

Catherine Millar  
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Westerton of Craigie  
Southampton Road  
Dundee  
DD4 7PN

Our Ref: 12/04/BL

If telephoning ask for:  
Barry Lucraft

19 May 2011

Dear Catherine

**INFORMATION REQUEST: Proposed New Community At Chapleton Of Elsie, West Of A90 Between Newtonhill And Portlethen**

I refer to your letter of 25 March 2011 wherein you requested information to assist you in carrying out Geo-environmental Desk Study at the above site.

**1. Information of the name and classification of the watercourse within the area of the site**

The name of the watercourse within the area of the site is the Burn of Elsie. This burn is classified by SEPA, using the WFD Classification Scheme, as bad overall status in the 2009 classification results. This classification of bad is based on a downgrade in the morphology parameter to bad status. Please see attachment for further information on the classification results of the watercourse.

**2. The sensitivity of the watercourse**

The Burn of Elsie does not fall within a designated area that is deemed sensitive.

**3. Water quality data availability**

The Burn of Elsie is not currently monitored so there is no recent water quality data available. However, there is historical chemical data available from monitoring on the burn prior to 1996. This data can be provided if requested by the enquirer.

**4. Any recorded pollution incidents**

ENV/0827694 – Report of oil in the Elsie burn coming from the road gullies. This was investigated on 05/08/2008

ENV/0830407 – Report of a leak from a domestic oil tank at Elsie Home Farm going to the Elsie burn. This was investigated on 06/01/2009

ENV/0846451 – Report of slurry in the Elsie burn. This was investigated on 28/02/2011 and no source of the pollution was found.



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Chief Executive  
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## **5. Private Water abstraction within the vicinity of the site**

A search of SEPA's databases found no licensed private water abstraction within the site boundary area and within 500m of the site. Please note that only private water abstractions over 10m<sup>3</sup> per day are required to hold a registration from SEPA so therefore there may be properties that have a private water supply.

## **6. Any other relevant information**

Whilst collating the information I also noticed that there are two waste management exemptions registered for the area; these are paragraph 29 and 30 for Elsieck Estate. Not sure if this is useful for you but there have been no problems regarding these exemptions.

**Furthermore, regarding the above site, could you please provide the following information;**

## **7. Location of any defined special sites (under part IIA of the EPA 1990 (Scotland) (as amended)) within 1km of the site.**

SEPA can advise that it has no record in its Public Register of any Part IIA Special Sites at or within 1 km of the subject site.

I can also confirm that the Operations Technical Services Unit has not had any formal approaches from the Local Authority for advice or information at this site or within the immediate vicinity (250 m radius), in respect of Part IIA of EPA 1990, which is the primary legislation on contaminated land. The Council would be the lead regulator for Part IIA, and should be approached in the first instance.

## **8. Details regarding registered/licensed management licences within the site boundary and within 500m of the site .**

A search of SEPA databases found no waste management licences within the site boundary and within 500m of the site.

## **9. Details of any pollution incidents recorded within the site boundary and within 500m of the site boundary.**

SEPA is not aware of any air pollution incidents in this area or within 500m of the boundary.

There are no recorded pollution incidents involving waste material at Chapelton of Elsieck. However, given the size of the area in question it has not been possible to determine whether there have been incidents in other unnamed sites. In addition, it is possible that there have been pollution incidents that SEPA have not been made aware of or that pre-date SEPA.

Given the rural nature of the land in question it is possible that there are historic farm tips etc dispersed around the area.

Please find attached a copy of SEPA's Standard Information Notice. It sets out your access and use rights to the data and information we are releasing with this response.

Should you wish to use the data other than in terms cited in the Notice, please contact SEPA via the [dataenquiries@sepa.org.uk](mailto:dataenquiries@sepa.org.uk) mailbox.

An invoice for £50 will follow under separate cover from our Corporate Office in Stirling. If you have any further queries please call the Aberdeen Office on 01224 266600 or by email [adminsupportabdnse@sepa.org.uk](mailto:adminsupportabdnse@sepa.org.uk).

Yours sincerely,

Barry Lucraft  
Senior Administration Officer

RECEIVED

30 MAR 2011

ABERDEENSHIRE COUNCIL  
PLANNING AND ENVIRONMENTAL SERVICES

Elsick Development Company  
By email only to: [info@elsick.co.uk](mailto:info@elsick.co.uk)



Our ref: PCS/112272  
Your ref:

If telephoning ask for:  
Zoe Griffin

29 March 2011

Dear Sirs,

## Chapelton of Elsie - Post Charrette Paper

Thank you for keeping SEPA up to date with the progress of the Chapelton of Elsie Charrette via the post-Charrette paper sent to us in February 2011. We note that a masterplan has now been prepared and that further public consultation shall take place before an initial planning application is submitted.

We sent initial comments to you on 27 September 2010 and as stated previously we would welcome a meeting with the applicant at any stage to discuss any of the issues raised in this letter.

In order to inform the pre-planning application process we have taken this opportunity to highlight again the main issues which we wish to be addressed at the detailed design stage.

### 1. General

- 1.1 We note and welcome that buffer zones have been carefully designed into the masterplan around the Burn of Elsie and the other small watercourses that pass through the proposed development site. We are pleased to see that the opportunity has been taken to sympathetically design these watercourses into the masterplan and to take advantage of the opportunities they can provide for attractive recreational open space and habitat green corridors throughout the site whilst enhancing water quality and respecting the importance of the flood plain.

### 2. Flood risk

- 2.1 In our earlier response we highlighted that that parts of the application site lies within the 1 in 200 year (0.5% annual probability) flood envelope of the Indicative River & Coastal Flood Map (Scotland), and may therefore be at medium to high risk of flooding.
- 2.2 Scottish Planning Policy states in paragraph 203, that "For planning purposes the functional flood plain will generally have a greater than 0.5% (1:200) probability of flooding in any year. Development on the functional flood plain will not only be at risk itself, but will add to the risk elsewhere." Built development, including landraising, should not therefore take place on the functional flood plain, on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy and PAN 69.



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2.3 As stated above we welcome the general principle shown throughout the Masterplan of creating areas of open space around the existing watercourses. There are however a few areas where development does encroach close to the watercourses and the proposals include a number of crossings on the watercourses. For those reasons, it should be noted that we would object to any planning application for the development on the site unless it was supported by a Flood Risk Assessment (FRA) to demonstrate that the development accords with the principles of Scottish Planning Policy. Our earlier response should be referred to if a FRA has yet not been carried out for guidance on how this should be undertaken.

2.4 An FRA will help determine the detailed design for the buffer zones around each watercourse. Several buildings that appear to be in or very close to the flood plain are the civic building adjacent to the kayaking pond, the area of residential building south west of the proposed secondary school and community campus and the large civic building immediately south of the Burn of Elsieck.

### **3. Waste water drainage**

3.1 We previously highlighted that there are infrastructure capacity issues for such a major development and there is a definite need for a new public foul sewer and associated pumping stations to transport flows to Nigg Waste Water Treatment Plant.

3.2 In addition to our previous comments it should be noted that the nearby Portlethen pumping Station is currently undersized and therefore any new sewer should be directed to the Cove pumping station. Early dialogue with Scottish Water will be required to determine if works are planned to overcome this problem, or what developer pro-rata contributions will be necessary to remove the constraint.

### **4. Surface Water Drainage**

4.1 We appreciated no detailed design of SUDS has been presented at this stage. We emphasise again that for this scale of development it is essential that there is recognition of green corridors and SUDS as amenity across the area. Use of public open space, landscaped areas and amenity provisions can all double as part of the SUDS arrangements. The need to separate out SUDS from other facilities should be minimised where possible and the "pipe-free" drainage system is encouraged.

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

5.1 We note that several watercourse crossings are proposed in the masterplan. We highlight again that bridging solutions or bottomless or arched culverts which do not affect the bed and banks of the watercourse should be used. If the proposed engineering works are likely to exacerbate flood risk then a flood risk assessment should be submitted in support of the planning application and we should be consulted as stated above.

### **6. River Basin Management Planning**

6.1 We outlined the principles of River Basin Management Planning in our earlier response.

6.2 We note and from the masterplan that several existing water courses and water features (including ponds) will be incorporated into the development with some being altered in some form. Whilst in general we welcome the masterplanning process taking account of the

RBMP, changes in rivers can lead to changes in erosion patterns and lead to longer term problems. As stated previously, any intentions to alter the physical form of a waterbody should be discussed with us as early as possible to discuss potential effects on habitats and how the waterbodies function. We can advise on best practice and on what data may be required to support any future detailed planning application.

## **7. Sustainable Waste Management**

- 7.1 We note and welcome the inclusion in the masterplan of a recycling centre and recycling points.

## **8. Use of Waste as a Resource**

- 8.1 We highlighted previously the opportunity for waste to be considered as a resource. There appears to be no mention of the potential for a heat and power plant on the site for example in the post-Charrette paper. Consideration of potential sources of heat and power at this early stage can avoid future requirements to retro-fit houses and pipelines to make use of heat and power providers and should be encouraged.

We trust this information will be useful to you at this stage of the development design process. If you have any queries relating to this letter or wish to arrange a meeting with us, please contact me by telephone on 01224 266655 or e-mail at [planningaberden@sepa.org.uk](mailto:planningaberden@sepa.org.uk).

Yours sincerely

Zoe Griffin  
Senior Planning Officer  
Planning Service

Email to: Aberdeenshire Council: [km.consultations@aberdeenshire.gov.uk](mailto:km.consultations@aberdeenshire.gov.uk)

Our ref: PCS/113021  
Your ref: ENQ/2011/0525

Jamie Scott  
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If telephoning ask for:  
Zoe Griffin

26 April 2011

By email only to: [km.consultations@aberdeenshire.gov.uk](mailto:km.consultations@aberdeenshire.gov.uk)

Dear Jamie

**EIA Screening/Scoping Opinion for New Settlement Incorporating 4045 Dwellinghouses (Mixed House Types), Business Land (Classes 4, 5 and 6) and Associated Infrastructure**

Thank you for consulting SEPA on the Environmental Impact Assessment (EIA) Scoping Report for the above by way of your email dated 29 March 2011.

As you are aware we have previously been consulted on the proposed development for this site by the applicant via the Charrette process. Although we were unable to attend any of the Charrette meetings we sent written comments at each stage of the consultation process and are pleased to note that most of the issues highlighted in our responses have been carried through to the Scoping Report where applicable.

The Scoping Report is comprehensive and we generally agree with its findings. We confirm that the following key issues should be addressed in the EIA process:

- Flood risk
- Drainage and surface water quality
- Hydrogeology (Geo-Environment)
- Waste management and pollution prevention (Utilities and Waste)

We also agree the following issues should be addressed in the EIA process in relation to our interests:

- Soils
- Ecology

One area which we consider has not been adequately addressed in the Scoping Report is hydromorphology. In the attached Appendix we have outlined why we wish to see this specifically included in the Environmental Impact Assessment (EIA) process but in summary, hydromorphology should be included in the EIA with particular consideration of the *future* condition of the watercourses on the site.



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We have given further advice on each of the above issues in the attached Appendix. Please note that all of these issues should be addressed in the Environmental Statement (ES), but 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.

Our advice at the pre-application stage is based on emerging proposals and our formal position is reserved until the planning application is submitted. This advice is given without prejudice to any decision made on elements of the proposal regulated by us, which may take into account factors not considered at the pre-application or planning stage.

If you have any queries relating to this letter meantime, please contact me by telephone on 01224 266655 or by e-mail to [planningaberdeen@sepa.org.uk](mailto:planningaberdeen@sepa.org.uk).

Yours sincerely

Zoe Griffin  
Senior Planning Officer  
Planning Service

Ecopy to: Elsick Development Company - [info@elsick.co.uk](mailto:info@elsick.co.uk)



## APPENDIX - FURTHER ADVICE FROM SEPA FOR ENQ/2011/0525

### 1. Flood risk

- 1.1 We welcome the general principle shown throughout the Masterplan of creating areas of open space around the existing watercourses. However it should be noted that there are a few areas where development does encroach close to the watercourses and the proposals include a number of crossings on the watercourses. For those reasons, we would object to any planning application for the development on the site unless it was supported by a Flood Risk Assessment (FRA) to demonstrate that the development accords with the principles of Scottish Planning Policy.
- 1.2 However, we have already highlighted to the applicant that parts of the application site lies within the 1 in 200 year (0.5% annual probability) flood envelope of the Indicative River & Coastal Flood Map (Scotland), and may therefore be at medium to high risk of flooding. We therefore welcome the fact that within the Scoping Report it is stated in section 6.9 that a FRA will be produced which is compliant with relevant policies within Scottish Planning Policy. We provide further advice below on the undertaking of a FRA.
- 1.3 For further information we refer the applicant to the document entitled: "*Technical Flood Risk Guidance for Stakeholders*". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from [www.sepa.org.uk/flooding/flood\\_risk/planning\\_flooding.aspx](http://www.sepa.org.uk/flooding/flood_risk/planning_flooding.aspx). Please note that this document should be read in conjunction with Annex B in SEPA Policy 41: "*Development at Risk of Flooding, Advice and Consultation – a SEPA Planning Authority Protocol*", available from [www.sepa.org.uk/flooding/flood\\_risk.aspx](http://www.sepa.org.uk/flooding/flood_risk.aspx).
- 1.4 The FRA will (or other information) be required to demonstrate that the development accords with the principles of Scottish Planning Policy.
- 1.5 Other appropriate information might include pre and post development site and finished floor levels related to nearby watercourses, appropriate photographs and/or any nearby historical flood levels. However if this information is insufficient to provide a robust assessment of the risk of flooding to the development then a detailed flood risk assessment may need to be carried out by a suitably qualified professional.
- 1.6 Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from [www.sepa.org.uk/flooding/flood\\_risk/planning\\_flooding/fra\\_checklist.aspx](http://www.sepa.org.uk/flooding/flood_risk/planning_flooding/fra_checklist.aspx)
- 1.7 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.
- 1.8 The flood advice contained in this letter is supplied to you by SEPA under the Environmental Information (Scotland) Regulations 2004 in response to your request for information under these regulations.

## **2. Drainage and surface water drainage**

- 2.1 It has been highlighted to the applicant that the treatment of surface water runoff by sustainable drainage systems (SUDS) is a legal requirement for most forms of development however the location, design and type of SUDS are largely controlled through planning. We encourage surface water runoff from *all* developments to be treated by SUDS in line with Scottish Planning Policy, PAN 61 *Planning and Sustainable Urban Drainage Systems*, PAN 79 *Water and Drainage* and Policy Inf4B in the Aberdeenshire Local Plan. SUDS help to protect water quality, reduce potential for flood risk and release capacity in the public sewerage network where the alternative is use of combined systems. Discharges to combined sewers should be avoided to free up capacity for waste water discharges.
- 2.2 We are pleased to note from the Scoping Report (section 6.9) that a drainage strategy will be prepared as part of the EA process. It is important to ensure that adequate space to accommodate SUDS is incorporated within the site layout, and that this is outwith the functional floodplain. Consideration should be given to this matter early in the planning process when proposals are at their most fluid and modifications to layout can be easily made with less expense to the developer. For this scale of development, we would **object** unless a planning application is supported by a suitable Drainage Strategy or Drainage Impact Assessment to demonstrate how surface water can be acceptably drained on the site.
- 2.3 We have already provided the applicant with SUDS advice and have highlighted that the need to separate out SUDS from other facilities should be minimised where possible and the “pipe-free” drainage system should be encouraged. The schemes which were referred to in our previous responses is now available on the following link: [http://www.gcvgreennetwork.gov.uk/component/option,com\\_docman/Itemid,53/gid,185/task,cat\\_view/](http://www.gcvgreennetwork.gov.uk/component/option,com_docman/Itemid,53/gid,185/task,cat_view/)
- 2.4 Comments from Scottish Water should be sought where the SUDS proposals would be adopted by them. We encourage the design of SUDS to Sewers for Scotland Second Edition standards and the adoption of SUDS features by Scottish Water as we are of the view that this leads to best standards and maintenance.
- 2.5 SUDS must be used on all sites, including those with elevated levels of contaminants. SUDS which use infiltration will not be suitable where infiltration is through land containing contaminants which are likely to be mobilised into surface water or groundwater. This can be overcome by restricting infiltration to areas which are not affected by contamination, or constructing SUDS with an impermeable base layer to separate the surface water drainage system from the contaminated area. SUDS which do not use infiltration are still effective at treating and attenuating surface water. Please refer to the advice note on [SUDS and brownfield sites](#) for further information.

## **3. Construction Environmental Management Document (CEMD) and pollution prevention**

- 3.1 One of our key interests in relation to major developments like this is pollution prevention measures during the periods of construction and demolition. We have advised that the applicant, through the planning submission, should 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.

- 3.2 We are pleased to note from the Scoping Report (section 6.10) that an assessment will be made of surface water pollution and mitigation will be adopted in accordance with our Pollution Prevention Guidelines. Details of the specific issues that we expect to be addressed are available on the Pollution Prevention and Environmental Management section of our [website](#).
- 3.3 Any activities carried out on site that include the use of potential contaminants such as the use of fuel/oil should be carried out in such a manner that pollution of the whole water environment, **not just surface water**, does not occur. Any destabilisation works, excavations, ground disturbance or stripping of vegetation and or topsoil should also be carried out in such a manner to ensure that pollution of the water environment does not occur.
- 3.4 A key issue for us is the timing of works. Therefore, the Schedule of Mitigation should include a timetable of works that takes into account all environmental sensitivities which have been raised by SEPA, SNH or other stakeholders. Timing should also be planned to avoid construction of roads, dewatering of pits and other potentially polluting activities during periods of high rainfall. We can provide useful information such as rainfall and hydrological data through our [Access to Information Team](#).
- 3.5 A Construction Environmental Management Document (CEMD) is a key management tool to implement the Schedule of Mitigation. We recommend that the principles of the CEMD are set out in the planning application drawing together and outlining all the environmental constraints and commitments, proposed pollution prevention and mitigation measures.
- 3.6 The CEMD should form the basis of more detailed site specific Construction Environmental Management Plans (CEMPs) which along with detailed method statements may be required by planning condition or, in certain cases, through environmental regulation. This approach provides a useful link between the principles of development which need to be outlined at the early stages of the project and the method statements which are usually produced following award of contract (just before development commences).
- 3.7 We recommend that the detailed CEMD is submitted for approval to the determining authority at least two months prior to the proposed commencement (or relevant phase) of development to order to provide consultees with sufficient time to assess the information. This document should incorporate detailed pollution prevention and mitigation measures for all construction elements potentially capable of giving rise to pollution during all phases of works on site. This document should also include any site specific CEMPs and Construction Method Statements provided by the contractor as required by the planning authority and statutory consultees. The CEMD and CEMP do not negate the need for various licences and consents, eg CAR and PPS, if required. The requirements from the obtained licences and consents should be included within the final CEMPs.

#### **4. Hydrogeology (Geo- Environment)**

- 4.1 We note from the Scoping Report, section 6.11, that a Phase 1 geo-environmental study will be undertaken
- 4.2 However it should be noted that the applicant will need to provide detailed plans of the proposal, with any cuttings or excavations for roads or building developments, clearly defined and address any groundwater drainage/abstraction requirement at the planning application stage and therefore we advise that this information is provided and assessed as soon as practicable.

- 4.3 A detailed water features survey will be required at the Environmental Assessment stage. This should include any springs, wells and abstractions, as well as discharges, surface water features and potentially sensitive habitat (ground water dependant terrestrial ecosystems – GWDTE) in the area. Grid references for all features should be provided. Wells and springs should be investigated as to condition and any current usage. Appropriate assessment of the potential risks posed by the proposed scheme to each receptor will be required. If risks are identified SEPA would expect to see proposals for any necessary mitigation measures.
- 4.4 A private water supply survey should be undertaken to identify any that may be present in the vicinity. If Private Water Supplies (PWS) are present, a full and site specific risk assessment should be undertaken and included within the ES.
- 4.5 If risk to or abstraction to a PWS or GWDTE is identified the ES should either:
- Provide a quantitative hydrogeological assessment that establishes the size of the Zone of Contribution feeding groundwater to the water supply or GWDTEs and identifies the proportion of flow that will be reduced as a consequence of any construction. This will need to be accompanied by a risk assessment that identifies whether this reduction in flow is significant. For water supplies, this will need to take account of the impact of the reduction in flow on the level of water in the supply as compared with the pump or outflow level. For GWDTEs, this will require an ecological assessment of the environmental supporting conditions of the GWDTE.
  - Or demonstrate that the applicant has agreed with the owner of the abstraction to provide an alternative supply.
- 4.6 It is noted that an initial ground contamination assessment will be undertaken. It is recommended that the applicant identify, characterise and appropriately assess any potentially contaminated land in accordance with present regulations and SEPA guidelines. If significant contamination is identified, then remediation and/or other mitigation measures may be required.

## **5. Hydromorphology**

- 5.1 As stated in the covering letter we request that a hydromorphology assessment is included within the final ES. We have stated below the reasons for this request.
- 5.2 The site encompasses a significant proportion of the Burn of Elsieck catchment. There are also a number of small tributaries feeding both main burns within the site. The Burn of Elsieck is a SEPA baseline water body (ID 23251). As highlighted previously to the applicant, the Burn of Elsieck is presently at overall bad status and is at less than good status for morphology mainly due to channel realignment. The data on which this has been based has been partially verified by field survey so confidence in classification is high. The vast majority of the channel realignment contributing to downgrade in status sits within the development site. The Pheppie Burn is not a SEPA baseline water body. It is apparent from maps and aerial photos that much of the Pheppie Burn and the smaller tributaries of both burns have also been historically realigned.
- 5.3 Whilst the Water Framework Directive (WFD) is currently an obvious driver for improving the status of the Burn of Elsieck, it is conceivable that the Pheppie Burn and smaller tributaries would become targets for restoration in the future, albeit the longer term. The significant change to land use proposed presents a unique opportunity to incorporate or at least allow for future restoration of the water environment.

- 5.4 In this regard it is welcomed that, as stated in the document, the masterplan is to leave the “valley of the burn” as open space.
- 5.5 Restoration of the Burn of Elswick will predominantly require re-connection of the burn with its floodplain (realignment has also caused deepening) and restoration of a sinuous planform with associated bed features such as pool-riffle sequences. Whilst this would best be achieved by physical intervention there is also an option for “self-recovery” although this is much more unpredictable and will take much longer. In both cases, however, it is vital to allow space for future change to morphology, i.e. migration of the channel, as this is fundamental to the maintenance and functioning of good channel morphology. **The EIA should therefore consider not just the current condition of the water environment but also the requirement for improvement under WFD and how the development could impact this.**
- 5.6 Although the masterplan should create the environment for restoration, if not deliver it, there are a number of ways in which it could also hamper restoration namely
- There may be an expectation that the burn should be “managed” within the park areas to make “attractive” water features. This would likely involve the introduction of artificial features such as weirs, bank reinforcement, bank re-profiling and realignments. Some of these may have the potential to assist recovery and restoration but most will only act to work against river processes. There is an opportunity to let the burn function naturally which is arguably more “attractive” and could be used as an educational tool.
  - River crossings. The masterplan shows numerous new crossings as well as retention of several existing crossings. These all have the potential to act as “control” points on river morphology and be problematic in future either from a flooding or river processes point of view. Not only this but the proliferation of crossings has the potential to create a cumulative impact by punctuating natural processes e.g. sediment transport. This needs to be carefully considered when selecting crossing types as it could impact on restoration potential.
  - Development too close to the burn (inadequate buffer). This does not look to be a problem for much of the site and a reasonable corridor has been afforded to the burn. There are however one or two locations where development and infrastructure is shown quite close. This needs to be carefully considered in the EIA in the context of long term restoration potential and development of river processes.
- 5.7 Although the Pheppie Burn and smaller tributaries are not baseline water bodies they are nonetheless important parts of the water environment and the latter contribute to the morphology of the baseline water body e.g. supply of sediment. There is therefore no reason why these should be treated any differently from the Burn of Elswick.
- 5.8 Being effectively a blank sheet of paper, this is a remarkable opportunity to “design out” many of the historic issues which normally exist between urban development and the water environment. It is therefore disappointing the scoping for the EIA does not include assessment of the physical water environment i.e. hydromorphology. We request that hydrogeomorphology is included within the EIA process and it probably merits a separate section within the final ES.



## 6. Utilities and Waste

### Waste water drainage

- 6.1 It is noted from section 6.20 of the Scoping Report that a sustainability and Infrastructure Report (SIR) will be prepared. The ES should include consideration of options for waste water treatment facilities. Drainage is a material planning consideration and will be assessed as part of your planning application in line with PAN 79 Water and Drainage and Policy Inf\4A in the Aberdeenshire Local Plan.
- 6.2 The waste water drainage from development within and close to the settlement envelope should be directed to that system. However we have made the applicant aware that there are infrastructure capacity issues for such a major development and there is a definite need for a new public foul sewer and associated pumping stations to transport flows to Nigg Waste Water Treatment Plant. Early dialogue with Scottish Water will be required to determine if works are planned to overcome this problem, or what developer pro-rata contributions will be necessary to remove the constraint.

### Waste management

- 6.3 In accordance with Scottish Planning Policy and Policy Inf\6B in the Aberdeenshire Local Plan, space for collection, segregation, storage and possibly treatment of waste (eg individual and/or communal bin stores, bring banks and waste treatment facilities) should be allocated within the planning application site layout. Please consult with your local council's waste management team to determine what space requirements are required within the application site layout. Some local authorities have an information sheet setting out space requirements.
- 6.4 In accordance with Scottish Planning Policy, details of how waste will be minimised at the construction stage should also be outlined in the SIR and/or the ES submitted with the planning application which demonstrate that:
- a) construction practices minimise the use of raw materials and maximise the use of secondary aggregates and recycled or renewable materials;
  - b) waste material generated by the proposal is reduced and re-used or recycled where appropriate on site (for example in landscaping not resulting in excessive earth moulding and mounding). There may be opportunities to utilise surplus soils for sustainable purposes elsewhere.
- 6.5 To do this effectively all waste streams and proposals for their management should be identified, including materials excavated on site, demolition materials and the importation of any waste materials to the site. Accordingly, we recommend that a site specific site waste management plan is developed to address these points. This is in accordance with the objectives of Scottish Planning Policy and the National Waste Plan which aim to minimise waste production and reduce reliance on landfill for environmental and economic reasons.
- 6.6 Advice on how to prepare a site waste management plan is available on the netregs website and from Envirowise who also provide free advice on resource efficiency. Further advice on the reuse of demolition and excavation materials is available from the Waste and Resources Action Programme. Further guidance can also be found at our website. Information on waste prevention and waste minimisation is available on our waste minimisation webpage at [www.sepa.org.uk/waste/resource\\_efficiency.aspx](http://www.sepa.org.uk/waste/resource_efficiency.aspx).

- 6.7 It is noted from the Scoping report that most of the site is in agricultural use and therefore it is unlikely that there will be peat on site. However, should any peat be found on site through the EIA process our interest would relate to the disposal of peat on the site as well as any impacts upon peatland hydrology as discussed below. Peat disposed at depth must be considered in the context of waste being landfilled and may not be possible under our regulatory regimes. Further guidance can be found in SEPA's Position Statement – Developments on Peat.

#### Water supply

- 6.8 It is noted from the allocation in Aberdeenshire Council's Proposed Local Development Plan that an upgrade to the Clochandighter service reservoir and a new reservoir may be required in association with the development of this site. We request that the Sustainability and Infrastructure Report assesses the demand for water and should an upgrade of new reservoir be required the impacts of this will need to be included in the EIA. It should be noted that on-line impoundments are regulated by us and the developer should seek additional advice should a new reservoir or upgrading of existing structures be required.

### **7. Ecology**

- 7.1 We note that a considerable amount of ecological survey work has already been carried out but is not clear what has been undertaken in terms of the impact of the development on the freshwater environment and the habitat restoration potential of this development.
- 7.2 For a development such as this, it is important that the EIA clearly establishes the potential ecological impacts from construction of buildings, watercourse crossings, roads etc, on nearby watercourses. Although we note from section 6.10 of the Scoping Report that a qualitative assessment will be made of surfacewater pollution, **we would wish to see a method statement clearly stating the risks, likely impacts and mitigation measures to prevent pollution of the freshwater environment in terms of ecological impact.**
- 7.3 In order to establish the baseline ecological conditions in the freshwater environment, it is important that the EIA includes full ecological baseline assessments of the Elsick burn, Pheppie burn and any other watercourses, potentially impacted by the development. Water quality monitoring should include chemical and biological monitoring. We hold macroinvertebrate data for a site on the Elsick Burn at East Cammachmore (NGR: NO 91149 94037) from 1981-2003, this data is available from ecology on request. Monitoring of macroinvertebrates pre, during and post construction will provide a good indicator of any impacts on the ecology of the watercourse from the development.
- 7.4 The scoping report considers that the majority of the site is intensively managed farmland with limited habitat value (section 3.13). However, it is important that any wetland habitats present are identified. We therefore request that the EIA include an assessment of any wetlands that may be present, by using 'SNIFFER (2009) WFD95 – A Functional Wetland Typology for Scotland' (currently available for free download on the SNIFFER website). This may be used along with Phase 1 Habitat Survey. An NVC survey will also be required for wetland areas identified on the site to ensure there are no direct or indirect impacts on wetlands. The results of the habitat surveys should be shown on appropriate maps. If wetlands are identified and potentially impacted by the development, then details of appropriate mitigation measures should be included in the EIA.

- 7.5 The Elsick and Pheppie catchments are predominantly agricultural land, and the riparian habitats are therefore relatively degraded. The River Basin Management Plan (RBMP) for the Scotland River District sets out objectives for waterbodies to maintain or achieve good ecological status. A key objective is the 97% of all of Scotland's water should be in good condition by 2017. As the Burn of Elsick is currently at bad status for morphological pressures, we would like to see the plans for these watercourses incorporate riparian habitat restoration and enhancement, and adequate buffer strips. We see this development is an ideal opportunity to enhance the conservation value of the riparian habitat of these burns.
- 7.6 With regard to any new reservoir or upgrading of the existing the full ecological impacts will need to be assessed. A new reservoir is likely to have implications for freshwater and wetland habitats in the locality and we would expect the impacts of this to be adequately taken into account. Additional survey work may be required to support an application which will affect those habitats.
- 7.6 We note that a number of open water areas are proposed – we refer the developer to our best practice guidance with regard to pond construction:  
<http://www.sepa.org.uk/pdf/guidance/hei/ponds.pdf>

Rec'd 30/3/11

Our ref: PCS/112272  
Your ref:

Elsick Development Company  
By email only to: [info@elsick.co.uk](mailto:info@elsick.co.uk)

If telephoning ask for:  
Zoe Griffin

29 March 2011

Dear Sirs,

## Chapelton of Elsick – Post Charrette Paper

Thank you for keeping SEPA up to date with the progress of the Chapelton of Elsick Charrette via the post-Charrette paper sent to us in February 2011. We note that a masterplan has now been prepared and that further public consultation shall take place before an initial planning application is submitted.

We sent initial comments to you on 27 September 2010 and as stated previously we would welcome a meeting with the applicant at any stage to discuss any of the issues raised in this letter.

In order to inform the pre-planning application process we have taken this opportunity to highlight again the main issues which we wish to be addressed at the detailed design stage.

### 1. General

- 1.1 We note and welcome that buffer zones have been carefully designed into the masterplan around the Burn of Elsick and the other small watercourses that pass through the proposed development site. We are pleased to see that the opportunity has been taken to sympathetically design these watercourses into the masterplan and to take advantage of the opportunities they can provide for attractive recreational open space and habitat green corridors throughout the site whilst enhancing water quality and respecting the importance of the flood plain.

### 2. Flood risk

- 2.1 In our earlier response we highlighted that that parts of the application site lies within the 1 in 200 year (0.5% annual probability) flood envelope of the Indicative River & Coastal Flood Map (Scotland), and may therefore be at medium to high risk of flooding.
- 2.2 Scottish Planning Policy states in paragraph 203, that "For planning purposes the functional flood plain will generally have a greater than 0.5% (1:200) probability of flooding in any year. Development on the functional flood plain will not only be at risk itself, but will add to the risk elsewhere." Built development, including landraising, should not therefore take place on the functional flood plain, on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy and PAN 69.



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2.3 As stated above we welcome the general principle shown throughout the Masterplan of creating areas of open space around the existing watercourses. There are however a few areas where development does encroach close to the watercourses and the proposals include a number of crossings on the watercourses. For those reasons, it should be noted that we would object to any planning application for the development on the site unless it was supported by a Flood Risk Assessment (FRA) to demonstrate that the development accords with the principles of Scottish Planning Policy. Our earlier response should be referred to if a FRA has yet not been carried out for guidance on how this should be undertaken.

2.4 An FRA will help determine the detailed design for the buffer zones around each watercourse. Several buildings that appear to be in or very close to the flood plain are the civic building adjacent to the kayaking pond, the area of residential building south west of the proposed secondary school and community campus and the large civic building immediately south of the Burn of Elsieck.

### **3. Waste water drainage**

3.1 We previously highlighted that there are infrastructure capacity issues for such a major development and there is a definite need for a new public foul sewer and associated pumping stations to transport flows to Nigg Waste Water Treatment Plant.

3.2 In addition to our previous comments it should be noted that the nearby Portlethen pumping Station is currently undersized and therefore any new sewer should be directed to the Cove pumping station. Early dialogue with Scottish Water will be required to determine if works are planned to overcome this problem, or what developer pro-rata contributions will be necessary to remove the constraint.

### **4. Surface Water Drainage**

4.1 We appreciated no detailed design of SUDS has been presented at this stage. We emphasise again that for this scale of development it is essential that there is recognition of green corridors and SUDS as amenity across the area. Use of public open space, landscaped areas and amenity provisions can all double as part of the SUDS arrangements. The need to separate out SUDS from other facilities should be minimised where possible and the "pipe-free" drainage system is encouraged.

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

5.1 We note that several watercourse crossings are proposed in the masterplan. We highlight again that bridging solutions or bottomless or arched culverts which do not affect the bed and banks of the watercourse should be used. If the proposed engineering works are likely to exacerbate flood risk then a flood risk assessment should be submitted in support of the planning application and we should be consulted as stated above.

### **6. River Basin Management Planning**

6.1 We outlined the principles of River Basin Management Planning in our earlier response.

6.2 We note and from the masterplan that several existing water courses and water features (including ponds) will be incorporated into the development with some being altered in some form. Whilst in general we welcome the masterplanning process taking account of the



RBMP, changes in rivers can lead to changes in erosion patterns and lead to longer term problems. As stated previously, any intentions to alter the physical form of a waterbody should be discussed with us as early as possible to discuss potential effects on habitats and how the waterbodies function. We can advise on best practice and on what data may be required to support any future detailed planning application.

## **7. Sustainable Waste Management**

- 7.1 We note and welcome the inclusion in the masterplan of a recycling centre and recycling points.

## **8. Use of Waste as a Resource**

- 8.1 We highlighted previously the opportunity for waste to be considered as a resource. There appears to be no mention of the potential for a heat and power plant on the site for example in the post-Charrette paper. Consideration of potential sources of heat and power at this early stage can avoid future requirements to retro-fit houses and pipelines to make use of heat and power providers and should be encouraged.

We trust this information will be useful to you at this stage of the development design process. If you have any queries relating to this letter or wish to arrange a meeting with us, please contact me by telephone on 01224 266655 or e-mail at [planningaberden@sepa.org.uk](mailto:planningaberden@sepa.org.uk).

Yours sincerely

Zoe Griffin  
Senior Planning Officer  
Planning Service

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