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From: Planning Aberdeen (SEPA) xxxxx  
Sent: 31 May 2013 15:48  
To: xxxxxx  
Subject: Local Development Plan Review Pre-MIR Comments

Daniel & Andrew,  
Thank you for the opportunity to input to the next Main Issues Report (MIR) for Aberdeen City. In addition to the comments we made at the today's Infrastructure workshop we make the following comments on the current LDP and SG which we trust will be of assistance in the preparation of the next plan. On the whole we consider that the current LDP and most of the current SGs are in line with current policy and good practice; however we have identified a few areas where improvements can be made for the next LDP, please find our initial comments below, to assist you I have used the headings and structure in the current LDP. We would be very happy to meet with your team to discuss any of these comments in more detail.

#### Supporting Business and Industrial Development

We support the clear recognition in Para 3.31 that industrial sites have the potential to accommodate waste management facilities.

#### Protecting and Enhancing the Natural Environment

Much of the Green Space Network around Aberdeen is linked to watercourses and their corridors, we suggest that there is an opportunity to improve the clarity of Policy NE1 by specifically making a reference to the water environment in the policy itself although it is acknowledged that it is referenced in the supporting text.

#### Flooding and Drainage

On the whole Policy NE6 accords with the principles of Sustainable Flood Risk management.

We suggest that there is an opportunity to create stronger links in the Policy to climate change. Climate change is usually considered a future problem whereas it needs to be clear that flooding is an existing issue which requires strong policy direction, but the issue will become more difficult in the future as a result of climate change.

We suggest that the supporting text makes clear reference to the requirements of the Flood Risk Management Act.

It is noted that one of the few matters on which we raised objections to the previous Local Development Plan was in relation to the consideration of flood risk in relation to allocations and so we would very much promote a thorough consideration of flood risk in relation to specific allocations for the next Plan.

Paragraph 205 of SPP states:

'Local development plans should:

- \* identify sites or areas constrained by flood risk on the basis of the risk framework, (emboldened by SEPA)
- \* safeguard the flood storage and conveyancing capacity of functional floodplains,
- \* indicate circumstances where a freeboard allowance should apply,
- \* and indicate when a drainage assessment will be required because of flood risk, and,

\* indicate when water resistant materials and forms of construction will be appropriate.'

We note that the draft SPP is currently out for consultation, we note the draft SPP promotes the use of Strategic Flood Risk Assessment (SFRA) in order to identify sites or areas constrained by flood risk, we have a workshop arranged with Aberdeenshire and Aberdeen City Councils in June to discuss how this could be approached and we very much looking to discussing this further with you then.

We suggest that it would be helpful to refer to SEPA's Technical Flood Risk Guidance for Stakeholders Document in the supporting text.

[http://www.sepa.org.uk/planning/flood\\_risk/policies\\_and\\_guidance.aspx](http://www.sepa.org.uk/planning/flood_risk/policies_and_guidance.aspx)

We welcome the reference in the policy to the need to ensure adequate access to waterbodies for maintenance, we suggest that there is an opportunity to link this to your existing SG on Buffer Strips.

In relation to the second part of the Policy which refers to drainage, we welcome the clear promotion of connection to the public sewer. As a minor point the last sentence of para 3.77 states that Developers will be required to demonstrate that their proposals for foul drainage conform to the standards set out in Sewers for Scotland 2 and CIRIA 697: The SUDS manual, for the avoidance of doubt C697 only deals with surface water drainage not foul drainage so we suggest that this final sentence is clarified, perhaps by moving the reference to Sewers for Scotland 2 upto para 3.75 which relates to surface water drainage and where reference to C697 is already made, thereby allowing 3.77 to make reference to foul drainage matters only. We suggest that reference could usefully be made to SEPA's Policy, Guidance and planning Advice on Drainage available at [http://www.sepa.org.uk/planning/waste\\_water\\_drainage.aspx](http://www.sepa.org.uk/planning/waste_water_drainage.aspx)

#### Other Relevant Supporting Documents

- a) Scottish Planning Policy. Paragraph 209 is particularly relevant.
- b) Scottish Planning Advice Note 61 Planning and Sustainable Urban Drainage Systems
- c) Scottish Planning Advice Note 79 Water and Drainage
- d) CIRIA manual C697 The SUDS Manual
- e) SUDS for Roads manual
- f) The Water Environment (Controlled Activities) (Scotland) Regulations 2011: A Practical Guide
- g) Designing Streets: A Policy Statement for Scotland

#### Links to Local Flood Risk Management Plans

The Flood Risk management (Scotland) Act 2009 places new duties on local authorities, SEPA, Scottish Ministers and others to exercise their functions with a view to reducing overall flood risk. An important new element of flood risk management introduced by the act is a requirement to prepare plans to manage flood risk. Local Authorities are responsible for producing Local Flood Risk

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Management Plans by Mid

2016 which will include specific actions and measures to reduce flood risk in their local authority areas.

Development Plans should facilitate the land use aspects of those Local Flood Risk Management Plans.

We recommend that you liaise with the local Flood Risk Management Local Advisory Group to ensure that the requirements of the Local Flood Risk Management Plans will be supported by the next LDP.

Coastal Planning

We support the clear reference in Policy NE7 – Coastal Planning to flood risk.

We suggest that reference

is made in the supporting text to the fact that River Basin Management Planning objectives apply to

coastal and transitional (estuarine) water bodies out to 3 nautical miles

offshore with regard to

maintaining ecological status.

Natural Heritage

On the whole this Policy supports well the protection of the water environment.

We suggest that reference

could usefully be made in the supporting text to the regulatory requirements relating to engineering works

in the water environment. Furthermore we suggest that the Policy or supporting text could go further and

actively promote opportunities to improve the water environment for example by adding the following

statement (perhaps incorporated into para 3.84):-

“Proposals which contribute towards improvements or enhancements of the water environment in line

with the objectives of the North East Scotland Area Management Plans will be supported.”

We note that Supplementary Guidance on Buffer Strips has already been prepared.

Recommend links to relevant supporting documents & guidance e.g.

\* Watercourses in the Community: A guide to sustainable watercourse management in the urban environment available at

[http://www.sepa.org.uk/water/water\\_publications/habitat\\_enhancement.aspx](http://www.sepa.org.uk/water/water_publications/habitat_enhancement.aspx)

\* Ponds, pools and lochans: Guidance on good practice in the management and creation of small

waterbodies in Scotland available at

[http://www.sepa.org.uk/water/water\\_publications/habitat\\_enhancement.aspx](http://www.sepa.org.uk/water/water_publications/habitat_enhancement.aspx)

\* Habitat Enhancement Initiative: Enhancing Sustainable Urban Drainage Systems (SUDS)

for Wildlife available at

[http://www.sepa.org.uk/water/water\\_publications/habitat\\_enhancement.aspx](http://www.sepa.org.uk/water/water_publications/habitat_enhancement.aspx)

\* River Restoration Centre Manual of River Restoration Techniques

\* The SEPA Position Statement on the Culverting of Watercourses

\* SEPA's Good Practice Guide – Bank Protection (WAT-SG-23)

\* SEPA's Good Practice Guide WAT-SG-44 Riparian Vegetation Management

Waste as a Resource

Each planning authority should consider the role they play in delivering the additional capacity and in

planning for sustainable waste management in all new developments and reflect this in their development

plans. We consider that to do this adequately all development plans should provide a policy framework

and land allocations which:

\* Support the development of new waste management facilities; and

\* Safeguard existing waste handling installations/waste management sites;

and

\* Identify clear locations appropriate for waste management facilities;

and

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\* Support the provision of infrastructure facilities for the management of all types of waste;  
and

\* Support the inclusion of waste prevention and management as part of all new development; and

\* Support the use of site waste management plans as a means to reduce construction and demolition waste.

On the whole the Policy approach set out in Policies R3, R4, R5 and R6 would support this, however there is a little scope for improvement.

For example explicit reference should be made to the requirement for developments to be supported by Site Waste Management Plans (SWMPS) which demonstrate how waste will be managed through the demolition and construction phases of developments.

We welcome the reference in Policy R5 to SEPA's Thermal Treatment Guidelines for your information these guidelines will be updated shortly. We also welcome the promotion of consideration of ability to export excess heat and power.

We support a positive approach which requires waste management considerations to be integrate into all new developments, we suggest that there may be scope for R6 to be clarified as to which types of developments will be required to provide for waste management e.g. only residential and supermarkets/stores referred to but this could be expanded. For example by incorporating the reference to All Developments providing space for storage and collection of waste within the policy rather than the supporting text (para 3.101)  
"All new development will be required to incorporate adequate provision for waste management and recycling facilities. "

We recommend that the requirement for "Best practicable environmental option" (BPEO) to be removed from the policy and instead the opportunity to apply or comply with the waste hierarchy is explored at Main Issues Report stage.

Presumably Para 3.100 will be updated to take account of the closure of Hill of Tramaud.

We understand that there is currently a site search exercise ongoing for a site for a large scale integrated waste management facility including materials recycling facility & energy form waste, and that this would be focussed on employment land. We welcome the proactive approach in the LDP to identify sites for waste management facilities this is in line with annex B of the Zero Waste Plan. We highlight that the search should take account of opportunities for heat and energy to be reused within the site and exported from the site in line with the requirements of SEPA's thermal treatment guidelines.

#### Renewable and Low Carbon Energy Developments

Although it is acknowledged that the extent of wind energy developments within Aberdeen City is likely to be limited and restricted to single turbines however we consider that the potential for certain

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environmental impacts associated with renewables developments to be highlighted more clearly in the policy and supporting text. For example

- \* Impacts on soils and peatlands including re-use of excavated peat;
- \* Impacts on the water environment, including wetlands, surface water and groundwater;
- \* The requirement for any engineering in the water environment;

All linear infrastructure (e.g. roads, track and trenches) and foundations and borrow pits associated with renewables developments can disrupt groundwater flow and quality and can potentially impact groundwater abstractions and Groundwater Dependant Terrestrial Ecosystems (GWDTEs). Therefore developers/applicants need to assess the potential environmental risk to identified sensitive receptors.

Relevant Supporting Documents

- a. SNIFFER (2009) A Functional Wetland Typology for Scotland UKTAG (2008) List of NVC communities and associated groundwater dependency scores.
- b. Forests and Water Guidelines - Fifth Edition, 2011, Forestry Commission
- c. The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) - A Practical Guide
- d. SEPA, Groundwater Protection Policy for Scotland, v3, November 2009, Section H
- e. Groundwater protection zones - Manual of standard zone delineation methodologies - 1996, Environment Agency and BGS.
- f. Delivering SEPA's Function to Protect Wetlands
- g. Scottish Government Planning Advice on Renewable Energy
- h. SEPA Land Use Planning System SEPA Guidance Note 4 - Planning Guidance on Windfarm Developments (<http://www.sepa.org.uk/planning/energy.aspx>)

New Policy areas

Following from the reference made in the Strategic Development Plan to potential impacts on the River Dee from abstraction and climate change we would welcome the inclusion of specific reference to water conservation issues.

Climate Change is an overarching issue but we would welcome further discussion as to how climate change adaptation and mitigation could be reinforced in the next Plan in relation to the following topics:-

- \* Facilitate renewable energy developments (mitigation)
- \* Maximise the opportunity to recover waste heat (mitigation)
- \* Protection of carbon rich soils (mitigation)
- \* Consider the impact of climate change on flood risk (adaptation)
- \* Consider the impact of climate change on the water environment (adaptation)
- \* Promote water conservation in new developments (adaptation)

Supplementary Guidance

We understand that you are planning to review your approach to Supplementary Guidance for the next Plan and are considering the use of more consolidated topic based SG, we have already had some initial discussions relating to specific SG documents (Drainage Impact Assessments) we welcome the opportunity to input to the SG and we would be very happy to assist your team on revising or drafting text for SGs as you move forward, please let me know if that would be helpful.

I trust these initial comments are helpful at this stage, please feel free to

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get in touch if you wish to discuss any of the points I have raised further or if we can be of any further assistance.

Kinds Regards  
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