

Our ref: PCS/142528
Your ref: P151082

Gavin Evans
Aberdeen City Council
Planning and Sustainable Development
Business Hub 4, Marischal College
Broad Street
Aberdeen
AB10 1AB

If telephoning ask for:
Cerian Baldwin

30 September 2015

By email only to: cerian.baldwin@sepa.org.uk

Dear Mr Evans

Town and Country Planning (Scotland) Acts

Planning application: P151082

Proposed three storey secondary school with associated sports facilities, floodlit 3G pitch, hard and soft landscaping, car parking, bus drop off and access road. Calder Park, Redmoss

Thank you for your consultation email which SEPA received on 10 September 2015. We welcome the submitted information but unfortunately we require some additional information regarding flood risk, peat disturbance and surface water drainage. We therefore **object** to this planning application on the grounds of lack of information. We will review this objection if the issues detailed in Section 1 - 3 below are adequately addressed. If it should assist we would welcome discussions with the applicant to resolve these issues.

In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.

We also ask that the planning **conditions** in Sections 1 and 6 be attached to the consent. If this will not be applied, then please consider this representation as an **objection**.

Advice for the planning authority

1. Flood risk

- 1.1 We have reviewed the information submitted with this consultation and we note that although the site lies outwith the medium likelihood (0.5% annual probability or 1 in 200 year) fluvial flood extent of the SEPA Flood Map, the site lies adjacent to a small watercourse. Therefore we welcome the submission of flood risk assessment by Fairhurst.



Chairman
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- 1.2 As a school is classified as civil infrastructure in Scottish planning Policy, then we support the proposals within the FRA to assess the risk up to the 1000 year return period. We note that several methods have been used to estimate the peak flow in the East Tullis Burn, but the FEH Rainfall-Runoff method was the most conservative. The FRA states that the estimated 1 in 200 year design flow is 0.94m³/s and the 1 in 1000 year design flow is 1.43m³/s.
- 1.3 We used the Rainfall-Runoff method to verify the flow estimates and found our flow estimates were higher and varied considerably depending on the storm duration estimate. Further information should be provided which clarifies the variables used within the flow estimation.
- 1.4 It is stated that the capacity of the burn is estimated between 4.5m³/s and 15.6m³/s. Therefore it seems likely that even with some uncertainty regarding the flow estimations, the burn will still be able to contain the flows. However given the importance of the buildings and as a precautionary measure, we **object** until the above further details of the flow estimation are provided, and inline with SEPA's Technical Flood Risk Guidance should include sensitivity analysis.
- 1.5 Section 5.1.4 states a new culvert is proposed at the access road for the school. We support proposals that the new crossing should be designed to pass the 1000 year design flow and will include an appropriate freeboard to the culvert soffit. We also support the proposal that in the event of culvert blockage the access road should be designed such that water flows across the access road and returns to the channel rather than being diverted towards existing or proposed buildings. Once we have confirmed the 1 in 1000 year design flow as per our above information request then we are likely to request this culvert size by way of a **condition**.
- 1.6 We are pleased to note that a blockage scenario of the existing downstream culvert has been carried out. It is stated that in the event of capacity exceedance or blockage, the inlet would surcharge until water exceeded the level of the surrounding ground where it would flow overland to the North East. The flood level at the point of overland flow is stated to be about 80.5mAOD. The lowest ground levels at the site are 80.25mAOD, which is lower than the flood level. Although not finalised it is stated that the proposed finished floor levels of the ground floor will be around 82.25mAOD, which is 175cm higher than the estimated flood level and therefore provides more than the recommended 600mm freeboard. Given the likely overland flow we request a **condition** ensuring finished floor levels of the ground floor will be 82.25mAOD or above.
- 1.7 It is also anticipated that any potential overland flow or groundwater flooding will not impact on the school building due to the generous freeboard. It is stated that the lower lying parts of the site, where the proposed playing fields will be located, may be at risk of high groundwater levels. The FRA states that as outdoor sports and recreation areas are considered by SEPA's Land Use Vulnerability Guidance as a water compatible land use then no flood risk mitigation is required, which seems appropriate, but we wish to highlight that the fields are likely to be unusable if waterlogged or flooded.
- 1.8 Part of the site has also been identified by the SEPA Flood Map as being at risk of surface water flooding. Comments regarding this should be sought from the local authority flood risk team.

2. Peat disturbance

- 2.1 Sections 2.3.2 and 2.3.3 of the Project Management Plan refer to the significant disturbance of at least 25 000 m³ of peat (a figure of 55 000 m³ is also mentioned). We note the statement that peat deposits are present across the site and we welcome the attempt to minimise peat disturbance through the design of the site layout.
- 2.2 Unfortunately due to the proposed depths and volume of material proposed to be re-used at Annfield Quarry and the need to dry out the peat, the current proposals are not consentable under the proposed Paragraph 19 exemption under The Waste Management Licensing (Scotland) Regulations 2011 (WML). Instead the proposals need revised and would require a Part A permit under The Pollution Prevention and Control (Scotland) Regulations 2012 (PPC). In addition the re-use of peat in bunds on site is not acceptable except perhaps a very limited use at the toe of some bunds where peat would remain wet.
- 2.3 We therefore **object** until a solution which would be consentable under regulatory regimes is proposed. In order to address our concerns we need to ascertain how best the materials can be re-used on site and then what options are available to re-use the materials off site but within the requirements of WML or PPC.
- 2.4 As a first step the following information should be submitted:
- a) A detailed map of peat depths (this must be to full depth) with all the built elements (including temporary peat storage areas) overlain so it can clearly be seen how the development avoids areas of deep peat. Please note that any soils or peat stored for greater than 3 years will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012 (PPC 2012).
 - b) A table which details the quantities of acrotelmic, catotelmic and amorphous peat which will be excavated for each element and where it will be re-used on site and the volume and what is required to be re-used off site. Details of the proposed widths and depths of any peat to be re-used and how it will be kept wet must be included.
 - c) The use of peat in bunds is unlikely to be acceptable except perhaps a very limited use at the toe of some bunds where peat would remain wet. The proposed bund design needs to be revised to show how the peat will be kept wet and if this is not achievable and alternate use for this peat identified. A map showing the location and dimensions of the proposed bund including the depth and width of peat should be submitted. Unless it is demonstrated that the use of peat will be for ecological benefit then it is unlikely to be consentable under The Waste Management Licensing (Scotland) Regulations 2011.
- 2.5 Given the above difficulties, it maybe that an alternate use for the peat can be found on site. For example the creation of a wetland habitat may be a useful educational tool for the school. Useful guidance can be found in Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and Minimisation of Waste and our Regulatory Position Statement – Developments on Peat. Please do not hesitate to send in draft proposals if you are unclear on any of the above information requirements.
- 2.6 Once we have reviewed this information, we may then seek a meeting with the applicant to

discuss possible options and identify the best environmental option for the peat.

3. Surface water drainage

- 3.1 The proposals in the Drainage Impact Assessment dated 1 June 2015 are generally acceptable except Page 5 states that the access road and the bus turning area will be treated by a series of filter trenches before discharging into the cellular Storage Tank. These areas require two levels of treatment and the storage tank does not constitute a level of treatment. We **object** unless the DIA and associated plans are revised to demonstrate how these areas will receive two levels of treatment.
- 3.2 We have not considered the water quantity aspect of this scheme as this is outwith our remit. Comments from Scottish Water, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on any water quantity issues.

4. Waste water drainage

- 4.1 It is proposed to connect to the public sewer and therefore we have **no objection** to this proposal.

5. Watercourse Crossing

- 5.1 The proposed watercourse crossing is likely to be consentable under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) and therefore we have no objection to this element of the proposal.

6. Pollution prevention

- 6.1 We welcome the submitted Construction Management Procedures and Project Management Plan. Some of proposed measures relate to works which will be regulated by us. However, many of the works will not be regulated by us and need to be covered by condition. Therefore, we request that a **condition** is attached to the consent requiring the submission of a site specific construction environmental management plan. If this is not attached, then please consider this representation as an **objection**. To assist, the following wording is suggested:

At least two (2) months prior to the commencement of any works, a site specific construction environmental management must be submitted for the written approval of the planning authority [in consultation with SEPA] [and other agencies such as SNH as appropriate] and all work shall be carried out in accordance with the approved plan. Reason: to control pollution of air, land and water.

- 6.2 Full details of what should be included in the construction environmental management plan can be found on our [website](#).

Regulatory advice for the applicant

7. Regulatory requirements

- 7.1 Proposed watercourse crossing will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Management of surplus peat or soils will require an appropriate exemption under The Waste Management Licensing (Scotland) Regulations 2011.
- 7.2 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office at Inverdee House Baxter Street Torry Aberdeen AB11 9QA Tel: 01224 266600.

If you have any queries relating to this letter, please contact me by telephone on 01349 860415 or e-mail at planning.aberdeen@sepa.org.uk.

Yours sincerely

Cerian Baldwin
Senior Planning Officer
Planning Service

ECopy to: JM Architects, i

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at the planning stage. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in