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Scottish Environment Protection Agency

Our ref: PCS/102156
Your ref: 09/0456/PP

If telephoning ask for:
Alasdair Milne

24 August 2009

RENFREWSHIRE COUNCIL									
DEPARTMENT OF PLANNING & TRANSPORT									
26 AUG 2009									
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TRA	RA	PA	SC	DC	PI	RE	FILE	OPER	
COPIED TO:									

Director of Planning & Transport
Renfrewshire Council
Renfrewshire House
Cotton Street
PAISLEY
PA1 1LL

Dear Sir

Town and Country Planning (Scotland) Acts

Planning Application: 09/0456/PP

**Construction of a landfill facility at western edge (east of Turningshaw Road) of the former Royal Ordnance factory site, Station Road, Bishopton
BAE Systems (Property Investments Ltd)**

Thank you for your consultation letter of 8 July 2009, which SEPA received on 13 July 2009. Based on the information currently available to us we have no objection in principle to this planning application. Please note the advice provided below.

1. Pollution Prevention and Control

1.1 We have been involved with this project for a number of years, and received a Pollution Prevention and Control (PPC) Part A application in 2007 relating to a landfill site for the disposal of non hazardous and stabilised non hazardous waste. The determination of this application is at an advanced stage although there are still outstanding issues to be resolved regarding the suitability of waste contaminated with low levels of explosives being emplaced in landfill. The permit will not be issued until planning permission has been granted by the local authority.

The landfill application seeks only to accept waste from the ROF Bishopton site, with no waste being accepted from outwith the planning application boundary. The landfill is justified due the large volume of waste material which will have to be removed from the areas demarcated for future use. The creation of an on-site landfill facility will ensure that pollution and nuisance from transport to the surrounding locale will be dramatically reduced.

The construction phase of the landfill requires a land raise. Our understanding is the material to be used for this land raise will be generated from within the Bishopton facility, with the properties of this material "to be confirmed following detailed design". We would advise that the specification for the fill material should be forwarded to SEPA as part of the Construction Quality Assurance (CQA) Plan for the construction of the landfill cells.

The Environmental Statement looks in detail at the effects on air, noise and water. The noise information submitted appears reasonable and indicates the works will have a minimal impact on noise sensitive receptors.

Noise will be controlled via the permit conditions relating to the boundary for the proposed landfill site. Dust will also be controlled via permit conditions, and the report outlines the methods to be employed to minimise the effects from dust which will mainly be from stockpiles of soil and traffic movement on site. In terms of the water environment, construction works for the site may result in the potential to contaminate nearby watercourses, particularly the small watercourse identified in the report as running across the site. The report outlines that PPG 5- "Works and maintenance in or near water" will be followed to ensure that works are carried out in a manner which reduces the risk of pollution into the water environment. The requirements of the Water Environment (Controlled Activities) Regulations 2005 (CAR) must be complied with at all times.

2. Contaminated Land

- 2.1 We have been closely involved with the progress of the works through the BAE-led Environmental Working Group meetings. We have provided advice on the assessment of water pollution from land contamination to the local authority, and thus to BAE.

We have a particular interest in pollution of the water environment arising from any land contamination at the site. It is for the Council to decide whether the site is suitable for the proposed use or can be made suitable for use in the context of any land contaminated at this location (PAN 33: Development of Contaminated Land provides guidance on this matter). An objective of any investigation should be to determine whether or not any contamination present would constitute pollution of the water environment (including groundwater) so that any required remedial action can be undertaken prior to redevelopment. It is desirable that any investigation and remediation works should be at least sufficient to ensure that the site conditions, once developed, would not constitute contaminated land under Part IIA of the Environmental Protection Act 1990.

As the Local Authority is the lead authority in relation to contaminated land, we advise consultation with your Environmental Services Department and those responsible for implementing the contaminated land regime in this regard. We would only expect to be consulted when, after evaluation of all available information (including appropriate site investigations and risk assessments) the local authority has determined that there is potential for the site to impact on the Water Environment.

We note that our contaminated land specialists are already liaising with your Environmental Services department regarding this site. Further comments regarding the risks to the Water Environment from land contamination are being passed to them directly where required.

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 planning stage.

3. Flood Risk

- 3.1 We have reviewed the information provided in this consultation and it is noted that, although the site appears to lie outwith the Indicative River and Coastal Flood Map (Scotland), the application site is adjacent to a small watercourse and consequently the site may be at risk of flooding.

It is recommended that contact is made with your Flood Prevention Authority regarding this issue. If your authority requires further comment from us, additional information would be necessary to enable us to comment upon the flood risk at the application site.

It should be noted that the Flood Map is not intended for commercial use (as stated in the Terms and Conditions on our website) and extracts from it (Figure 12.1) should not therefore be included in any reports.

It should also be noted that the Indicative River & Coastal Flood Map (Scotland) is intended to be a strategic and indicative national overview of potential flood risk and is not relevant to catchments below 3km². As such it does not definitively show that "the application site is not at risk of flooding when subject to a 200-year flood" as stated in point 12.35 of the Environmental Statement.

Additional Information for Applicant & Caveats

- 3.2 The Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The outlines do not account for flooding arising from sources such as surface water runoff, surcharged culverts or drainage systems. The methodology was not designed to quantify the impacts of factors such as flood alleviation measures, buildings and transport infrastructure on flood conveyance & storage. The Indicative River & Coastal Flood Map (Scotland) is designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland. For further information please visit www.sepa.org.uk/flooding/flood_map.aspx.

We wish to 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. 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.

The flood risk advice contained in this letter is supplied to you by SEPA in terms of Section 25 (2) of the Environment Act 1995 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Renfrewshire Council as Planning Authority in terms of the said Section 25 (2).

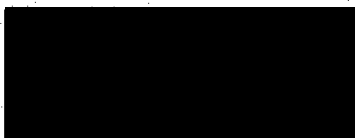
4. Regulatory advice

- 4.1 Details of regulatory requirements and good practice advice for applicant can be found at www.sepa.org.uk. For further information please contact your local SEPA office at:

5 Redwood Crescent, Peel Park, East Kilbride, G74 5PP

If you have any queries relating to this letter, please contact me on 01355 574200 or e-mail at alasdair.milne@sepa.org.uk

Yours faithfully



Alasdair Milne
Senior Planning Officer
Planning Service

Copy to: Cass Associates, Studio 104, The Tea Factory, 82 Wood Street, Liverpool, L1 4DQ