

Issue 64	Water Environment	
Development plan reference:	Policy 64 (para 21.12, Page 109)	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number)		
Brenda Herrick (5), Royal Society for the Protection of Birds (RSPB) (78), Scottish and Southern Energy (SSE) (268), Sportscotland (320), Scottish Environment Protection Agency (SEPA) (326)		
Provision of the development plan to which the issue relates:		
Council's summary of the representation(s):		
<p><u>General comment</u></p> <p>In response to the Main Issues Report Sportscotland's main policy interests were commented upon and suggestions put forward to ensure that sporting interests are considered within the Local Development Plan. Sportscotland is satisfied that sports interests have been addressed throughout the Local Development Plan and raise no objections. (320)</p> <p><u>Supporting text</u></p> <p>SEPA state that, In order to meet the requirements of the Water Framework Directive (200/60/EC), planning authorities are designated "responsible authorities" by the Water Environment and Water Services (Designation of Responsible Authorities and Functions) Order 2006. Responsible authorities must carry out their statutory functions in a manner that secures compliance with the objectives of the Directive (i) preventing deterioration and (ii) promoting improvements in the water environment in order that all water bodies achieve "good" ecological status by 2015. (326)</p> <p>SEPA also recommend that a specific reference to wetlands and water dependent habitats would be useful. The Water Environment sections (21.11 & 21.12) do not actually spell out what the water environment comprises, and it would be useful to include that here.</p> <p>The river basin management plan for the Scotland river basin district was published in December 2009. All supplementary area management plans and a GIS interactive map are now available on the SEPA website – river basin planning. Please note that the link currently given in section 21.11.3 is to the flood map on SEPA website. (326)</p> <p><u>Policy</u></p> <p>SEPA support the Council's objectives to protect the water environment as outlined in this policy. (326)</p> <p>More explicit mention should be made about cumulative impacts and that these will be considered when assessing proposals (78).</p> <p>SSE: The policy test as set out is generally supported; however, SEPA has a statutory role in assessing CAR licence requests for abstractions under the European Water Framework Directive. As such, it is recommended that SEPA's specialist advisory role is recognised within the policy. (268)</p>		

This policy is excellent but too late.(5)

Modifications sought by those submitting representations:

Supporting text

SEPA suggest adding sentence to end of 21.11.1: "In this context, the water environment includes rivers and burns, lochs, canals, coastal and transitional waters (eg estuaries), wetlands and groundwater. "(326)

Policy

It is recommended that SEPA's specialist advisory role is recognised within the policy. (268)

More explicit mention should be made about cumulative impacts and that these will be considered when assessing proposals (78).

Summary of responses (including reasons) by Planning Authority:

Policy

Note Brenda Herrick's support.

Supporting text

The Council can see the merit to including the sentence suggested to define the water environment.

If the Reporter is minded to recognise the specialist advisory role of SEPA, and/or the importance of considering cumulative impacts it is suggested this could perhaps be better placed within the supporting text rather than the policy itself.

The Council note SEPA's comments regarding the Water Framework Directive and will update the link to SEPA's River Basin Management webpage and commend the suggested supporting text which will replace 21.11.2.

Any further plan changes commended by the council

Factual change: The link to the River Basin Management needs to be updated.

Commend SEPA suggested sentence to define the water environment, and commend the replacement of text in 21.11.2 in accordance with the revised wording proposed.

Reporter's conclusions:

Added by Reporter at later date.

Reporter's recommendations:

Added by Reporter at later date.