



Appendix 11A

Relevant Policy and Technical Guidance List





Legislative Context

The key legislative drivers relating to the water environment which that have been considered in this assessment include the following (in chronological order, oldest first):

- Control of Pollution Act 1974 (as amended);
- Groundwater Directive (1980/68/EEC);
- Agriculture Act 1986;
- Environment Protection Act 1990;
- Land Drainage Act 1991 and 1994;
- Water Resources Act 1991 and 1994;
- Environment Act 1995;
- Pollution Prevention and Control Act 1999;
- European Union (EU) Water Framework Directive (WFD, 2000/60/EC);
- Control of Substances Hazardous to Health Regulations 2002 (COSHH);
- Water Environment and Water Services (Scotland) Act 2003 (WEWS);
- Landfill (Scotland) Regulations 2003;
- Environmental Liability Directive (2004/35/EEC);
- The Water Environment (Register of Protected Areas) (Scotland) Regulations 2004;
- Nature Conservation (Scotland) Act 2004;
- EU Dangerous Substances Directive (codified version) (2006/11/EC);
- EU Freshwater Fish Directive (codified version) (2006/44/EC);
- Groundwater Daughter Directive (2006/118/EEC);
- Private Water Supplies (Scotland) Regulations 2006;
- Water Environment (Oil Storage) (Scotland) Regulations 2006;
- EU Floods Directive (2007/60/EC);
- The Environmental Liability (Scotland) Regulations 2009;
- The Flood Risk Management (Scotland) Act 2009;
- Flood Risk Regulations 2009;
- Water Environment (Groundwater and Priority Substances) (Scotland) Regulations 2009;
- Flood and Water Management Act 2010;
- The Water Quality (Scotland) Regulations 2010;

- The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR);
- The Waste Management Licensing (Scotland) Regulations 2011;
- Water Environment (Drinking Water Protected Areas) (Scotland) Order 2013;
- The Water Environment (Miscellaneous) (Scotland) Regulations 2017; and
- Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, as amended.

Technical Guidance

The EIA presented here has been undertaken primarily using a semi-quantitative assessment based on professional judgement and statutory and general guidance. Relevant policy and general guidance utilised includes the following (in alphabetical order, by lead author organisation and then report number or chronological, oldest first):

British Standards:

- BS6031: 2009 Code of Practice for Earth Works (2009);
- BS59302:199+A22010 Code of Practice for Site Investigations (2010);
- BVS10175:2011 Code of Practice for Investigation of Potentially Contaminated Sites (2011).

Construction Industry Research and Information Association (CIRIA) reports:

- Report C515: Groundwater control - design and practice, second edition (2016);
- Report C521: Sustainable urban drainage systems - design manual for Scotland and Northern Ireland (2000);
- Report C532: Control of Water Pollution from Construction Sites (2001);
- Report C624: Development and flood risk - guidance for the construction industry (2004);
- Report C648: Control of Water Pollution from Linear Construction Projects (2006);
- Report C649: Control of Water Pollution from Linear Construction Projects - Site Guidance (2006);
- Report C650: Environmental Good Practice on Site, second edition (2005);
- Report C651: Environmental Good Practice - Pocket Book (2005);
- Report C689: Culvert design and operation guide (2010);
- Report C692: Environmental Good Practice on Site (2010);
- Report C698: Site handbook for the construction of SUDS (2007);
- Report C753: The SUDS Manual (2015).

Department for Food, Environment and Rural Affairs (Defra) Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (2009);

Forestry Commission (FC), Forestry Commission Scotland (FCS) and co-authored reports:

- FCS and Scottish Natural Heritage (SNH) Floating Roads on Peat (2010);
- FC Forests and Water, 5th Edition (2011);
- FC The UK Forestry Standard (2017).

Ministry of Agriculture, Forestry and Food (MAFF) Good Practice Guide for Handling Soils (2000);

Scotland and Northern Ireland Forum for Environmental Research (SNIFFER) A Functional Wetland Typography for Scotland (2009);

SEPA lead author publications:

- Engineering in the Water Environment: Good Practice Guide – Temporary Construction Methods (2009);
- Regulatory Position Statement - Developments on Peat (February 2010);
- SEPA and SGt Engineering in the Water Environment: Good Practice Guide – Sediment Management (June 2010);
- SEPA and SGt Engineering in the Water Environment: Good Practice Guide – River Crossings (November 2010);
- CAR: A Practical Guide (2015);
- Guidance: Life Extension and Decommissioning of Onshore Wind Farms (2016);
- Guidance WST-G-052: Development on Peat and Off-site Uses of Waste Peat (2017);
- Planning Information Note 3: Flood Risk Advice for Planning Authorities (August 2017);
- Technical Flood Risk Guidance for Stakeholders (July 2018);
- CAR Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities (undated).

SEPA Land Use Planning System Guidance Notes (LUPS-GU):

- Number 4: Planning guidance on on-shore windfarm developments (2017);
- Number 8: SEPA standing advice for planning authorities and developers on development management consultations (2016);
- Number 27: Use of Trees Cleared to Facilitate Development on Afforested Land (2014);
- Number 31: Guidance on Assessing the Impacts of Windfarm Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems (2017);
- Number 50 - Controlling the Environmental Effects of Surface Mineral Workings.

SEPA Policies:

- No. 19: Groundwater protection policy for Scotland (2009);

- No. 41: Development at Risk of Flooding: Advice and Consultation (Oct 2016).

SEPA Guidance for Pollution Prevention (GPP) Notes and former (now discontinued) Pollution Prevention Guidance (PPG) Notes:

- PPG 1 Understanding your environmental responsibilities – good environmental practices (July 2013);
- GPP 2: Above ground oil storage tanks (January 2018);
- PPG 3: Use and design of oil separators in surface water drainage systems (April 2006);
- GPP 4: Treatment and disposal of wastewater where there is no connection to the public foul sewer (November 2017);
- GPP 5: Works and maintenance in or near water (January 2017);
- PPG 6: Working at construction and demolition sites (2012);
- GPP 8: Safe storage and disposal of used oils (July 2017);
- GPP 13: Vehicle washing and cleaning (April 2017);
- PPG 18: Managing fire water and major spillages (June 2000);
- GPP 20: Dewatering of underground ducts and chambers (January 2018);
- GPP 21: Pollution incident response planning (July 2017); and
- PPG 26: Storage and handling of drums and intermediate bulk containers (March 2011).

SEPA Position Statements (PS) and Supporting Guidance (SG), namely:

- WAT-PS-06-02 Culverting of Watercourses (June 2015);
- WAT-PS-07-02 Bank Protection (April 2012);
- WAT-PS-10-01 Assigning Groundwater Assessment Criteria for Pollutant Inputs (August 2014);
- WAT-SG-21: Bank Protection Environmental Standards for River Morphology (July 2012);
- WAT-SG-23: Engineering in the Water Environment, Good Practice Guide, Bank Protection Rivers and Lochs, Version 1 (April 2008);
- WAT-SG-25: Engineering in the Water Environment, Good Practice Guide, River Crossings, Version 2 (November 2010);
- WAT-SG-26: Engineering in the Water Environment, Good Practice Guide, Sediment Management, Version 1 (June 2010);
- WAT-SG-29: Engineering in the Water Environment, Good Practice Guide, Temporary Construction Methods, Version 1 (March 2009);
- WAT-SG-31: Prevention of Pollution from Civil Engineering Contracts: Special Requirements, Version 2 (June 2006);
- WAT-SG-75: Sector Specific Guidance: Construction Sites (February 2018);

- WAT-SG-78: Sediment Management Authorisation (December 2012).

Scottish Executive (SE) publications:

- Peat landslide hazard and risk assessments: Best practice guide for proposed electricity generation developments (2006);
- River Crossings and Migratory Fish: Design Guidance (2012);
- PAN 1/2013 - Environmental Impact Assessment (August 2013).

SGt publications:

- River Crossings and Migratory Fish: Design Guidance (2000);
- Zero Waste Plan (June 2010);
- Online Planning Advice on Flood Risk (June, 2015);
- Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Second Edition) (April, 2017).

SNH lead author publications:

- Guidelines on the environmental impacts of wind farms and small scale hydroelectric schemes (2001);
- Constructed Tracks in the Scottish Uplands (June 2013);
- Siting and designing wind farms in the landscape (2014);
- A handbook on environmental impact assessment (2014).

Scottish Renewables (SR) lead publications:

- SR and SEPA Guidance on the Assessment of Peat Volumes, Reuse of Excavated Peat and the Minimisation of Waste (January 2012);
- SR, SNH, SEPA, FCS and Historic Environment Scotland (HES) Good Practice During Wind Farm Construction (September 2015).

Local and Regional Land Drainage Byelaws.