BERWICK BANK WIND FARM
ONSHORE ENVIRONMENTAL IMPACT ASSESSMENT REPORT

Appendix 2.2: Scoping Opinion

Berwick Bank Onshore Transmission Works: EIA Scoping Opinion

The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 – Scoping Opinion

Development

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1 October 2020

0.0 Introduction

0.1 Grant Young of Young Planning & Energy Consenting (the 'requester') on 13 August 2020 requested a Scoping Opinion under Regulation 17 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 (the "Regulations") 2017 on behalf of his client Berwick Bank Wind Limited (BBWL). This Scoping Opinion is therefore given under the terms of those regulations only. By agreement, this Scoping Opinion is issued on 1 October 2020.

0.2 A Screening Request was not made to East Lothian Council, and accordingly no Screening Opinion was issued. The requester accepts that EIA should be undertaken for the Onshore Transmission Works (OnTW), having considered the criteria set out in Schedule 3 of the Regulations. The Scoping Request relates to the OnTW, which the requestor states are associated with a Project which comprises an offshore windfarm with an installed capacity of 1400MW – 2300MS known as Berwick Bank (formerly Seagreen 2), located in the Firth of Forth approximately 40km from the East Lothian Coast. A separate Scoping Request has been made to Marine Scotland in respect of the offshore elements of the Project.

0.3 The Regulations require that the planning authority consults the 'consultation bodies' before issuing a Scoping Opinion. These are any adjoining planning authority, where the development is likely to affect land in their area; Scottish Natural Heritage (SNH); Scottish Water (SW); Scottish Environment Protection Agency (SEPA); Scottish Ministers and where relevant. Scottish Borders Council have therefore been consulted for their views as the proposal could affect land in their area. The Health and Safety Executive must be consulted where it would be required to be consulted under paragraph 3 or 4 of Schedule 5 of the Development Management Procedure Regulations in relation to an application for planning permission. This includes cases where the development is within an area which has been notified to the planning authority because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances which is likely to result in a material increase in the number of persons working within the notified area. The OnTW are in such an area, and during construction there could be a material increase in the number of persons working within the area. The views of the HSE have therefore been sought. The Council must also consult any other public body which the planning authority considers is likely to have an interest in the proposed development by reason of that body's specific environmental responsibilities or local and regional competencies. The Council has therefore consulted:

- East Lammermuir Community Council as the proposal is within their area
- Marine Scotland as they have shared interest in the intertidal area
- Network Rail for their interest in the East Coast Mainline Railway that crosses the area
- Transport Scotland for their interest in the A1 trunk road that crosses the area
- Office for the Nuclear Regulator as the proposal is within the planning consultation distance of Torness nuclear power station.

0.4 Consultations have also been carried out with relevant departments within East Lothian Council. Consultation responses have been incorporated into the Scoping Opinion as appropriate.

0.5 The issuing of this Scoping Opinion does not preclude the planning authority from requesting further information at a later stage under Regulation 17(11), if required.

0.6 Unless otherwise noted below, the Council supports the proposals for EIA set out in the Scoping Report. Comments given in this Scoping Opinion are without prejudice to consideration of any decision the planning authority may take in relation to this project or related development.

0.7 Under Regulation 17 (2) A request under paragraph (1) must include—

(a) a description of the location of the development, including a plan sufficient to identify the land;

(b) a brief description of the nature and purpose of the development and of its likely significant effects on the environment; and

(c) such other information or representations as the developer may wish to provide or make.

The land in this case is not precisely identified as one of a number of sites could be chosen, however this is considered to be sufficient to allow a Scoping Opinion to be issued. There is a brief description of the nature and purpose of the development and its likely significant effects on the environment. The Scoping Request is therefore valid.

0.8 Regulation 17(5) requires the planning authority to take into account the information provided by the developer, in particular as regards the specific characteristics of the development, including its location and technical capacity and its likely impact on the environment. The information supplied, along with consultation responses, have been taken into account in providing this Scoping Opinion.

0.9 Section 53 of the Regulations requires that where assessment under regulation 48 of the Conservation (Natural Habitats &c) Regulations 1994, commonly known as 'Habitat Regulation Appraisal (HRA)' is required as well as EIA, the planning authority should where appropriate ensure that the HRA and the EIA are coordinated. Proposals for HRA are not included in the Scoping Report. It is not clear whether the requestor considers that the HRA process is scoped out entirely or intends to take it forward separately. NatureScot advise that there may be connectivity from the proposal to several nearby European sites, therefore the HRA process does apply. This assessment should therefore be coordinated with the EIA process. Information on Habitat Regulation Appraisal is included in 'Biodiversity' below, however, information to support Habitat Regulation Appraisal could alternatively be considered separately, with reference to and a summary of the findings included in the EIAR.

1.0 General Environmental Impact Assessment Report (EIAR) Issues

Onshore/offshore EIAR

1.1 The development which is the subject of this renewal application is considered to be an integral part of a larger project which includes the Berwick Bank Offshore Windfarm. The requestor states in the Scoping Report that the OnTW is considered to be associated works, but also that it is part of the project. It is the view of East Lothian Council that the onshore transmission works subject to this Scoping Opinion are an integral part of the Project, as they are necessary to export electricity to the national grid without which the Project could not successfully function; they are entirely to be constructed to support the windfarm; and their location could influence the location of the windfarm. Scottish Government Circular 2017/1 notes that the Environment Statement should be a 'single and accessible compilation'. There should therefore be a clear reference within the Environment Impact Assessment Report (EIAR) for these works as to where the EIAR for the offshore element of the project can be found.

1.2 Regulation 5 (5)(a) requires that to ensure the completeness and quality of the EIAR, the developer must ensure that it is carried out by competent experts. The Report should include a statement outlining the relevant expertise and qualifications of those involved in its

production. Where surveys or assessments are done, the qualifications and experience of the person(s) carrying out the survey or assessment should be included. Comments may be made below on particular experience or qualifications that are considered to be required.

1.3 The assessment should be focussed on the **significant** impacts of the proposal on the environment. Less attention should be paid to impacts which are not significant, and where the impact is of little or no significance a short paragraph outlining a particular aspect to show that its possible relevance has been considered will be sufficient. To allow focus on significant impacts of the proposal the developer is encouraged to submit separately any information they wish to include in support of the planning application but which is not required for EIA.

1.4 The Scoping Report includes mitigation measures in an Outline Schedule of Environmental Commitments (OSEC) which form part of the development as they will be included regardless of the EIA process. Paragraph 2.2.5 of the Scoping Report states that when considering the potential significance of the effects due to the proposed development, mitigation measures in the Outline Schedule of Environmental Commitments will be taken into account to determine whether or not a receptor or impact needs to be considered through EIA. This approach is accepted where it is considered that the mitigation is plainly and easily achievable. Where the outcome of the mitigation is more uncertain the issue should be examined through the EIA process.

Administrative issues

1.5 Developers should be aware that on receipt of a planning application accompanied by an EIAR, the Council will require to make the EIAR available for public viewing and also to place it on its website. The EIAR should therefore be submitted in a suitable electronic format, preferably as a pdf, as well as in hard copy. If the EIAR is less than 10MB it should be submitted as one document. If not, it would be helpful if it is split into parts of less than 10MB each, with the parts clearly labelled so it is obvious what each contains. If the EIAR contains any confidential information, such as the location of breeding sites of rare birds, this must be submitted as a separate document and clearly marked as confidential. The Council must comply with data protection legislation, and therefore no personal information that the Council is unable to publish should be included in the EIAR. Such information includes personal email or home addresses, signatures, and photographs of recognisable people.

1.6 For the hard copy, diagrams and photographic material should be reproduced at an appropriate size. It would be appreciated however if any large continuous sections of text are presented on portrait A4 sheets. Consideration should be given to ease of reading the

document online. Text should be in a clear font and have good contrast with background colour; multiple columns on one sheet should be avoided.

2.0 Description of the development and alternatives

2.1 The Regulations in 5 (2) and Schedule 4 set out information for inclusion in EIARs.

2.2 A description of the development must be given comprising information on the site, design, size and other relevant features of the development must be given. The description of the development should include:

(a) a description of the location of the development which should include a specific location plan with all elements included;
(b) a description of the physical characteristics of the whole development, including any requisite demolition works, and the land-use requirements during the construction, decommissioning and operational phases;
(c) a description of the main characteristics of the operational phase of the development for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used
(d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation and decommissioning phases.

2.3 For the OnTW part of the project, the description should include the primary elements as set out in section 5.3 of the Scoping Report. Where the size, type or position of any structure or cable route is not yet fixed, the description should include the worst case scenario (the Rochdale Envelope approach) including the total height, length and width of any structure or route. Information for onshore elements such as access tracks, buildings, temporary works etc. should also be included. Information should be included on the proposed depth and location of the cable route and pits. Details of proposed drainage should also be included. Access routes and working compounds for vehicles during construction should be specified. Principle materials should be specified. The route for delivery of any abnormal loads should be included. The EIAR should describe device and cable installation method and duration, maintenance schedule, recovery method and duration of works. Proposed locations of any stockpiles of excavated material should be included on a plan. Details on how unsuitable topsoil will be used or disposed of should be included.

2.4 All maps must be based on an adequate scale with which to assess the information. This could range from OS 1: 10,000 to a more detailed scale in more sensitive locations. Each of the maps below must detail all proposed upgraded, temporary and permanent site infrastructure. This includes all tracks, excavations, buildings, borrow pits, pipelines, cabling, site compounds, laydown areas, storage areas and any other built elements.

2.5 In addition to the details given in the Scoping Report, the following details of the development should specifically be included:

- Details of proposed construction and engineering works in the vicinity of the railway line. This should include the location, design and construction of the proposed buried cable route where it will cross underneath the East Coast Mainline (requested by Network Rail)
- For reasons of sustainability and to protect their customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into their combined sewer system. The means of treatment of surface water should be given.
- The proposed access routes of heavy machinery to the intertidal zone should be shown.
- Details on how deep and wide the open trench for the cable should be given
- If the cable is run through a conduit the size and materials of this should be given, and whether concrete or other quick set material will be used to fix the conduit in situ.
- Details of the requirements of any necessary wayleaves (e.g. land required to be kept permanently clear of trees or shrubs) should be included
- An outline of proposals for decommissioning, including whether the cable, access tracks and other infrastructure will be completely removed, how decommissioning will be carried out and any mitigation proposed to reinstate disturbed landscape and associated habitats
- Information on existing and proposed ground levels should be included using OS DTM 5 metre contour data used to generate a 3D terrain model. The use of 10m contour data will only be acceptable where 5m data is not available

2.6 In addition, SEPA request the following details, which should be provided (further details where needed are given in the relevant sections below):

a. Map and assessment of all engineering activities in or impacting on the water environment including proposed buffers, details of any flood risk assessment and details of any related CAR applications.
b. Map and assessment of impacts upon groundwater abstractions and buffers.
c. Map and site layout of borrow pits.
d. Schedule of mitigation including pollution prevention measures.
e. Details of Borrow Pits and Borrow Pit Site Management Plan including pollution prevention measures.
f. Map of proposed waste water drainage layout.
g. Map of proposed surface water drainage layout
h. Map of proposed water abstractions including details of the proposed operating regime.
i. Decommissioning statement.
j. Table 3.2 of the Scoping Report states that an Outline Site Waste Management Plan will be submitted. This will be updated following consent and the appointment of the Principal Contractor. This should show which waste materials are going to be generated and how they are going to be treated and disposed of.

2.7 If there are other changes required as a consequence of or to enable the development, these should also be included (for example grid strengthening).

2.8 The expected lifetime of the development should be included.

2.9 If any alternatives such as different locations or design have been considered by the applicant these should be included along with the reasons for the choice made with a comparison of the environmental effects.

2.10 The description of the development should include reference to the offshore element which can be by reference to the relevant part of the EIAR for the offshore development.

Decommissioning

2.11 Proposals for decommissioning and restoration of the landscape, including a detailed method statement on the restoration of the landscape should be included.

2.12 Proposals for life extension, repowering and/or decommissioning must demonstrate accordance with SEPA Guidance on the life extension and decommissioning of onshore wind farms. Table 1 of the guidance provides a hierarchical framework of environmental impact based upon the principles of sustainable resource use, effective mitigation of environmental risk (including climate change) and optimisation of long term ecological restoration. The

submission must demonstrate how the hierarchy of environmental impact has been applied, within the context of latest knowledge and best practice, including justification for not selecting lower impact options when life extension is not proposed.

2.13 The submission needs to demonstrate that there will be no discarding of materials that are likely to be classified as waste as any such proposals would be unacceptable under waste management licensing. Further guidance on this may be found in the document Is it waste - Understanding the definition of waste.

3.0 Significant effects on the environment

3.1 The Regulations require that a description of the likely significant effects of the development on the environment is given. This includes a description of the relevant aspects of the current state of the environment (the 'baseline') and an outline of how it would have evolved without the development as far as natural changes can be assessed according to current information and knowledge with reasonable effort. The baseline should include information on the factors given in regulation 4(3) that are likely to be significantly affected by the development, unless they have been scoped out (see Table 1 below). These aspects are: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.

3.2 Schedule 4 of the regulations notes that the EIAR must include a description of the likely significant effects of the development on the environment, including any direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development which result from:

(a) the construction and existence of the development, including, where relevant, demolition works;
(b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;
(c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;
(d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);
(e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;

(f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;
(g) the technologies and the substances used.

3.3 Where forecasting methods are used a description of the method is also required (this could be a reference to a published methodology).

3.4 Not all of these factors need to be covered in detail. The aspects of the environment where there is the potential for a significant effect and are thus 'Scoped in' are set out below as relevant to the onshore part of the works.

EIA issue	Scoped in?	Reason
Population and human health	Yes	Potential for noise at nearby residential property from OnTW. It is agreed EMF assessment is scoped out however a brief explanation of the reason for this should be given.
Biodiversity	Yes	The proposal has the potential to affect Barns Ness SSSI (although there is a low risk) and Local Biodiversity sites; there may also be protected species present and there is connectivity with some European sites.
Soil	Yes	The proposal is located partly on prime agricultural land. The proposal may affect sites designated for geodiversity value.
Water	Yes	There is potential increase in flood risk. There is potential impact on Water Framework Directive objectives.
Air	No	There is likely to be some emissions (dust, emissions related to traffic movement), in particular during construction and decommissioning however this is not expected to be significant and is not anticipated to lead to exceedance of any air quality standards.
Climatic factors	Yes	The climate is a sensitive receptor

Material Assets	Yes	There are potential impacts on crossings related to Network Rail infrastructure. There are potential impacts on Scottish Water's infrastructure.
Cultural Heritage	Yes	Potential impacts on designated cultural heritage assets
Landscape	Yes	The proposal is likely to be highly visible to many people. The proposal could affect Special Landscape Areas, a local landscape designation and the wider landscape.

3.5 The Scoping Report Table 6.1 Significance of Effects Matrix shows the interaction between Magnitude Of Impact and Sensitivity of Receptor. This shows that a 'High' impact on a 'High' sensitivity receptor will have 'major' effect, while 'Low' impact on a 'Low' sensitivity receptor will have a 'negligible to minor' effect and so on. The text around this table notes that both moderate and major effects will generally be considered significant, and that this means those highlighted orange to red in the Table. However, the Table shows the effect of a High impact on a Low sensitivity receptor as having a 'minor to moderate' effect. If the effect could be moderate, where it is, this should be included as potentially significant. Occasionally as the text notes, professional judgement may indicate the significance of effect differs from that indicated by the matrix. This approach is acceptable.

Population and human health

Noise and vibration

3.6 The proposed methodology in the Scoping Report for assessment of noise and vibration impacts during construction and operational phases of the development is satisfactory. The proposed hours of working are Mon-Sun 0700-1900 hours with any noisy work required to be undertaken outwith these hours subject to prior agreement with the Planning Authority. The planning authority is likely to seek that standard working hours be amended to Mon-Fri 0700-1900 hours and Sat 0800-1300 hours (see Appendix 1: Advice for the applicant, below) as mitigation.

3.7 It is agreed that the Scoping Report has identified all potentially significant sources of noise and vibration in terms of human health, and that the standards and methods of assessment

proposed are appropriate based on the potential for noise impact. The proposed scope set out in Table 9.1 is acceptable.

3.8 Other developments that may need to be considered depending on the stage they are at include:

- onshore works related to Neart Na Gaoithe windfarm
- any grid strengthening works in the area, including the Eastern Link
- Any work relating to the decommissioning of Torness nuclear power station
- Sundry smaller applications - 19/00387/P, Installation of section of underground electricity cabling; 18/00885/P, Stabilisation works to base of piers 3 and 4 of viaduct; 18/00449/P Installation of a system 'scrub' landfill gas unit

3.9 It is unlikely but possible that works relating to the decommissioning of Torness might coincide with this project.

3.10 Note for the Noise and Vibration study, where there is consent for a noise sensitive use that has not yet been built, this should be treated as if it is in existence. Information is available on current and past planning applications at https://www.eastlothian.gov.uk/info/210547/planning_and_building_standards/12214/search_for_planning_applications

3.11 Noise mapping and Action Planning has been carried out to meet the terms of the European Noise Directive (see https://noise.environment.gov.scot/index.html). This contains some background information about road and rail noise. Reference should be made to the Transportation Noise Action Plan if the works could affect its aims.

Electromagnetic Fields (EMFs)

3.12 The Scoping Report states that an EMF will not cause any significant health risk for human health due to the means of manufacture and distance from the source. The maximum level tha the public will be exposed o will be significantly below the guidance pfor public exposure limits set to protect health. No consultee has disagreed with this approach therefore EMF effects are scoped out.

Recreation

3.13 Outdoor recreation supports good physical and mental health. The Scoping Report notes that both direct and indirect impacts on recreation receptors will be considered. ‘Receptors’ should include those people doing the recreating, both tourists and local people. The EIAR should consider whether recreational experience of the area around the proposal, including Core Paths, the John Muir Way, Thortonloch Beach and Skateraw, will be affected and whether users will be displaced to other areas, or deterred. If it is anticipated there will be

displacement to other areas, consideration should be given to whether that displacement has any significant effects on the area to which that recreational use has been displaced.

Biodiversity (flora and fauna)

3.14 Other than where noted below, the scope and methodology in the Scoping Report for biodiversity is acceptable. The scope and methodology for ecological and ornithological survey set out in the Scoping Report is acceptable. The Scoping Report considers sites designated for nature conservation including SSSI and European sites, as well as the Scottish Wildlife Trust's Thornton Glen Reserve. Marine mammals including seals and porpoise have been observed along this coast line, but it is not a known haul out site for the former therefore support the intention to include this area in the offshore EIA. The area is not known for peatlands or wetlands so no issues with Groundwater Dependent Terrestrial Ecosystems (GWDTEs) are expected.

3.15 Other projects that may need to be considered together include onshore works related to Neart na Gaoithe offshore windfarm, the Eastern Link grid strengthening works, and potentially proposed recycling facilities at Oxwellmains (see 20/00001/PAN and 20/00005/PAN, noting that these proposals are not yet planning applications).

European Sites and interaction with HRA

3.16 Information to support Habitat Regulation Appraisal has not been considered. Naturescot advise that this proposal could affect the European sites listed below. Further information about these sites, and the special features they are designated to protect, can be found on the NatureScot SiteLink website (http://gateway.snh.gov.uk/sitelink/index.jsp)

- Firth of Forth Special Protection Area (SPA)
- St Abb's Head to Fast Castle SPA
- Outer Firth of Forth and St Andrews Bay Complex proposed (pSPA)

3.17 The status of these sites means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") or, for reserved matters the Conservation of Habitats and Species Regulations 2010 as amended apply. Consequently, the competent authority (East Lothian Council) is required to consider the effect of the proposal

on these sites before it can be consented. See Naturescots guidance note Legislative Requirements for European Sites [1] for a summary of requirements.

3.18 The above sites may also be notified as Sites of Special Scientific Interest (SSSI) and/ or Ramsar sites. However, any issues raised in relation to these designations are fully addressed as part of the following consideration of the respective European sites.

3.19 HRA Stage 1 – is the proposal connected with conservation management of the European sites?

No – this proposal is not connected to conservation management of any European Site.

HRA Stage 2 – is the proposal 'likely to have significant effects' upon the European sites?

In plain English this asks whether there is any connectivity between the proposals and the European sites. The Scoping Report identifies (Table 8.1) the first two of the above list of European sites as being within the 10km Search Area, presumably to then be considered in the EIA Report. However it then goes on to scope the HRA process out of the EIA Report (Table 8.3). The Report does not make it clear whether this signifies that HRA will be considered in a separate supporting document, or if European sites are being scoped out of assessment altogether.

Naturescot advise that, having identified European sites as possible receptors, the HRA process does apply. Any forthcoming planning application should be supported by HRA or clear rationale as to why it is not required.

Firth of Forth Special Protection Area (SPA) and St Abb's Head to Fast Castle SPA: - Work that was previously carried out as part of the Neart na Gaoithe onshore transmission works planning application made a clear argument that Thorntonloch beach was of very limited value to birds and was not functionally linked to either Special Protection Area. That work may be applicable to the current proposal, however it did not include the Skateraw Harbour area, and so it is likely that some further assessment of that area is needed. There could potentially be impacts to St Abbs Head to Fast Castle SPA through sediment and pollution run-off though this should be controllable through standard mitigation measures.

Outer Firth of Forth and St Andrews Bay Complex pSPA: - This is a marine SPA and the impact of the offshore works may need more consideration. However, as there is

[1] Hyperlink to https://www.nature.scot/sites/default/files/2017-12/Legislative%20requirements%20for%20European%20Sites%20-%20updated%20November%2030th%202017%20%28B449621%29_1.pdf

connectivity to this site, habitat regulation appraisal will be required in order for any planning application for the onshore works to be determined.

HRA Stage 3 – will the proposal have adverse effects on the integrity of the European sites?

This stage of assessment may or may not be required depending on the conclusion of stage 2.

3.20 The Habitat Regulation Appraisal Appropriate Assessment of the East Lothian Local Plan is available here: https://www.eastlothian.gov.uk/downloads/file/27700/habitats_regulations_appraisal_-_ldp_2018 . This document identified that "A study of existing visitor numbers and disturbance arising from these should be initiated. This information should be used to identify areas of coast where measures are required to reduce disturbance, such as through introduction of barriers, fences, ditches, or planting." This study, which would add to understanding of recreational pressures at this site, has not yet been carried out. Both Thorntonloch and Skateraw are used by people for recreation. It is possible that development activity that restricts access to these areas, or makes them less attractive for recreational use, could displace recreational activity to the coast at the Firth of Forth SPA. In the absence of the study, or information about recreational use of these areas, whether or not this is a potential issue is unclear.

3.21 Marine mammals including seals and porpoise have been observed along this coast line, but it is not a known haul out site for the former therefore the intention to include impacts on marine mammals in the offshore EIAR is supported.

3.22 Details of designated sites can be found at SNH's website http://gateway.snh.gov.uk/sitelink/ , and of legislative requirements at http://www.snh.gov.uk/docs/A423286.pdf .

Local Biodiversity Sites

3.23 There are several Local Biodiversity Sites in the study area, of which no mention was made in the Scoping Report, in particular Dryburn Valley and Bilsdean Coast, but also Thurston Burn Valley and Dunglass Burn. These areas should be considered as there may be significant impacts during construction – the Dryburn Valley Local Biodiversity Site is located near the Skateraw Landfall option, whereas the coastline at the Thortonloch Landfall Option is designated as the Bilsdean Coast Local Biodiversity Site.

Non-designated biodiversity

3.24 Priority habitats (coastal habitats, woodland and field boundaries) should scoped in for construction impacts, and field habitats scoped in for the decommissioning stage. The proposed ecological and ornithological survey schedule is acceptable, and uses appropriate and recognised methodologies.

Decommissioning

3.25 Impacts at decommissioning are difficult to predict at this distance of time however an outline of any significant effects that may reasonably occur given current knowledge of the project and proposals for decommissioning, and likely evolution of biodiversity in the area should be given. Further information is likely to be required prior to the actual decommission.

Soil

Contamination

3.26 The Scoping Report notes that various desk studies will be done on ground conditions. This will allow made ground to be identified. The Council is not aware of any specific issues with contaminated land in the area proposed. If any significant contamination (large areas, ground containing contaminants where there is a significant risk of harm to people or biodiversity due to disturbance of the land or soil) is encountered during ground investigations this should be reported in the EIAR (or where appropriate as supplementary information).

Geodiversity – national site

3.27 Barns Ness SSSI is considered in Chapter 12 of the Scoping Report due to its geological interest, which is being considered under soil. This means that the geological interest of the site will be considered separately from its biodiversity interest. The Skateraw landfall options crosses this site. The special features protected by designation are both habitats (salt marsh, sand dunes and shingle) and Geodiversity (lower carboniferous).

3.28 The Skateraw landfall option is not in the vicinity of the three habitat features of the SSSI. As long as this location doesn't change then there is a negligible risk of impacts on these features. The Skateraw cable landfall route however does pass through/ underneath the geodiversity feature. It avoids the 'crucial areas' of the feature (a term defined in the Geological Conservation Review documentation which NatureScot have supplied to the applicant and the Council).

3.29 It is understood that the use of Horizontal Directional Drilling (HDD) would enable the cable landfall site and the cable transition pits to be located outwith (inland of) the SSSI boundary.

Ground investigation works will determine the setback and depth of HDD, but essentially the works will pass underneath the SSSI at a depth which should pose minimal risk to the geodiversity feature of the SSSI. There is an alternate scenario which would see the use of open cut trenching to route the cables through the SSSI. This scenario is likely to result in an objection from NatureScot on the grounds of causing significant damage to the geodiversity feature.

3.30 Whichever method is used, impacts upon this SSSI must be assessed in the EIA Report, and the method (and alternatives) described.

Local Geodiversity Sites

3.31 There is a Local Geodiversity Site at Thorntonloch. Impacts on this site should be considered and assessment included in the EIAR.

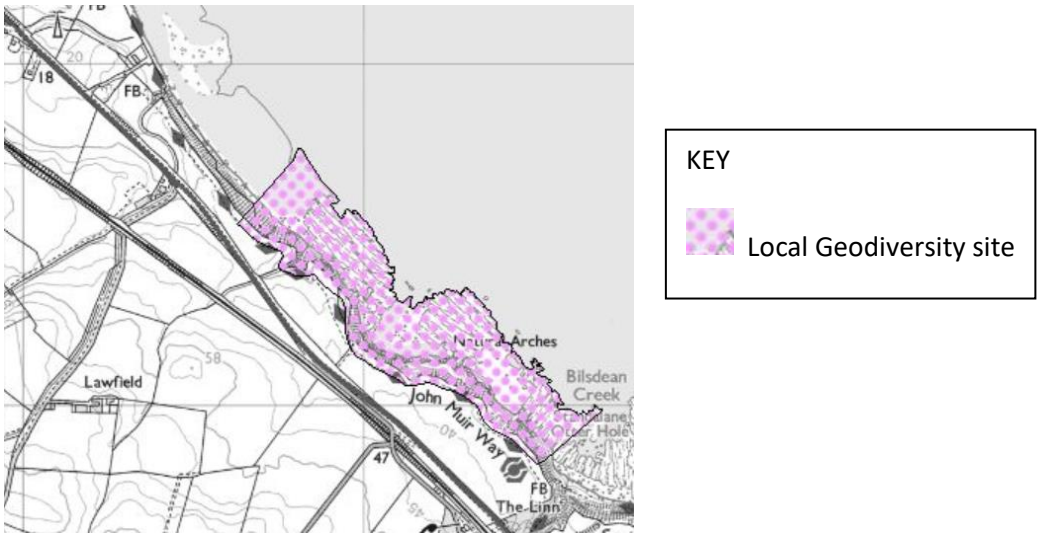

Figure 1: Thorntonloch Local Geodiversity Site (Basemap) reproduced from Ordnance Survey. Crown Copyright. OS Licence 100023381 (2020)

Prime agricultural land

3.32 The Scoping Report notes that the study area is predominantly prime agricultural land. Any loss of prime agricultural land should be considered and the impact of this included. Where agricultural land is lost, the EIAR should include any proposals for mitigation such as re-use of the topsoil.

Minerals

3.33 Parts of the study area may also contain mineral reserves in particular limestone and sand and gravel, and any impact on this should be described in the EIAR and the impact assessed.

Pollution - mitigation

3.34 Further potential impacts include pollution of soils, considered below under Mitigation – pollution prevention.

Water

Drinking Water and Private Water Supplies

3.35 Drinking water quality regulator records show there are no private water supplies near the proposed substations locations and none are likely to be in close proximity to any cable routes, but this will need to be confirmed in the EIAR. Scottish Water have reviewed their records, and indicate that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity. Any impacts upon private water supplies within the vicinity of the proposed development should be assessed as noted in paragraph 12.3.3. of the Scoping Report, and any necessary mitigation measures identified and implemented.

3.36 The Council's records show there are no registered Private Water Supplies within the outlined RED site map. However there are several registered private water supplies within the 5km study areas. The grid references for the sources of closest supplies are as follows:

Thurston Mains spring E 371000 N 673000
Purely Scottish Borehole (Natural Mineral Water source) E 374223 N 669768
Woollands spring E 373228 N 669447
FerneyLea & Hoprigshiels spring E 373352 N 668747
Cocklawhill spring E372548 N 671526
Stottencleuch spring E371800 N 670000
Pinkerton Hill Borehole E 369438 N 674766

It is not expected that these will be impacted by the development however they fall within the 5km area of interest. The locations should be checked to ensure there is no impact.

Bathing Waters

3.37 Thorntonloch is a Bathing Water. The EIAR should include information on whether the proposed works will affect the water quality of this bathing water. If so, any mitigation such as carrying out works outwith the Bathing Water Season (1 June to 15 September) should be

included. Further information on bathing waters can be found at https://www2.sepa.org.uk/bathingwaters/Locations.aspx . SEPA produces bathing waters reports based on sampling and therefore the sampling should be representative. The EIAR should report how this will be coordinated.

Flood Risk

3.38 SEPA's latest Flood Hazard Maps show that areas of Flood Risk both River (Fluvial) and Surface Water are shown on the application site.

3.39 It is noted from the Scoping Report that the proposed development will provide both temporary (during construction) and permanent SuDS as well as drainage solutions onsite.

3.40 Water and Drainage Assessment, Flood Risk Assessment and SuDS Strategy Reports should be provided as part of the EIA which would take into account current projections for Sea Level Rise and Rainfall Rise allowances as per SEPA's current guidelines.

3.41 SEPA advise that the site is within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Maps, so parts of the site may be at medium to high risk of fluvial and coastal flooding.

3.42 The proposals could be classed as 'essential utility infrastructure' so an exemption to the risk matrix in Scottish Planning Policy. This means they could be located in medium to high risk areas providing that they are designed and constructed to remain operational during floods and not impede flow. Limited information has been provided at this stage but given the size of the proposed site it is likely that flood risk could be avoided with good site layout or, a cautious layout could reduce the detail of flood risk assessment needed.

3.43 The Scoping Report states that the watercourses that flow through the site boundary are in relatively steep sided channels, so the potential for out of bank flow may be limited in some locations. The development should have an appropriate buffer from watercourses to avoid development in the floodplain. Depending on the confirmed location of the proposed development, a Flood Risk Assessment may be needed to identify the functional floodplain and inform an appropriate buffer distance.

3.44 The approximate 1 in 200 year flood level for the area is 3.81m AOD based on extreme still water level analysis using the Coastal Flood Boundary method. This does not take into account the potential effects of wave action, climate change, funnelling, or local bathymetry at this location. Therefore all built development should be located above this level to ensure it is at low risk of coastal flooding. The EIAR should include information to show whether or not this has been done.

3.45 Appropriate regional climate change allowances are recommended for the development, and guidance is published on the SEPA website https://www.sepa.org.uk/media/426913/lups_cc1.pdf showing the recommended coastal and fluvial values for the area.

3.46 Refer to Appendix 2 of SEPAs Standing Advice for advice on flood risk. Watercourse crossings must be designed to accommodate the 0.5% Annual Exceedance Probability (AEP) flows, or information provided to justify smaller structures. If it is thought that the development could result in an increased risk of flooding to a nearby receptor then a Flood Risk Assessment must be submitted in support of the planning application. SEPAs Technical flood risk guidance for stakeholders outlines the information they require to be submitted as part of a Flood Risk Assessment. Please also refer to Controlled Activities Regulations (CAR) Flood Risk Standing Advice for Engineering, Discharge and Impoundment Activities.

Water Environment

3.47 The Water Framework Directive (2000/60/EC) was implemented in Scotland through the Water Environment and Water Services (Scotland) Act 2003 (WEWS). This legislation requires SEPA to lead and co-ordinate River Basin Planning in the Scotland and Solway Tweed river basin districts to protect and improve Scotland's water environment (https://www.sepa.org.uk/environment/water/river-basin-management-planning/). The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) provide controls over activities affecting the water environment (https://www.sepa.org.uk/regulations/water/). River basins comprise all surface waters, including transitional (estuaries) and coastal waters extending to 3 nautical miles seaward from the territorial baseline.

3.48 Where appropriate (e.g. the substation) SEPA states the SUDS should accord with the SUDS Manual (C753) and promotes the importance of preventing runoff from the site for the majority of small rainfall events (interception). The applicant should use their Simple Index Approach (SIA) Tool to ensure the types of SUDS proposed are adequate and ensure that all the key points behind any design are considered: Water Quality, Water Quantity, Amenity and Biodiversity, as explained in the SUDS Manual. SUDS ponds can be incorporated into blue/green networks as focal points along active transport routes. This process should be reported in the EIAR.

3.49 The Scoping report states "Prior to commencement of construction activities, a pollution prevention plan, part of a Construction Site Licence, will be approved by SEPA to ensure that

appropriate measures are put in place to protect watercourses and the surrounding environment." The applicant will also require authorisation under Controlled Activities Regulations for construction runoff (see Appendix 1: Advice for the applicant). The Pollution Prevention Plan should be included in the EIAR.

3.50 SEPA states the site layout must be designed to avoid impacts upon the water environment. Where activities such as watercourse crossings, watercourse diversions or other engineering activities in or impacting on the water environment cannot be avoided then the submission must include justification of this and a map showing:

A. All proposed temporary or permanent infrastructure overlain with all lochs and watercourses.
B. A minimum buffer of 50m around each loch or watercourse. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse and drawings of what is proposed in terms of engineering works.
C. Detailed layout of all proposed mitigation including all cut off drains, location, number and size of settlement ponds.

3.51 If water abstractions or dewatering are proposed, a table of volumes and timings of groundwater abstractions and related mitigation measures must be provided.

3.52 Further advice and best practice guidance are available within the water engineering section of SEPAs website. Guidance on the design of water crossings can be found in SEPAs Construction of River Crossings Good Practice Guide.

3.53 Potential impacts on coastal processes should be considered. For example the EIAR should show whether there will be any temporary or permanent changes to sediment transport along the coastline as a result of the proposal (this is also an impact on soil). If there is no significant impact it is sufficient to include a paragraph in the EIAR to that effect to show that this issue has been considered.

Groundwater

3.54 The planning application area covers ~678.9ha near Torness and the village of Innerwick, south east of Dunbar. The final planning area is stated as to be smaller than this once infrastructure details and locations &c. have been finalised. The area is predominately agricultural land with a dispersed number of houses and some small villages. The East Coast Main Line and the A1 trunk road cut across the centre of the site running northwest to southeast parallel to the coastline, which forms the north eastern edge of the site. Three potential substations locations, Torntonloch, Skateraw and Crowhill, are being considered

each coving an area of 9 ha. The potential substation locations are all on currently agricultural land near the railway line on the opposite side from Torness Nuclear Power Station.

3.55 British Geological Survey mapping shows the main site area covering the proposed substation locations to have a superficial covering of glacialfluvial deposits of gravel, sand and silt underlain by bedrock consisting of sandstone, siltstone and dolomitic limestone of the Ballagan Formation. The hydrogeology of the glacialfluvial deposits is characterised by intergranular flow with high productivity. The bedrock in the area is characterised by intergranular and fracture flow with moderate productivity. Groundwater vulnerability is classed as 4a, on a scale of 1 low to 5 high.

3.56 The underlying groundwater bodies are Torness Coastal (superficial, 150730) and Torness (bedrock, 150568). Both are currently at Good status and low risk.

3.57 The nearest SEPA licensed groundwater abstractions (CAR/S/1014268) is ~320m north of the proposed Skateraw and Crowhill substation locations on the opposite side of the railway line and trunk road. The next nearest licensed or registered groundwater abstractions are over 2km away at Dunbar Cement Works.

3.58 There do not appear to be significant issues at this stage. SEPA however recommend that the EIA should confirm the absence of nearby private water supplies (PWS) by undertaking a detailed assessment identifying whether any PWS sources are nearby the proposed development activities and undertaking risk assessments where applicable.

3.59 The EIA should also risk assess the potential impact to the nearest groundwater abstraction near Skateraw house (Skateraw Partnership, CAR/S/1014268).

Existing groundwater abstractions

3.60 Excavations and other construction works can disrupt groundwater flow and impact on existing groundwater abstractions. The submission must include:

3.61 A map demonstrating that all existing groundwater abstractions are outwith a 100m radius of all excavations shallower than 1m and outwith 250m of all excavations deeper than 1m and proposed groundwater abstractions. If micro-siting is to be considered as a mitigation measure the distance of survey needs to be extended by the proposed maximum extent of micro-siting. The survey needs to extend beyond the site boundary where the distances require it.

3.62 If the minimum buffers above cannot be achieved, a detailed site specific qualitative and/or quantitative risk assessment will be required. SEPA are likely to seek conditions securing appropriate mitigation for all existing groundwater abstractions affected.

3.63 Please refer to Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems for further advice on the minimum information SEPA require to be submitted.

Borrow pits

3.64 Scottish Planning Policy states (Paragraph 243) that "Borrow pits should only be permitted if there are significant environmental or economic benefits compared to obtaining material from local quarries, they are time-limited; tied to a particular project and appropriate reclamation measures are in place." The submission must provide sufficient information to address this policy statement.

3.65 In accordance with Paragraphs 52 to 57 of Planning Advice Note 50 Controlling the Environmental Effects of Surface Mineral Workings (PAN 50) a Site Management Plan should be submitted in support of any application. The following information should also be submitted for each borrow pit:

- A map showing the location, size, depths and dimensions.
- A map showing any stocks of rock, overburden, soils and temporary and permanent infrastructure including tracks, buildings, oil storage, pipes and drainage, overlain with all lochs and watercourses to a distance of 250 metres. You need to demonstrate that a site specific proportionate buffer can be achieved. On this map, a site-specific buffer must be drawn around each loch or watercourse proportionate to the depth of excavations and at least 10m from access tracks. If this minimum buffer cannot be achieved each breach must be numbered on a plan with an associated photograph of the location, dimensions of the loch or watercourse, drawings of what is proposed in terms of engineering works.
- A justification for the proposed location of borrow pits and evidence of the suitability of the material to be excavated for the proposed use, including any risk of pollution caused by degradation of the rock.
- A ground investigation report giving existing seasonally highest water table including sections showing the maximum area, depth and profile of working in relation to the water table.
- A site map showing cut-off drains, silt management devices and settlement lagoons to manage surface water and dewatering discharge. Cut-off drains must be installed to maximise diversion of water from entering quarry works.
- A site map showing proposed water abstractions with details of the volumes and timings of abstractions.

- A site map showing the location of pollution prevention measures such as spill kits, oil interceptors, drainage associated with welfare facilities, recycling and bin storage and vehicle washing areas. The drawing notes should include a commitment to check these daily.
- A site map showing where soils and overburden will be stored including details of the heights and dimensions of each store, how long the material will be stored for and how soils will be kept fit for restoration purposes. If the development will result in the disturbance of peat or other carbon rich soils then the submission must also include a detailed map of peat depths (this must be to full depth and follow the survey requirement of the Scottish Government's Guidance on Developments on Peatland - Peatland Survey (2017)) with all the built elements and excavation areas overlain so it can clearly be seen how the development minimises disturbance of peat and the consequential release of CO_2.
- Sections and plans detailing how restoration will be progressed including the phasing, profiles, depths and types of material to be used.
- Details of how the rock will be processed in order to produce a grade of rock that will not cause siltation problems during its end use on tracks, trenches and other hardstanding.

Air

3.66 It is not expected that the proposed development to have any significant impacts upon Local Air Quality Management Objectives. There are no Air Quality Management Areas (AQMA) within the immediate vicinity of the proposed site. The proposed methodology for assessment of Air Quality impacts is satisfactory. Subject to the implementation of the mitigation outlined above further assessment of air quality impacts can be scoped out. A brief explanation of the issues considered and reasons for scoping out impacts on air should be included.

Climatic factors

Mitigation

3.67 The climate overall is a worldwide receptor, on which any proposal however locally significant is likely to have a negligible effect. However, it is sensitive in that it has already exceeded a threshold where change is inevitable. Addressing climate change is likely to require many actions that are not significant in themselves. Proposals may impact on national and local climate change targets. Information about climate impacts should be included. The EIAR

should include information on the climate impacts of the proposal, in construction, operation and decommissioning. This should include:

- What the most important climate change mitigation issues are for this project, considering circular economy, use of materials and what happens to them after use, soil and vegetation removal or disturbance, traffic and transport emissions.
- Are there alternatives to how or where the proposal is constructed that would affect climate less?
- How the proposal aligns with the East Lothian Climate Change Strategy
- Any proposals for mitigating greenhouse gas emissions.

Adaptation

3.68 Climate predictions are available from the Met Office, here: https://www.metoffice.gov.uk/research/approach/collaboration/ukcp/index . The EIAR should include a brief summary of how the climate is expected to change in this area. Both warmer temperatures and heavier rainfall are predicted. Sea level rise is also a potential result of climate change, while coastal change is an ongoing process which may be altered by climate changes. Information on coastal changes is available from Our Dynamic Coast, a multi-agency project, here: http://www.dynamiccoast.com/ .

3.69 The EIAR should cover any measures that are included to allow the project to be resilient to predicted changes. More intense rainfall could also lead to greater erosion. If this could affect the project, a description of the potential effects and the implications for the proposal, as well as any proposed mitigation, should be included in the EIAR. Sea level rise may also lead to coastal erosion. The EIAR should briefly cover any effect the proposal could have on coastal process, but also possible effects that coastal processes could have on the development, taking future scenarios into account where relevant for the lifetime of the project. Temperatures of a higher peak, and longer periods of warmer temperatures are also predicted. The EIAR should describe whether this will have any effect on the proposal. Flooding is considered above under Water; it is expected that this assessment will take account of accepted predictions for climate for the lifetime of the proposal.

Material Assets

Network Rail

3.70 A Traffic Assessment should be included to assess the effects of construction traffic on existing traffic flows and the public road network. Preferred construction traffic routes should be indicated. This will enable Network Rail to assess the possible impacts where/if the traffic crosses over/under their infrastructure and the suitability of these crossings.

Roads and transport

3.71 The methodology proposed in the Scoping report with respect to the EIAR Transport & Access chapter is generally acceptable and can confirm that:

- There are currently no developments or infrastructure schemes that should be taken into account when considering potential cumulative traffic and transport impacts other than Neart na Gaoithe construction activities, which have been referenced
- The proposed traffic and transport study area network and proposed approach is acceptable
- It is agreed that operational and decommissioning impacts will be less significant than those associated with construction. Assessments should be included of the number and type of vehicle movements for the operational and decommissioning phases but a full assessment of impacts will not be required.

3.72 For clarity, the following matters should be covered in the EIAR/Transport Statement / CTMP:-

- Detail of all construction delivery vehicle types and loads to and from the sites including number of trips.
- Detail of all site traffic (i.e. employees) including construction traffic and delivery of equipment for all onsite works (i.e. cranes, excavators etc.). This will need to be specific to each area and include details of all access/egress connection to the public road.
- Number and type of vehicle movements for day-to-day operation of the onshore aspects.
- Timescales and construction period for all works and management of abnormal loads including traffic management on the public road. Potential road closures may be required for road crossings.
- Detailed and accurate swept path analysis of the construction routes (i.e. to/from the A1 from the site) to include vertical and horizontal alignments of the existing public roads for the 'worst case' delivery vehicles. This will inform the required remedial works.
- Accurate layout plans for any required remedial works to the public road and any required access junctions.

- Proposed mitigation must include a detailed condition survey of the road to be undertaken by the developer to cover the full construction route from/to the A1 (once identified).

Scottish Water Assets

3.73 Scottish Water have carried out a capacity review and note that there is currently sufficient capacity in the Castle Moffat Water Treatment Works to service the development, however further investigations may be required once a formal planning application has been made. The development will be serviced by Innerwick Waste Water Treatment plant where they cannot confirm there is currently capacity. Details of how waste water will be treated should be included.

3.74 According to Scottish Water records, the development proposals impact on existing Scottish Water assets. The developer should identify any potential conflicts with Scottish Water assets.

3.75 The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Cultural Heritage

3.76 The cultural heritage includes designated aspects of the cultural heritage such as Scheduled Monuments, Listed Buildings, items on the Inventory of Historic Gardens and Designed Landscapes, Battlefields and Conservation Areas as well non-designated features such as undiscovered archaeological remains and non-inventory historic gardens and landscapes. Information on Listed Buildings, Conservation Areas, Inventory Gardens and Designed Landscapes, Inventory Battlefields and Scheduled Monuments can be found on Historic Environment Scotland's Pastmap at https://www.historicenvironment.scot/archives-and-research/archives-and-collections/pastmap/ . Further information on Conservation Areas, Local Gardens and Designed Landscapes and items on the Historic Environment Record can be obtained from East Lothian Council Heritage Service.

3.77 The scope of assessment and methodology proposed in the Scoping Report for national interests covered by Historic Environment Scotland (world heritage sites, scheduled monuments and their settings, category A listed buildings and their settings, inventory gardens and designed landscapes, inventory battlefields and historic marine protected areas) is satisfactory. This follows advice in the EIA Handbook and follows the methodology now standardly used by CFA Archaeology.

3.78 The Scoping Report has asked consultees to identify any specific assets which may require particular consideration. Historic Environment Scotland have not done so at this stage, but may be able to do so as more detail becomes available. The Scoping Report notes that further consultation will take place on these details, including requirements for supporting material such as visualisations, and this is welcomed.

3.79 As a starting point, ZTV information overlaid on a map of historic environment assets such as at Figure 11.1 of the Scoping Report should be provided. This allows identification of assets from where there is visibility of the proposal. However, there may also be assets, as noted in the Scoping Report, whose settings may be affected as they are visible from viewpoints where both the asset and the proposal are in the view, even if there is no visibility of the asset from the proposal or vice versa.

3.80 Guidance about national policy can be found in Historic Environment Scotland's 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes . Technical advice is available on their Technical Conservation website at http://conservation.historic-scotland.gov.uk/ .

Landscape

3.81 The Scoping Report suggests a study area of 5km from the proposed substation and 1km from the proposed landfall (s), access tracks and cable route(s). It gives a list of proposed viewpoints, and sets out the proposed approach to Landscape and Visual Impact Assessment, including visualisations. The study area and approach, including visualisations, are acceptable. It is however possible further viewpoints may be required, depending on the final choice of site.

3.82 Naturescot are not able to comment on the landscape and visual aspects of this proposal as they are currently providing detailed landscape and visual advice in only the highest priority circumstances, where the effects of proposals approach or surpass levels that raise issues of national interest or where they affect place-based priorities for NatureScot. Their advice is that this proposal does not raise landscape issues of national interest in terms of:

- significant adverse effects on the integrity and objectives of designation of a National Scenic Area

- significant adverse effects on Special Landscape Qualities of a National Park
- significant adverse effects on the qualities of a Wild Land Area

These areas do not therefore require to be considered in the EIAR. NatureScot guidance on landscape and visual impacts can be found on their website. This guidance should be taken into account when considering the landscape and visual impacts of this proposal: https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-landscapes

3.83 Two proposed landfall locations are identified at Thorntonloch and Skateraw. Skateraw landfall overlaps with Barns Ness coast SSSI, designated for geological feature and biological features (saltmarsh, sand dune and shingle). Both sites have significant visual amenity (pictures below).

1 Skateraw landfall site

2 Thorntonloch beach

3.84 A landscape and visual impact assessment (LVIA) must be carried out for the site and assessment made for impacts on those Special Landscape Areas (SLA) and designed landscape area (local and Inventory) that fall within a 5km radius of the application sites. This must include a full topographical analysis survey of the site showing contours, spot heights at no less than 0.5 meter intervals, boundary features such as the coast to low tide mark, the jetty and the mounds to the west and east of the site. The topographical survey should not stop at the boundary of the site but include adjacent areas; the extent of the adjacent areas to be included should be discussed and agreed with the Council. Existing and proposed contours should be labelled and landscape character areas and Special Landscape Areas clearly identified with a colour coded key. North south and east west cross section of the site should be included, clearly showing the existing ground and proposed ground levels and how the proposed development will relate to the adjacent landscape setting.

3.85 The LVIA should be carried out taking into account the following guidance: “Guidelines for Landscape and Visual Impact Assessment” The Landscape Institute and Institute for Environmental Management and Assessment (2013) 3rd Edition (Landscape Institute and IEMA, 2013).

Zone of Theoretic Visibility Influence (ZTVI)

3.86 A full level survey and proposed finished level plan must be carried out to enable an accurate ZTV for the proposed development. ZTVI should be given on a 1:25,000 base map, using the up to date version of the OS Terrain-5 Digital Terrain Model data, with local features such as tree belts, woodland and built form modelled in sufficiently to produce a screening ZTV map. The ZTVI map should extend to 5km radius from the site centre, and present on an A0 sheet at 1:25,000 scale and the photomontages on minimum A3 format. ZTVI information should be provided for the existing site and for the highest roof ridge of the proposed buildings contained within development. Information should be included in a legend on the ZTVI plan confirming the finished floor level and proposed roof ridge height, upon which the ZTVI has been based.

Viewpoints

3.87 All viewpoints (VP) are to be shown in a schedule which includes the VP number, six figure grid references and location address. This information is to be shown on the ZTVI plan. Each photomontage is to include a view direction arrow shown on a clearly legible site location map in the corner of the sheet, to aid in finding the VP on site.

3.88 Photomontages should accurately illustrate the proposed development. The proposal should be shown both with and without proposed landscaping. Viewcone at 50cm viewing distance, 45 degrees should be included for photomontage where the proposed development is difficult to see due to distance. The photomontage should include a legend or notes to identify the buildings illustrated. Birds eye views and longitudinal cross sections are a preferred format for showing the details of any proposed landscaping. Details of how photomontages have been prepared should be provided in the methodology statement. This information shall include details of computer software used, photographic details, terrain data used and modelling methodology. Any limitations of the overall methodology shall be clearly stated. Only Ordinance Survey DTM 5-metre Contour Data should be used to create the 3D computer generated terrain model. The use of 10-metre contour Data will only be permitted in locations where the 5 meter data is not available. Written confirmation to support this should be submitted. VP that have obstructions such as hedgerows, gates, walls and mound blocking the view should be avoided.

3.89 LVIA should include a table that summarises impacts in the format in the figure below:

Methodology for Assessing Significance					
Magnitude	Sensitivity				
	Very High	*High*	*Medium*	*Low*	*Very Low*
Very High	Substantial	Major	Major/ Moderate	Moderate	Moderate/ Minor
High	Major	Major/ Moderate	Moderate	Moderate/ Minor	Minor
Medium	Major/ Moderate	Moderate	Moderate/ Minor	Minor	Minor/ Negligible
Low	Moderate	Moderate/ Minor	Minor	Minor/ Negligible	Negligible
Very Low	Moderate/ Minor	Minor	Minor/ Negligible	Negligible	Negligible/ None

3.90 Additional information including viewpoints and cross-sections may be required.

Trees

3.91 In relation to the existing trees and any new trees proposed on or adjacent to the application site, reference should be made made to the following documents that are available to download from the website www.tdag.org.uk ; Trees in Hard Landscapes and Trees in Townscapes.

3.92 A tree survey and arboricultural constraints plan should be carried out by a qualified arboriculturalist and should include the location of any temporary protective fencing with dimensions from a fixed known point. This drawing should be clearly illustrated with the aid of a colour coded key. In terms of the impact on existing tree on or adjacent to the development site the EIAR should show that the proposed design layout complies with Local Plan policy NH8 and Figure 1 of the British Standard BS5837:2012 Tree in Relation to construction and demolition. The tree survey information is to be overlaid onto the proposed development layout (all tree tag numbers are to be shown). The EIAR should show appropriate mitigation planting for any tree to be removed shown on a scaled plan with a colour coded key

3.93 The EIAR should set out how project engineers will be made aware of the existence of a tree survey at the earliest stage in the design process. Where there is a likely adverse impact on trees due to development of cable routes, cable wayleave routes, roads, paths, junctions etc the tree constraints plan information should be shown on the engineering layout. The required temporary protective fencing (with setting out dimensions) is to be shown on this drawing. It is recommended that an arborist will prepare or input into a construction method statement (CMS) in conjunction with the advice of the project roads engineer in order to

minimise incursions into the root protection area of the trees.

3.94 See also East Lothian Council Landscape advice to the applicant in relation to trees in Appendix 1 below.

Intertidal Zone

3.95 The EIAR should include the method(s) for the installation of the export cables through the intertidal zone at the landfall. Paragraph 5.4.2.1 notes that the offshore cable will be brought to shore using trenchless technology, with the transition pit to be dug using the same methodology as open cut trenching. Minor structures will remain above ground. Full details of these minor structures should be given if they are located on or close the foreshore or intertidal area. If alternative methods are considered, these should be included and fully described in the EIAR however it is preferable that a single construction method is identified and described.

3.96 The open cut trench method could give potential for significant adverse landscape and visual impacts on the inter-tidal zone between MLWS and MHWS. In terms of minimising potential adverse landscape and visual impacts, it appears that Horizontal Direct Drilling could result in less surface disturbance than open trench. The EIAR should address the impact of the proposed open trench method on the sand dune landscape above the high tide mark. The EIAR should explore how the trenching equipment will gain access onto the intertidal zone without damaging or disturbing damaging existing soft coastal defences such as sand dune and shingle habitat, both of which are susceptible to damage and disturbance from heavy tracked machinery. The proposed access routes to the intertidal zone should be shown.

3.97 The method for open trench proposes that the cable is pulled ashore into the trench and that the trench is backfilled and then reinstated. The EIAR should describe mitigation measures proposed to reinstate any disturbed landscape and its associated habitat.

Night lighting

3.98 No information has been submitted about the inclusion of lighting (other than during construction) or visual impacts of lighting on the immediate and long distance landscape. Lighting for safety or security purposes may be unavoidable however may give rise to significant adverse visual effects. In such cases, consideration should be given to different ways of minimising light pollution and reference should be made to appropriate guidance, such as that provided by the Institution of Lighting Professionals (ILP 2011).

3.99 Assessment of the impact of permanent or long term (over a year) lighting should be included

in the EIAR, if such lighting is included in the proposal. Where the lighting may give rise to significant effects visual material to represent the impact on the night time landscape should be included, and further viewpoints may require to be identified to represent the night time landscape.

Cumulative Landscape and Visual Impact (CLVIA)

3.100 In addition to infrastructure that is already in the area (the Dunbar Cement works, Torness Power Station, the A1 road and East Coast mainline railway in particular) the assessment should take account of the onshore works related to Neart na Gaoithe offshore windfarm, and the proposed grid strengthening proposals known as the Eastern Link, if these latter proposals are at a sufficiently advanced stage to be included. The proposed plastic recycling facilities at Oxwellmains (East Lothian Council planning references PAN 20/00001/PAN and 20/00005/PAN, available at https://www.eastlothian.gov.uk/info/210547/planning_and_building_standards/12214/search_for_planning_applications) should also be considered.

Mitigation

3.101 Landscape mitigation for likely direct landscape and visual impacts should be shown. A detailed landscape plan will be required. The document East Lothian Council Landscape Guidance, available from landscape@eastlothian.gov.uk is likely to be of assistance.

3.102 The Landscape Plan should show how the proposals tie in the with aims and objectives of the East Lothian Green Network Strategy SPG and East Lothian Local Development policies DP1 and DP2.

4.0 Vulnerability of the development to risks of major accidents and/or disasters

4.1 The EIAR should include how the applicant will ensure East Lothian Council will be contacted if any work is undertaken within a 3km radius of Torness Nuclear Power Station, including vessels landing within this area, known as the Detailed Emergency Planning Zone (DEPZ). The Council will explain the response measures staff should take, (shelter, listen to media information and take Iodate Tablets) should an Off-Site emergency occur at Torness and will also supply a quantity of Iodate Tablets to the contractors. The warning process employed by EDF at Torness will also be explained.

4.2 Reference should be made to the information on the following website which contains the

nuclear information the contractor should be made aware of: http://www.onr.org.uk/reppir-2019-update.htm

4.3 The Council is not aware of any other information or local dangers. Torness remains a very low risk due to the current safety measures in place.

4.4 The Health and Safety Executive (HSE) is currently in discussion with the Ministry of Housing, Communities and Local Government on the new requirement to describe, identify and assess, where relevant, expected significant effects arising from the vulnerability of the proposed development to major accidents or disasters that are relevant to that development. Until HSE has received clarity from MHCLG they can only provide high level suggestions at this time.

4.5 HSE's land use planning advice is concerned with the potential risks posed ***by*** major hazard sites and major accident hazard pipelines ***to*** a new development; it does not deal with the potential risks which a new development may pose to a major hazard site or major accident hazard pipeline. The EIAR should show that the proposed development meets the HSEsland use planning criteria with regard to public protection through use of their Land Use Planning Web App and pre-application advice service. This can be found at https://pa.hsl.gov.uk/ . The HSE advise that this service will also show if the proposal is within a Consultation Zone. The service recommended should be used to check the current position at the time the EIAR is produced for all parts of the onshore works. If the service identifies that a hazardous installation could present a risk to the proposal or otherwise, this should be considered in the EIAR. If the proposal does not present a risk, the EIAR need report only that the service has been used and the issue considered.

5.0 Cumulative Impacts

5.1 Other projects that should be considered for cumulative and/or in combination effects are Neart na Gaoithe offshore windfarm, the Eastern Link grid strengthening works, and potentially proposed recycling facilities at Oxwellmains (see 20/00001/PAN and 20/00005/PAN), noting that these proposals are not yet planning applications.

5.2 There are other potential offshore windfarm sites in the area, which have not yet as far as the Council is aware been offered a connection point, including Marr Bank. These may also require to be taken into account depending on the stage they are at when application is made. NPF3 expects developers to work together to minimise impacts by combining infrastructure where possible. The EIAR should set out how this has been done.

6.0 Mitigation

6.1 A description of any measures envisaged preventing, reducing and where possible offset any significant adverse effects on the environment should be given, in particular as noted above.

Mitigation measures should be clearly described, and assessed for any environmental effects they may themselves have. The predicted effectiveness of any such measures should be clearly set out, along with an indication of how they will be implemented.

6.2 Pollution prevention measures during the periods of construction, operation, maintenance, demolition and restoration are a key issue. A schedule of mitigation supported by the site specific maps and plans noted above must be submitted. These must include reference to best practice pollution prevention and construction techniques (for example, limiting the maximum area to be stripped of soils at any one time) and regulatory requirements. They should set out the daily responsibilities of Ecological Clerk of Workss, how site inspections will be recorded and acted upon and proposals for a planning monitoring enforcement officer. Please refer to SEPAs Guidance for Pollution Prevention (GPPs)

6.3 The mitigation proposed appears sufficient to minimise the impact of dust on human receptors. This should be described in the EIAR though further consideration of impacts of dust on air quality are not required.

7.0 Non-Technical summary

7.1 A summary of the information provided in the EIAR should be given. This should be written in plain English and accurately summarise the main points of the ES. It must accurately reflect the findings of the full ES. Any significant environmental impacts should be included, along with proposed mitigation.

7.2 It would be helpful if a summary table listing any significant adverse impacts were included with reference to where this information is contained within the full ES. This would help interested members of the public find the information they are interested in easily.

8.0 Information gaps

8.1 An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant or appellant in compiling the required information should be given, including any data that has not been available.

9.0 Information available from government bodies

9.1 Section 19 (5) of the Regulations requires the planning authority and any other body notified under Section 19(1) to enter into consultation with the requestor to determine whether or not they have any information that they consider relevant to the preparation of the Environment Statement.

9.2 East Lothian Council holds a range of information which may be relevant, including details and status of other planning applications which is available at www.eastlothian.gov.uk/Planningonline . Other information includes the location of locally

designated areas such as Conservation Areas, Special Landscape Areas, Local Biodiversity Sites and Local Geodiversity Sites and Local Gardens and Designed Landscapes. The Council also holds information on Historic Environment Records and some bird survey work, which are available on request initially from environment@eastlothian.gov.uk . The Development Plan and Supplementary Planning Guidance documents are on the Council's website at https://www.eastlothian.gov.uk/info/210547/planning_and_building_standards/12242/local_development_plan/2. The website also has links to other potentially relevant documents such as the Technical Notes produced in support of the plan, Strategic Environmental Assessment, Strategic Flood Risk Assessment and others.

Appendix 1: Advice for the applicant

Advice given for the benefit of the applicant by consultees during the Scoping process is noted below.

East Lothian Council – Environmental Health and Protection

Noise: I would suggest working hours be amended to Mon-Fri 0700-1900 hours and Sat 0800-1300 hours with any work required outwith these hours to be agreed in writing with the planning authority prior to works taking place. I would be wary of allowing standard working hours as proposed in the scoping report due to likelihood of complaints if works are audible within boundaries of residential properties.

East Lothian Council – Contaminated Land officer

Given the large extent of the development (particularly with regards to the trenching works for the underground cables) there is the possibility that areas of made ground may be encountered. I note that various environmental desk studies are to be undertaken with regards to the prospective sites (cabling and sub-station) which will provide additional information with regards to the ground conditions. If required, the relevant contaminated land conditions can be applied to any grant of planning consent in order to properly assess the contamination issues that may affect the development.

East Lothian Council – Emergency Planning

If the project is sanctioned the contractors must make contact with ELC ASAP before work starts to ensure factual information can be captured in the overall Torness Nuclear Emergency Response plan.

East Lothian Council – Transport Planning

The Council as Roads Authority will require that damage to the route during the period of construction (and decommissioning) shall be repaired by the applicant at no expense to the Council as Roads Authority.

East Lothian Council – Landscape

Tree Survey and Arboricultural constraints

All development (above or below ground level) near trees should conform with British Standard BS5837_2012 *"Trees in relation to design, demolition and construction ~ Recommendations"* sections 4 and 5 and any subsequent revisions" of this standard. East Lothian Council would recommend that reference should be made in particular to section 7 and 8 of BS5837:2012.

If development is encroaching on the root protection area of a tree to be retained on site, we will require a report from an arboricultural consultant to assess the acceptability of whether encroaching into the tree root protection area would be deleterious to the health, vigour and structure of the tree.

The tree survey information and arboricultural information referred to above should be submitted in shape file format (.shp file extension), so that it can be uploaded onto the Council's GIS system.

The tree survey information is to be overlaid onto the proposed development layout (all tree tag numbers are to be shown). Any tree that is recommended for removal must be justified with sound arboricultural reasons. We will require appropriate mitigation planting for any tree to be removed. This is to be clearly shown on a scaled plan with a colour coded key.

All proposed tree management works required to facilitate the development must be agreed in writing with the Planning Authority and to comply with the British Standard 3998: 2010 "Tree work ~ Recommendations".

Landscape Mitigation

Landscape mitigation for likely direct landscape and visual impacts will be required. A detailed landscape plan will be required when making a planning application.

We require that the masterplan designs for the selected development site demonstrate strong green links extending from existing shelterbelts, woodlands, riparian zones and hedgerows on or adjacent to the site which would tie in with the aims and objectives of the adopted Green Network Strategy SPG and East Lothian Local Development policies DP1 and DP2.

Decommissioning & restoration/reinstatement stage

We would strongly recommend that a legal agreement between East Lothian Council and the agents of current development and future development should work jointly with East Lothian Council to address the overall landscape mitigation measures in order that a consistent and cohesive landscape measures are taken forward to achieve the best landscape fit for the industrial scaled developments in this sensitive location. We strongly recommend that the Council should consider appropriate securities, financial or otherwise, to also allow for full decommissioning and restoration of the landscape.

East Lothian Council – Planning

The Scoping Report includes a list of the Local Development Plan policies identified as most relevant. In addition to this list, Policy DC1 Rural Diversification is a relevant site specific policy covering much of the study area; Policy DC6 Development in the Coastal Area is also relevant. Policy DC10: Green Network should also be considered. EGT3: Forth Area of Coordinated Action concerns connections for offshore windfarms and is relevant, as is EGT4 Enhanced High Voltage Electricity Transmission Network. There are also mineral safeguards at Skateraw and Oxwellmains (PROP MIN2 and MIN3) which may also be relevant. Policy MIN8: Mineral Extraction Criteria, MIN9: Supporting Information and MIN10: Restoration and Aftercare are relevant for borrow pits. Policies NH2 and NH3 concern protection of SSSIs and locally designated sites and area, and are also relevant.

East Lothian's Supplementary Planning Guidance can be found by following the links from here: https://www.eastlothian.gov.uk/info/210547/planning_and_building_standards/12242/local_development_plan/5

Relevant to this proposal are:

Countryside and Coast SPG

Cultural Heritage and the Built Environment SPG

Green Network Strategy SPG

Special Landscape Areas (Parts 1 – 3) SPG

Sustainable Drainage Systems (SuDS) SPG

Health and Safety Executive

The HSE gave the following advice:

HSE's role in relation to wind farms is to enforce health and safety legislation. The Health and Safety at Work Act etc., and Regulations issued under it, outline general duties on employers to ensure that the risks to worker and public safety from their activities are, so far as is reasonably practicable, safe and without risks to health.

Most health and safety law does not come into effect until a development has been approved allowing commencement of construction activities (the one exception being the Construction (Design & Management) Regulations 2015 (CDM 2015) – see http://www.hse.gov.uk/construction/cdm/2015/index.htm. At this point HSE's interest is in the employer's responsibility to ensure the safety of workers (employees and self-employed persons) from hazards arising from the construction, commissioning, operation, maintenance and eventual decommissioning of the site.

The protection of the public from any hazards arising from the operation of the turbines is also covered within this remit; the public safety aspects of the Electricity Safety, Quality and Continuity Regulations 2002 (ESQCR) specify standards aimed at protecting the general public and consumers from danger from the operation of electricity generation, distribution and supply equipment. Electricity generating companies and other duty holders are required to do all that is reasonably practicable to ensure their equipment is safe.

SEPA

Regulatory advice for the applicant:

1.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

1.2 Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

1.3 A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:

- is more than 4 hectares,
- is in excess of 5km, or
- includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25˚

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

1.4 Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

1.5 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulation section of our website or by contacting waterpermitting@sepa.org.uk or wastepermitting@sepa.org.uk.

Further advice from SEPA

1.6 Existing built infrastructure must be re-used or upgraded wherever possible. The layout should be designed to minimise the extent of new works on previously undisturbed ground. For example, a layout which makes use of lots of spurs or loops is unlikely to be acceptable. Cabling must be laid in ground already disturbed such as verges. A comparison of the environmental effects of alternative locations of infrastructure elements, such as tracks, may be required.

1.7 All wastes should be handled in accordance with the "waste management duty of care" – residual contamination should be dealt with through the local authority planning and contaminated land departments.

Caveats and additional information for the applicant on flooding issues:

1.8 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km2 using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland.

1.9 We refer the applicant to the document entitled: *"Technical Flood Risk Guidance for Stakeholders"*. This document provides generic requirements for undertaking Flood Risk Assessments. Please note that this document should be read in conjunction Policy 41 (Part 2).

1.10 Please note that SEPA are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

1.11 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to East Lothian Council as Planning Authority in terms of the said Section 72 (1).

Scottish Water

Scottish Water gave the following advice:

At Innerwick Waste Water Treatment Plan Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via our Customer Portal or contacts Development Operations.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via our Customer Portal to apply for a diversion.

Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
    - Site Investigation Services (UK) Ltd
    - Tel: 0333 123 1223
    - Email: sw@sisplan.co.uk
    - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance

with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.

- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

- Please find information on how to submit application to Scottish Water at our Customer Portal.

Next Steps:

- **All Proposed Developments**

  All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

  Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- **Non Domestic/Commercial Property:**

  Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

- **Trade Effluent Discharge from Non Dom Property:**

  - Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.
  - If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found here.
  - Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
  - For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping

practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

- The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com