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Julie Robertson  
Perth and Kinross Council  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD

If telephoning ask for:  
Silvia Cagnoni-Watt

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By email only to: [sea.gateway@scotland.gsi.gov.uk](mailto:sea.gateway@scotland.gsi.gov.uk)

Dear Julie Robertson

**Environmental Assessment (Scotland) Act 2005**  
**Perth and Kinross Council - Placemaking Guide - Scoping consultation**

Thank you for your Scoping consultation submitted under the above Act in respect of the Scoping - Perth and Kinross Council - Placemaking Guide. This was received by SEPA via the Scottish Government SEA Gateway on 24 June 2014.

As required under Section 15(2) of the Act, we have considered the document submitted and comment as follows in respect of the scope and level of detail to be included in the Environmental Report (ER).

The scoping report for the Perth and Kinross Council - Placemaking Guide provides sufficient information on the proposed scope and level of detail of the environmental assessment and covers most of the aspects that we would wish to see addressed at this stage. Subject to the comments below, we are generally content with the scope and level of detail proposed for the ER.

The Scottish Government SEA Guidance ([www.scotland.gov.uk/Publications/2013/08/3355](http://www.scotland.gov.uk/Publications/2013/08/3355)) provides guidance to Responsible Authorities about the type of information that is expected to be provided at each SEA stage; we have also produced standing advice for Responsible Authorities for SEA scoping which is available at [www.sepa.org.uk/planning](http://www.sepa.org.uk/planning). We have used this guidance to inform our detailed scoping response which is attached as Annex 1.

On completion, the ER and the Perth and Kinross Council - Placemaking Guide to which it relates should be submitted to the Scottish Government SEA Gateway ([sea.gateway@scotland.gsi.gov.uk](mailto:sea.gateway@scotland.gsi.gov.uk)) which will forward it to the Consultation Authorities.

Should you wish to discuss this scoping consultation, please do not hesitate to contact me on 01786 452430 or via our SEA Gateway at [sea.gateway@sepa.org.uk](mailto:sea.gateway@sepa.org.uk)

Yours sincerely

Silvia Cagnoni-Watt  
Senior Planning Officer  
Planning Service

Ecopy: [hssea.gateway@scotland.gsi.gov.uk](mailto:hssea.gateway@scotland.gsi.gov.uk) ; [sea\\_gateway@snh.gov.uk](mailto:sea_gateway@snh.gov.uk)



Chairman  
David Sigsworth  
  
Chief Executive  
James Curran

Strathearn House  
Broxden Business Park,  
Lamberkine Drive, Perth, PH1 1RX  
tel 01738 627989 fax 01738 630997  
[www.sepa.org.uk](http://www.sepa.org.uk)

## **Appendix 1: Comments on the Scoping consultation**

### **General comments**

The scoping report for the Perth and Kinross Council (PKC) Placemaking Guide (PG) provides sufficient information on the proposed scope and level of detail of the environmental assessment and covers most of the aspects that we would wish to see addressed at this stage. Subject to the comments below, we are generally content with the scope and level of detail proposed for the Environmental Report (ER).

We agree with the scoping in of all the SEA Topics as there is potential for significant environmental effects on all aspect of the environment as a result of the PG.

For ease of reference this response will follow the structure of the scoping report and for the purpose of proportionality it will focus mainly on issues that require action. Please also refer to the standing advice that is now available on the SEPA website [www.sepa.org.uk/planning](http://www.sepa.org.uk/planning).

### **Detailed comments**

#### **1. Introduction**

1.1 We have no comments to make on this section.

#### **2. Establishing the Baseline and Scope of the Report**

2.1 We are generally content with the baseline information provided. Please find detailed comments below.

2.2 We note that throughout the document reference is made to water quality rather than to the quality of the water environment. We would welcome reference to be made to the ecological status of the water environment. The term ecological status includes water quality, water quantity, ecology and physical impacts (including culverting and engineering of watercourses) and the water environment includes all surface waters (including wetlands and transitional waters) and groundwater (including drinking water supplies).

2.3 We would suggest that where practicable any new, replacement, or maintenance works affecting rivers and riverbanks should fit with the "place" i.e. no hard engineering where green banks would be a more appropriate solution.

2.4 We note that Loch Leven is referenced in this document. Please consider our comments in relation to Policy EP7 Drainage within the Loch Leven Catchment Area of the Proposed Local Development Plan (LDP) as Modified and relevant SEA during the preparation of the ER.

2.5 Air quality - Please note in page 13 the traffic hotspots are for Perth and Crieff, therefore the text should read: 'Generally good air quality in most areas of P&K – meets all of the Government's targets except at a few traffic hotspots in Perth and Crieff where levels of nitrogen dioxide and particulate matter in 2010 are unlikely to be met based on the annual average'.

- 2.6 Exceedences of nitrogen dioxide are a breach of the Air Quality Standards (Scotland) Regulations and particulate matter a breach of the National Air Quality Strategy. We note that both pieces of legislation and guidance are not mentioned in Appendix 1 of the report. SEPA considers air quality to be an important issue for the Council when drawing up supplementary guidance and would expect to see policies designed in accordance with relevant guidance, and see air quality intrinsically linked to policies concerning transport, cumulative development and biomass.
- 2.7 The scoping report does not acknowledge the growing problem of commuter traffic and cumulative increase in greenhouse gas emissions as a result of the additional journeys generated by new developments that are often located away from areas of work, retail centres and essential amenities. We would welcome consideration of this in the ER.
- 2.8 Please note that information on waste data is available in [http://www.sepa.org.uk/waste/waste\\_data.aspx](http://www.sepa.org.uk/waste/waste_data.aspx) and note our comments on waste definitions made in Section 6 of this response.

### **3. SEA Objectives and Indicators**

- 3.1 We are generally content with the proposed SEA objectives and indicators. Please note the detailed comments below.
- 3.2 Page 21 the reference to MSW (municipal solid waste) should be changed to reflect the requirements of the Zero Waste Plan 2010, where the targets are for household waste and for all waste. Please see note in Section 6 – Appendices regarding the definition of municipal waste.
- 3.3 Consideration could be given to the use of heat maps.

### **4. Alternatives and Assessment Methodology**

- 4.1 We are content with the alternatives and assessment methodology proposed. Please find below specific comments on this section of the scoping report.
- 4.2 In page 23 we would welcome a change to the water objective to read 'protect and where possible enhance the ecological status of the water environment'. Please see comments in Section 2 with the regards to the definition of the water environment. The proposed criteria should make reference to enhancement too.
- 4.3 We note that flood risk is considered under climatic factors rather than water. We are content with this. We would however comment that it is not recognised in the document that avoidance is the best form of mitigation and most sustainable solution with regards to flood risk.
- 4.4 In particular, page 23 (climatic factors) currently reads: "Ensure that the development is directed to land which is not at risk from the effects of climate change, especially flooding". We would suggest amending the text to read: "Ensure that development is directed to land which is not currently at risk or at risk in the future from the effects of climate change, especially flooding. Avoidance of locating development in areas at risk of flooding is the most sustainable approach".

### **5. Proposed Consultations and Timescales**

- 5.1 We are content with the proposed timescale and the six weeks consultation period for the ER.

## **6. Appendices**

### ***Appendix 1***

- 6.1 We note that this section makes reference to the National Waste Strategy (NWS) 1999. We would like to remind you that the most recent Zero Waste Plan 2010 supersedes the NWS and all the Area Waste Plans.
- 6.2 We welcome the reference to the PKC Flood Risk and Flood Risk Assessment Supplementary Guidance in relation to PPS at local level, we would however also welcome reference to the Flood Risk Management (Scotland) Act 2009.
- 6.3 As stated in Section 2 of this response, we would welcome reference to Air Quality Standards (Scotland) Regulations and National Air Quality Strategy in the list of PPS.

### ***Appendix 2***

- 6.4 In relation to the text accompanying the map in page 70, we would like to clarify the relationship between "good" status" and water quality. The wording assumes that the two factors equate, but in reality a waterbody may be at less than good and have good water quality, but is downgraded for another reason such as hydromorphology etc. Thus the % of waterbodies at "Good" status looks bad at only 59% but overall water quality is actually much better. Please also see comments in Section 2 in relation to the ecological status of the water environment.
- 6.5 We welcome the use of the SEPA indicative flood maps (2009) in page 72. Please note that SEPA has published new flood risk maps which are available in the flooding section of SEPA's website: <http://www.sepa.org.uk/flooding.aspx>
- 6.6 We note the reference to Municipal Waste Arisings in page 81. Please note that this terminology is out of date in this context as the definition of municipal waste has changed and what used to be called Municipal Waste is now called Local Authority Collected Municipal Waste (LACMW). For updated definitions of MW and LACW please see [http://www.sepa.org.uk/waste/waste\\_data/lacw.aspx](http://www.sepa.org.uk/waste/waste_data/lacw.aspx)  
[http://www.sepa.org.uk/waste/waste\\_data/municipal\\_waste.aspx](http://www.sepa.org.uk/waste/waste_data/municipal_waste.aspx)
- 6.7 Page 74 - This section does not contain a reference to the air quality problems and the recently designated AQMA in Crieff.
- 6.8 On a small note, please note that nitrogen dioxide and particulate matter should be lower case (no capitals unless beginning a sentence).
- 6.9 Page 75. Whilst the report acknowledges that road transport accounts for 41% of the carbon dioxide emissions, it does not acknowledge the growing problem of commuter traffic and cumulative increase in greenhouse gas emissions as a result of the additional journeys generated by new developments that are often located away from areas of work, retail centres and essential amenities.