

Our Ref: SEA00126/sco/
SB

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The Environment Service
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By email: sea.gateway@scotland.gsi.gov.uk

Dear Ms Duffy

**Environmental Assessment of Plans and Programmes (Scotland) Regulations, 2004
Auchterarder Expansion- Townhead and North East Development Framework – Scoping
Consultation**

I refer to your Scoping consultation submitted under the above Regulations in respect of the Auchterarder Expansion, Townhead and North East Development Framework. This was received by SEPA via the Scottish Executive SEA Gateway on 19 March 2007. As required under Regulation 17(2), SEPA has considered the document submitted and comments as follows in respect of the scope and level of detail to be included in the Environmental Report (ER).

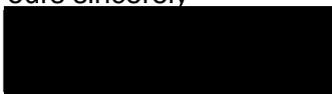
Generally, the scoping report provides clear and detailed information on the proposed scope and level of detail of the assessment and covers all of the aspects that SEPA would wish to see addressed at this stage. SEPA has made some specific comments on the content of the report which can be found as an Annex to this letter. SEPA notes the intention to consult on the Environmental Report for 6 weeks. This time period is satisfactory.

The Scottish Executive SEA Toolkit (available for download at: www.scotland.gov.uk/Publications/2006/09/13104943/0) provides guidance to Responsible Authorities about the type of information that is expected to be provided at each SEA stage. SEPA has used the toolkit to inform this scoping response which is attached as Annex 1.

On completion, the Environmental Report and the Development Framework to which it relates should be submitted to the Scottish Executive SEA Gateway (sea.gateway@scotland.gsi.gov.uk) which will forward it to the Consultation Authorities. Please note that at the Environmental Report stage, SEPA would prefer to receive paper copies of the report and the Development Framework, both of which should be sent via the Scottish Executive Gateway in line with the procedures set out in the Scottish Executive SEA Toolkit.

Should you wish to discuss this screening consultation, please do not hesitate to contact me on 0131 4497296 or via SEPA's SEA Gateway at sea.gateway@sepa.org.uk.

Yours sincerely



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Annex 1: Comments on the Scoping Report

1. General Comments

Generally, the scoping report provides clear and detailed information on the proposed scope and level of detail of the assessment and covers all of the aspects that SEPA would wish to see addressed at this stage.

2. Detailed Comments

Sections 1- Introduction and 2- The Development Framework

SEPA found the information provided in this section very useful in relation to the background to the Auchterarder Development Framework and considers that all the relevant background information is presented.

Section 3- Context of the Plan

Relationship with other Plans, Programmes and Environmental Objectives

A comprehensive list of the plans, programmes and strategies that have been taken into account and have influenced the preparation of the Plan has been provided in the scoping report (Table 3.1, Appendix A and B). SEPA would also welcome detailed consideration of the Water Framework Directive (WFD). The Directive was transposed into Scots Law through the Water Environment Water Services (Scotland) Act 2003 (WEWS Act) and reference should be made to the Directive's requirements to ensure no deterioration in the status of water bodies, enhance the status of aquatic ecosystems (including surface waters, coastal waters, transitional waters and groundwater); promote sustainable water use; reduce pollution; and contribute to the mitigation of floods and droughts. A new river basin planning system has also been set up to ensure the successful delivery of the requirements of the Act, with the first River Basin Management Plans (RBMPs) due to be published by December 2009.

The Council may also wish to consider whether the following SEPA policies, available on our website, are relevant to the strategy: Policy and Supporting Guidance on Provision of Waste Water Drainage in Settlements (Policy 55), Groundwater Protection Policy for Scotland (Policy 19) and Policy on the Culverting of Watercourses (Policy 26) which is currently under review to reflect changes introduced by the Water Framework Directive.

Environmental Baseline

Appendix D provides detailed information on the environmental baseline for the area, including existing problems and opportunities and the evolution of the baseline without implementation of the Framework. The baseline data is summarised in Table 3.3. It generally includes all the issues that would be expected by SEPA supported by data at an appropriate level of detail.

In relation to the baseline data on water (Appendix D- 3) please note that the Kirkton burn runs through the Castlemains site (recreational facilities) and potential impacts on all waterbodies should be considered. It would have been useful to provide baseline data on the sewerage network and water supply network for the area, especially in relation to waste water treatment capacity to deal with the development proposed under the Framework.

In relation to baseline data for climate change (Appendix D- 4) a further reference on climate trends for Scotland is available from SNIFFER's recently published handbook of climate trends across Scotland which provides data setting out recorded climate patterns from 1961 to 2004/05 and provides a benchmark against which future climate change can be measured. This is available at: www.sniffer.org.uk/climatehandbook/.

In relation to waste management in the plan area, more detailed information on controlled waste, waste arisings, recovery and disposal as well as information from Scottish Local Authorities on their recycling, composting and waste disposal activities can be found on SEPA's website <http://www.sepa.org.uk/nws/data/index.htm>. It would be useful to identify baseline data on waste disposal facilities and their capacity to deal with waste generated from the proposed new development.

Environmental Problems

Table 3.4 identifies the contribution to carbon emissions from traffic generated by the new development. However, the proposed development itself, housing and business development will also contribute to an increase in greenhouse gas emissions (although this is recognised in Table 4.2). Other potential issues to be considered are the increased generation of waste water and waste that are likely to cause pressure on the existing infrastructure.

Section 4- Environmental Assessment

The scoping report proposes that the SEA addresses all the issues in Schedule 2, paragraph 6(a) of the Regulations and SEPA supports this approach.

In relation to the proposed assessment framework, SEPA supports the development of SEA objectives, assessment questions and monitoring criteria. SEPA also supports the use of a matrix type approach for the assessment of the plan against the stated objectives that includes a commentary column proving justification/explanation for the identified effect and a link to mitigation measures.

In relation to the objective for the "Aquatic Environment"- "to safeguard the quality of waterbodies, prevent an increase in the risk of flooding and use water responsibly", please note that as stated above under the Water Framework Directive (WFD) there is a requirement to ensure no deterioration and the enhancement of the status of aquatic ecosystems. The "status" of a water body takes account of biological, physico - chemical, hydrological and morphological properties. The objective and sub-objectives could therefore reflect the requirement to consider the impact of the proposals on the overall waterbody status rather than just water quality.

SEPA considers that mitigation measures are a crucial part of SEA in that they offer an opportunity to not only address potential adverse effects of a plan, but also to make a plan even more positive than it already may be.

SEPA would encourage the Responsible Authority to be very clear in the ER about mitigation measures which are proposed as a result of the assessment. These should follow the mitigation hierarchy (avoid, reduce, remedy or compensate).

It would be extremely helpful to set out all mitigation measures in a way that clearly identified: (1) the measures required, (2) when they would be required and (3) who will be required to implement them. A summary table could be included as part of the preparation of the ER. We provide an example below which may be helpful:

Issue / Impact Identified in ER	Mitigation Measure	Lead Authority	Proposed Timescale
Insert effect recorded in ER	Insert mitigation measure to address effect	Insert as appropriate	Insert as appropriate
etc	etc	etc	etc

This table is cited as an example, but demonstrates how measures could be clearly identified, allocated to lead authorities and then, through the monitoring process, tracked regarding progress.

Section 5- Next steps

SEPA notes the intention to consult on the Environmental Report for 6 weeks and considers that this time period is satisfactory.