of the site appraisal and when SEPA may need to be consulted later in the process.

Table One: Consulting SEPA as part of the site appraisal process

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Evidence** | **To support delivery of NPF4 policies** | **How it can be used for initial site appraisal** | **Then consult SEPA where…** | **Site Requirements** |
| Strategic Flood Risk Assessment (SFRA) outputs | Policies 10, 20 and 22 | The SFRA is an important source of evidence for planning authorities and should be used purposefully to carry out site sifting before any engagement with SEPA is necessary on the issue of flood risk - the SFRA provides the majority of information required at this stage, which should benefit both planning authorities and SEPA. The SFRA can be used to identify sites that may be in an area at risk of flooding. For such sites it should be ascertained whether: 1. its flood risk is fully understood (which could be via the SFRA, for example a site is clearly shown to be within or outwith an area of flood risk) or
2. if not, that a Flood Risk Assessment be undertaken to ensure that the flood risk is fully understood.

Where the SFRA clearly shows a site to be at some risk, planning authorities should assume it is not supported by NPF4 Policy 22 unless a site-specific FRA can confirm it is not at risk; identifies a smaller developable extent within which the proposed development can be accommodated, or demonstrates that the development can meet with one of the NPF4 Policy 22 exceptions and mitigation criteria.  | Sites that have made it through the planning authority’s initial sifting and assessment, and where there remains some uncertainty as to the risk, for example where an FRA has been prepared and after consultation with your internal flooding team a second opinion is required due to the complexity of the issues it raises. SEPA does not require to review all FRAs prepared to support potential site allocations at this stage.  | Site requirements for identified mitigation measures needed to meet Policy 22 mitigation criteria.  |
| Water Environment Evidence | Policies 3,4 20 and 22 | Collated water environment evidence (including the SFRA outputs) used to inform the blue and green infrastructure audit/strategy and nature network identification/opportunities should be used to inform the location, siting and design of potential site allocations. The site appraisal should consider if the site:* provides opportunities to protect and enhance the multiple functions of the identified Blue and Green Infrastructure (BGI) network and/or Nature Networks (NNs);
* compromises/constrains opportunities to protect and enhance the BGI and NNs;
* impacts on the status of the water body and/or supports/compromises RBMP measures identified to reduce pressures on that water body; or
* Impacts on an existing or proposed Water Environment Fund project. If so, could the proposal compromise or support/enhance the aims of the project?
 | No need to consult. An exception may be where a proposed site would affect an existing or proposed Water Environment Fund project.  | Site requirements to ensure the protection/ enhancement of multi-functional BGI and NNs and water bodies. Site requirements for any mitigation measures required to protect water bodies. |
| Waste water drainage | Policy 22 | To identify sites that are: * not in a sewered area:
* not included in a Scottish Water Investment Programme: or
* are included in a sewered area at capacity where there are no plans to upgrade the infrastructure through the Scottish Water Investment Programme.
 | Scottish Water have highlighted an issue with providing a connection to the public sewer and/or connection to the public sewer is not included in their Investment Programme. The site is within a designated phosphorous sensitive catchment and won’t be connected to the public sewer. | Site requirements for any mitigation measures required to protect water bodies.  |
| Authorised Activities | Policy 23  | To identify potential co-location issues with existing authorised activities such as noise, odour or air quality issues. The [Scottish Pollution Release Inventory](https://informatics.sepa.org.uk/SPRI/) toolkit sits on SEWeb and provides an interactive GIS platform where information on the most significant regulated sites can be found. A comprehensive list of all authorised activities can also be found here: [Find authorisation information - | Scottish Environment Protection Agency (SEPA)](https://find-authorisation-information.sepa.org.uk/). You should engage with your Environmental Heath colleagues to identify potential co-location issues and any required mitigation, including adequate buffers. SEPA’s [co-location standing advice for planning authorities](https://www.sepa.org.uk/media/kveizykh/co-location-standing-advice.docx) recommends an initial screening assessment from potential odour emission sources is carried out for sites within the following distances from the following types of existing development:* Landfill – 2km
* Biowaste (e.g. SEPA authorised composting, anaerobic digestion, sewage sludge treatment) - 1.5km
* Farming (e.g. SEPA authorised intensive agriculture processes) – 1km
* Food & Drink (SEPA authorised processes) – 1km
* Waste treatment – 0.5km
 | If, after consultation with your environmental heath colleagues, further advice on potential co-location issues with sensitive use classes (e.g. residential, schools) is required. | Site requirements for mitigation measures including adequate buffer zones where needed. |
| Land with potential for radioactive contamination | Policies 9 and 23 | To identify sites that could be affected by potential radioactive contaminated land including: * disused airfields,
* former radar stations,
* former Royal Observer Corps bunkers,
* clock/watch luminising sites,
* historic and closed landfill sites and
* old medical and animal research institutes.

Further background advice on these sites is provided in [Annex One](#Annex_One). It is advised that you engage with your Environmental Health colleagues to identify such sites. Ground investigations would need to be undertaken for any potential radioactive contaminated land sites that are being progressed to understand the full nature of the contamination and identify any mitigation measures that would need to be undertaken to enable the development. The following SEPA Guidance is available for historic luminising or waste disposal sites: [RS-JG-024 v1.2](https://www.sepa.org.uk/media/594570/rs-jg-024_v12.pdf). | A potential radioactive contaminated land site is being progressed and you would benefit from corroboration of the likelihood of such contamination against any information we hold. | Site requirements for any identified mitigation measures needed. |
| Part IIA Contaminated Land ‘Special Sites’ and Radioactive Contaminated Land sites | Policies 9 and 23 | To identify sites that could be affected by Part IIA Contaminated Land ‘Special Sites’, under the Environment Protection Act 1990 as listed here: [Special sites in Scotland | Scottish Environment Protection Agency (SEPA)](https://www.sepa.org.uk/regulations/land/contaminated-land/special-sites-in-scotland/). There are currently no formally identified Radioactive Contaminated Land sites in Scotland. SEPA is the lead regulator for special sites and radioactive contaminated land sites which are a specific sub-set of Part IIA contaminated land sites. For all other Part IIA sites and contaminated land information, the local authority is the lead regulator. Therefore, it is advised that you engage with your Environmental Health colleagues to understand the implications for sites that could be affected by Part IIA Contaminated Land. | A site that is potentially affected by a [Part IIA special site](https://www.sepa.org.uk/regulations/land/contaminated-land/special-sites-in-scotland/) or radioactive contaminated land site is being progressed. | Site requirements for any identified mitigation measures needed. |
| Sites that fall within Control of Major Accident Hazards (COMAH) Regulations  | Policy 23 | To identify sites which store or handle chemicals or substances of a hazardous nature which fall within the scope of COMAH Regulations described in [Schedule 1 of the Regulations](https://www.legislation.gov.uk/uksi/2015/483/schedule/1/made). Common examples include proposals for (or changes to) whisky sites with three or more maturation warehouses, large scale chemical or agrochemical storage, toxic gas storage, LPG / LNG storage >50T, hydrogen storage >5T, and sites handling explosives.  It is advised that you engage with your Environmental Health colleagues to understand the potential implications of the site proposal.  | Site that may require a new COMAH consent or an amendment to an existing COMAH consent is being progressed.  | Site requirements for any identified mitigation measures needed. |
| NatureScot’s Carbon and peatland 2016 map – Classes 1,2 3 and 5 | Policies 1,2, 3,4 and 5 | To identify sites on peatland and carbon rich soils that would need protecting from development in line with NPF4 Policy 5. Where sites can’t be avoided site surveys should be undertaken to understand peat/carbon rich soil depth and condition so that appropriate mitigation measures can be identified.  | No need to consult. | Site requirements for mitigation measures identified through the peat/soil survey that reflect the mitigation hierarchy. |

For sites where there are likely to be significant constraints and we consider that specific mitigation would be required, we will indicate whether:

* we are content with the allocation, subject to appropriate mitigation measures (e.g. specific requirements to be included in development briefs/ delivery programme, or alteration of the allocation boundary),
* we consider that further information from an appropriate appraisal is needed including where the appraisal fails to include sufficient consideration of how, when and by whom any mitigation is delivered; *or*
* we request that the allocation should be removed or altered, because adequate mitigation is not possible.

Our SEA comments will focus on inadequacies or inconsistencies in the environmental assessment as well as supporting findings where we are in agreement. As an SEA Consultation Authority, we have an interest in the SEA topics of air, soil, water, climatic factors, material assets and human health so our SEA advice could cover a wider range of topics than those listed in the table above. Further guidance on our SEA role can be found on our [website](https://www.sepa.org.uk/environment/land/planning/strategic-environmental-assessment/).

**Annex One: Land with Potential for Radioactive Contamination**

Below is a description of the common types of sites that have the potential for radioactive contamination and why.

**Former Military Airfields**

**WWII Airfields**

There are numerous former WWII military airfields across Scotland. Radioactive radium luminous paint was used during the war to luminise dials on aircraft control panels. During WWII some airfields had salvage units and maintenance units where aircraft were dismantled and put back together. Towards the end of WWII and in the decade following many airfields were used to store and then scrap aircraft no longer in use. Waste practices were not as they are today and consequently waste was dumped on site. Former military airfields, therefore, have the potential to have radioactive contamination in the form of radium-226.

**WW1 Airfields**

WWI airfields are not of concern as these are unlikely to have used radium paint. Whilst radium was discovered at the end of the 19th century use of radium 226 in luminescent paint wasn’t widely used until the 1920s-1930s. As such it is unlikely that radium 226 will be present at this site due to its operational use being only during the WW1 period. SEPA RS have no further comment to make with regard to any issues with radioactive substances in relation to this site. However, if new information with regard to the use of radium 226 during WW1 comes to light we will review our position.

**Former Radar Stations**

WWII and later radar stations used radium-226 within the transmit-receive tubes. Other radionuclides were also used. A number of radar stations were re-furbished with more modern equipment or decommissioned appropriately and as such the potential for radioactive contamination is low. However, unless a detailed desk study to accompany a site appraisal has specified the details of the refurbishment or decommissioning SEPA would have to assume that this has not occurred and would recommend that further information gathering on the nature of the equipment used at the site is undertaken to inform whether a radiological walkover survey is required.

If further information regarding the nature of the equipment used at the site cannot be sought it would be prudent to carry out a radiological walkover survey prior to any demolition and construction works. This will inform whether further works regarding possible radioactive contamination is required.

**Former Royal Observer Corps Bunkers**

Royal Observer Corps Bunkers were used during WWII and during the cold war. If the bunker was used post 1955 these bunkers were used to detect and report nuclear explosions and associated fall out. SEPA have no direct concerns with regard to radioactivity with the exception of calibration of the equipment used. Post 1955 bunkers held an isotope store where sealed radioactive sources were stored for the calibration of the equipment. These sources are likely to have been removed with any equipment when the bunker was decommissioned, however, SEPA do not know the exact date of decommissioning and as such cannot guarantee that equipment was disposed of correctly and not within the vicinity of the site. Further research into the use and decommissioning of the site will provide more certainty that radioactivity is not an issue.

**Clock/Watch Luminising Sites**

There were a number of clock and luminising works throughout Scotland. Radioactive radium luminous paint was used during the war to luminise dials on watches and clocks. Waste practices were not as they are today and consequently waste was dumped on site. Former clock and watch luminising works, therefore, have the potential to have radioactive contamination in the form of radium-226.

**Landfills**

A number of historic and closed landfills were approved as special precautions burial sites that were authorised to receive solid wastes containing very low levels of radioactivity. There may be various radionuclides disposed of in such landfills. One of the more common radionuclides is tritium. There are several potential sources of tritium in waste that could have been disposed of in such sites such as:

* Gaseous tritium light devices (GTLDs) such as fire escape lights
* Watches and clocks containing GTLDs
* Watches and clocks including luminous paints
* Compasses
* Electron tubes

As part of SEPA’s duties we monitor leachate from these landfills and as such have monitoring data that can be used to assess the risk for any LDP sites in relation to these sites.

**Research Institutes**

Medical and animal research institutes have also used radioactive sources in the past. Waste practices were not as they are today and consequently waste was dumped on site. Further research into the use and decommissioning of the site will provide the applicant with more certainty that radioactivity is not an issue. Former research institutes, therefore, have the potential to have radioactive contamination.

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