

Our ref: PCS/168628
Your ref: 18/05439/FUL

If telephoning ask for:
Susan Haslam

22 November 2019

Susan MacMillan
The Highland Council
Charles Kennedy Building
Achintore Road
Fort William
PH33 6RQ

Submitted to Online Planning Portal

Dear Mrs MacMillan

Planning application: 18/05439/FUL
Discharge of planning conditions relating to construction of a run-of-river hydropower scheme, abstract water from the Allt Fhaolain burn and pipe to a turbine, estimated turbine will be sized up to 586kW generating an average of 1.64GWhr of energy each year
Glen Etive Estate, Glen Etive

Thank you for your consultation email which SEPA received on 12 November 2019 in connection with the discharge of planning conditions. The developer had helpfully sent much of the information direct to us on 8 November 2019. We also had a useful telephone discussion with him on 13 November 2019.

Advice for the planning authority

We have reviewed the submitted CEMP and related information and drawing and taking into consideration the site layout, local constraints and fact that the construction works will not require a Controlled Activities Regulation (CAR) Construction Site Licence from us we are not yet content with the information provided and **recommend that planning condition 3 is not yet discharged**. See Section 1 below for further details.

In relation to condition 7 then we are content that no further information is required on flood risk. This is on the basis that the final location of the powerhouse is less likely to be at risk of flooding, it is not protected from potential flooding by a bund and the small watercourse crossing required as part of the development is designed to convey the 1 in 200 year flow without constriction of flow.. This is in line with the requests we made at the application stage.

For the avoidance of doubt, this letter relates solely to planning conditions. The applicant should liaise with SEPA's local regulatory team on regulatory licence conditions.



Chairman
Bob Downes

Chief Executive
Terry A'Hearn

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1. Pollution prevention and environmental management

- 1.1 We note that the updated Intake Site Plan (C083.4-103 Rev 0.2) includes some pollution prevention measures but we do not yet consider that enough clear spatial information has been provided to demonstrate how the construction of the intakes and related track will be undertaken in a way that minimises potential pollution risks. Due to the steep slopes, lack of existing level space and need to work in close proximity to the river we consider this area to be of high risk of run-off and pollution unless adequately planned and managed and therefore it warrants more detailed consideration at this stage.
- 1.2 From discussions with the developer we understand that he also intends to produce a Pollution Prevention Plan, which may helpfully include some of the information we are seeking. Nonetheless our preference is that the proposals are also supported by a clear drawing – or set of drawings showing different stages of the works – so that the pollution prevention measures required at each stage of the construction process are more clearly understood. We consider that this could take the form of an updated Intake Site Plan or series of Plans.
- 1.3 One of the issues we highlighted at the site visit stage was the extent of excavations required to put in place the infrastructure. We ask that the plan or plans shows the full footprint required to facilitate construction – for example the extent of cutting and reprofiling required to allow the new track down to the intake to be formed and the extent of levelling required in the vicinity of the dam to allow works to take place. Information should also be provided showing where the excavated materials will temporarily stored, which should be as far away as practical from the watercourses.
- 1.4 We note (and welcome) the inclusion of a cut-off drain above the works, which should intercept any upslope clean runoff. The CMS makes it clear that these will be put in place prior to the commencement of construction, as is required. It needs to be shown on the finalised plan that these are located above the top of any cutting area. We also query whether a similar approach is needed for works on the other site of the river. Clarification is also required as to where the related settlement lagoons discharge to, which may change at different stages of the project. For example, we would not wish to see this clean water being discharged into the working area for the minor intake. We also query how the small watercourse is to be treated during the construction of the small intake, track and penstock.
- 1.5 Further information is required on how silt-laden water will be dealt with. While the cut off drains will reduce the amount of water draining towards the working area consideration needs to be given to how water falling onto the construction site will be dealt with. For example rain falling onto the track or into the penstock route which will quickly become silty. Additional mitigation measures are required to ensure the runoff is controlled and adequately treated.

Regulatory advice for the applicant

2. Regulatory requirements

- 2.1 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at: Carr's Corner Industrial Estate, Lochybridge, Fort William, PH33 6TL - Tel: 01397 704426.

Should you wish to discuss this letter please do not hesitate to contact me on 01349 860359 or planning.dingwall@sepa.org.uk.

Yours sincerely

Susan Haslam
Senior Planning Officer
Planning Service

ECopy to: Susan.MacMillan@highland.gov.uk; william@dickinshydro.com

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).