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Scottish Environment
Protection Agency

Our Ref: PCS/102736
Your Ref: 09/0527/PP

If telephoning ask for:
Alasdair Milne

16 September 2009

RENFREWSHIRE COUNCIL									
DEPARTMENT OF PLANNING & TRANSPORT									
22 SEP 2009									
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Director of Planning & Transport
Renfrewshire Council
Renfrewshire House
Cotton Street
PAISLEY
PA1 1LL

Dear Sir

Town and Country Planning (Scotland) Acts
Planning Application: 09/0527/PP
Engineering operations comprising remediation and bulk earthworks at Royal Ordnance,
Station Road, Bishopton
BAE Systems (Property Investments) Ltd

Thank you for your consultation letter of 13 August 2009, which SEPA received on 14 August 2009. Based on the information currently available to us we object to this planning application unless the condition in section 1.4 below is attached to any consent. Please note also the advice provided below.

We note that this application is in support of the earthworks associated with the remediation of the Royal Ordnance site but that it is closely associated with the provision of a landfill facility at the site. We have provided separate comments on the landfill planning consultation (09/0456/PP) in our letter dated 24 August 2009.

Advice for the planning authority

1. **Pollution Control**
 - 1.1 The Environmental Statement (ES) identifies a number of watercourses and drainage ditches which flow through the proposed development site and acknowledges that there is the potential for the earthworks to adversely impact on the water environment through silt contamination and mobilisation of existing contaminants.
 - 1.2 We note that there will be a period of water quality sampling of all the watercourses prior to any earthworks commencing in order to build an accurate picture of the background water quality. Our regulatory staff will be taking part in this monitoring programme and will be taking independent samples for analysis. Such sampling will better enable us to determine if the subsequent remedial works are having an impact on the water environment.
 - 1.3 We note the methodologies which will be employed to protect the water environment, such as the use of settlement ponds to control suspended solids levels prior to discharge to the water environment. It should be noted that any such discharge should be carried out in compliance with the relevant General Binding Rule under the Water Environment (Controlled Activities) Regulations (CAR). The report details that prior to any commencement of works, a Management Plan will be prepared which will provide detailed mitigation measures for protection of the water environment. This document has not yet been submitted so detailed comment cannot be provided on the specific measures that will be employed.

- 1.4 In light of our comments in section 1.3, we object unless a planning condition is attached to any consent requiring the submission of a Management Plan for the protection of the water environment to be agreed by the planning authority, in consultation with SEPA prior to any works commencing at the site.
- 1.5 We note that there may be reprofiling of watercourses as part of the development. Such works would be likely to require a CAR authorisation, however, as no detail is presented on any proposed reprofiling of the watercourses we are unable to comment on the consentability of these engineering activities. It is therefore advisable that the applicant discusses any proposed engineering proposals with our regulatory staff at our East Kilbride Office to discuss the specific licensing requirements and timescales involved for processing relevant applications.

2. Land Contamination

- 2.1 Our contaminated land specialists have been involved with the progress of the works through the BAE-led Environmental Working Group meetings and we have provided advice on the assessment of water pollution from land contamination to the local authority, and thus to BAE.
- 2.2 We will continue to provide input to Renfrewshire Council Environmental Services department as and when requested with regards to ensuring that the site will be made suitable for use following remedial works.
- 2.3 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.
- 2.4 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.
- 2.5 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.

Detailed Advice for the applicant

3. Surface water drainage

- 3.1 Please note that we have requested that a planning condition is attached to any consent requiring submission of a Management Plan for the protection of the water environment prior to the commencement the development. Further guidance on the design of SUDS systems and appropriate levels of treatment can be found in CIRIA's C697 manual entitled *The SUDS Manual* . Please also refer to the SUDS section of our website for further guidance and details of regulatory requirements.

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 575665 or e-mail at alasdair.milne@sepa.org.uk

Yours faithfully



Alasdair Milne
Senior Planning Officer
Planning Service

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