

**From:** Murray LMA (Lyndsey)  
**Sent:** 01 May 2018 09:57  
**To:** Kerr A (Alex)  
**Subject:** DOC 1 WITH ATTACHMENT (1A)  
**Attachments:** Third party screening direction request - Mugdock Reservoir - Planner's assessment.docx

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**From:** Smith J (Jane)  
**Sent:** 07 March 2018 17:48  
**To:** Murray LMA (Lyndsey); Kerr A (Alex)  
**Cc:** Stephen S (Suzanne); Lawson P (Paul)  
**Subject:** RE: Friends of Milngavie Reservoir (FoMR) submission requesting EIA Screening Direction

Attached planner's assessment of the third party screening direction request concludes that there is no reason to question the validity of the Council's screening opinion and recommends that Ministers decline to issue a direction.

Grateful if a letter could be drafted and council informed of decision.

Thanks

(ERDM not working for me this afternoon, so apologies for word version).

Jane

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**From:** Smith J (Jane)  
**Sent:** 07 March 2018 13:45  
**To:** Murray LMA (Lyndsey)  
**Cc:** Stephen S (Suzanne); Kerr A (Alex); Lawson P (Paul)  
**Subject:** RE: Friends of Milngavie Reservoir (FoMR) submission requesting EIA Screening Direction

Lyndsey

Okay, I'll take a look at what has been submitted to see if there is any reason to question the validity of the Council's screening opinion. But ideally it would be good to have all the info they intend to submit to save us having to revisit this.

William has advised that in relation to 3<sup>rd</sup> party requests we are not policing the Regs but we do need to check that the Council's screening decision aligns with what is required of a planning authority.

Thanks

Jane

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**From:** Murray LMA (Lyndsey)  
**Sent:** 07 March 2018 13:15  
**To:** Smith J (Jane)  
**Cc:** Stephen S (Suzanne); Kerr A (Alex); Lawson P (Paul)  
**Subject:** RE: Friends of Milngavie Reservoir (FoMR) submission requesting EIA Screening Direction

Jane

Is Ms Cree not saying that she **may** provide further info?

It would be good to wrap this up soon and advise Ms Cree, Council and Gil Paterson MSP that, based on info before us, that we have no need to question the council's validity of their screening opinion – or otherwise.

Happy to discuss

Thanks

Lyndsey

Lyndsey Murray | Planning Decisions | Planning & Architecture | Scottish Government



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**From:** Smith J (Jane)  
**Sent:** 07 March 2018 13:12  
**To:** Kerr A (Alex); Lawson P (Paul)  
**Cc:** Murray LMA (Lyndsey); Stephen S (Suzanne)  
**Subject:** RE: Friends of Milngavie Reservoir (FoMR) submission requesting EIA Screening Direction

It would be better to have their full and complete submission.

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**From:** Kerr A (Alex)  
**Sent:** 07 March 2018 13:05  
**To:** Smith J (Jane); Lawson P (Paul)  
**Cc:** Murray LMA (Lyndsey); Stephen S (Suzanne)  
**Subject:** FW: Friends of Milngavie Reservoir (FoMR) submission requesting EIA Screening Direction  
**Importance:** High

Do we accept this partial submission or advise Mrs Cree that we want the full submission.

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**From:** [REDACTED] [mailto:\[REDACTED\]](mailto:[REDACTED])  
**Sent:** 07 March 2018 12:48  
**To:** Kerr A (Alex)  
**Cc:** Murray LMA (Lyndsey)  
**Subject:** Friends of Milngavie Reservoir (FoMR) submission requesting EIA Screening Direction

FAO Alex Kerr

I have now spoken with SNH and awaiting some information. However, rather than hold up the process I am forwarding FoMR's submission. FoMR may advise of further points for consideration on hearing back from SNH. I trust this meets with SG approval.

Alex, could you please acknowledge receipt of this communication? Thanks! I am also sending a copy in the post. Alex, on behalf of FoMR thanks for helping guide us through the process.

Kind regards  
Lynn

Lynn Cree

Secretary

FoMR

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## PROPOSED DEVELOPMENT OF A WATER PIPELINE BY SCOTTISH WATER

### Third party screening direction request by Friends of Mugdock Reservoir (FoMR)

#### Timeline and background

- In emails of 30 and 31 January 2018, to the Chief Planner, FOMR requested that Ministers issue a screening direction to determine whether an Environmental Impact Assessment (EIA) is required in connection with the above proposal.
- Under the EIA Regs, Scottish Ministers may make a screening direction 'if requested to do so in writing by any person.' However, because the person asking for the direction is not the developer there is no requirement for them to do so, and if they choose to do so there is no time limit on issuing the direction.
- Circular 1/2017 sets out that third party requests should be considered on a case-by-case basis and that; *'Some indication should therefore be looked for in the correspondence that the third party has seriously considered the basis on which an EIA might be needed, and has offered relevant grounds for the request. In each case the test to be applied is whether the issues raised give rise to a real risk that the planning authority's assessment was not, and does not remain valid.'*
- On 13 February 2018, Scottish Ministers emailed the third party notifying them that officials had considered the information submitted and were content that, as the Council had yet to issue their screening opinion, that this matter rested with the Council. Ministers, therefore, declined to make a screening direction. A copy of this email was sent to East Dunbartonshire Council.
- The laying of an underground pipeline constitutes Permitted Development under Class 38 of Town and Country Planning (General Permitted Development) (Scotland) Order of 1992. However, as a Schedule 2 development, being a 6.9km pipeline and over one hectare with a route through a section of Mugdock Wood Site of Special Scientific Interest (SSSI), it was subject to the further provision of an EIA Screening Opinion by East Dunbartonshire Council.
- The planning authority in their screening opinion (adopted, x February 2018) concluded that, *"On the assumption that the mitigation measures outlined in the Environmental Management Plan submitted by Scottish Water, are implemented in full and that the Planning Authority and any other relevant bodies are consulted on any changes to this plan, having examined the proposed development in relation to the relevant criteria in the 2017 regulations and the advice given in Circular 1/2017, it is considered that the proposed development does not require an Environmental Impact Assessment."*

#### Assessment of grounds of third party request

- On 7 March 18, FoMR requested again that Scottish Ministers issue a screening direction. Their grounds, in summary are: that the entirety of the proposal should have been considered in the screening opinion, i.e. the pipeline and the two pumping stations, rather than just the pipeline; lack of screening checklist;

inadequate consultation; lack of alternative route options; inadequate assessment of the sensitive location; and, environmental mitigation.

- PAD has reviewed the planning authority's screening opinion and has also considered the grounds of the third party request.
- PAD note that the EIA Regs require the screening opinion to take account of the selection criteria in Schedule 3 'as are relevant to the development' which are as follows: Characteristics of the development; Location of the development; Characteristics of the potential impact. From reviewing the planning authority's screening opinion, PAD note that the Council have assessed the project before them, i.e. the water mains pipeline, on these criteria. It is understood that a separate EIA screening opinion and planning application will be required for the two pumping stations in liaison with consultees.
- While PAD notes that it may have been helpful had the planning authority completed a screening checklist, this it is not a requirement of the EIA Regs.
- On the consultation undertaken, the screening opinion states that *"the preferred route was developed following technical review and consultation with Scottish Natural Heritage (SNH), Historic Environment Scotland (HES) and East Dunbartonshire Council Planning Authority, Access Officer and Arboricultural Officer."* Further, that, *"Scottish Natural Heritage have been consulted and have confirmed that "negative impacts on the notified features can be avoided by adherence to the construction methods outlined in the Environmental Management Plan."*
- In terms of alternative route options, the planning authority's screening opinion explains that the end result would be an underground pipeline and the information submitted by Scottish Water states that the preferred route was developed following technical review and consultation with relevant consultees.
- In terms of mitigation, the screening opinion explains that mitigation measures have been developed in consultation with Scottish Natural Heritage (SNH) Historic Environment Scotland (HES) and East Dunbartonshire Council Planning Authority, Access Officer and Arboricultural Officer and will continue to be reviewed, revised and consulted on as required throughout the development process and as further surveys are carried out. The screening opinion states that, *"an Environmental Management Plan (EMP) has been submitted with the screening request. This plan identifies areas of sensitivity and not only set out mitigation measures but also outlines potential opportunities for betterment. This is a live document that is to be updated as the project progresses and as further surveys, consultations etc. are carried out. The works with appropriate environmental management mechanisms in place are unlikely to give rise to significant environmental impacts....."* Further, the screening opinion states that, in addition, *"..other regulatory requirements and restrictions exist beyond the remit of the planning authority to ensure that the impacts of the proposed development are minimised. These include, but are not limited to, Protected Species legislation, the requirement for Operations Consent from SNH for works within the SSSI and the requirement for a CAR Licence from SEPA."*

- In terms of being partially in a 'sensitive' site, the sensitive area is Mugdock Wood SSSI. It is noted that the mitigation measures identified in the EMP for this area include reduction of the working easements; appropriate storage and management of infill materials; reduction of excavation depths; appropriate timeframes for tree felling to avoid nesting season; identification of trees with bat roost potential; compensatory planting of trees, grassland and heathland; felled trees to be left for invertebrates; Beech stumps to be treated with glyphosate; notified features of the SSSI to be avoided; and core path diversions and alternative parking arrangements to be provided with adequate warning.

### Conclusion

- The screening opinion aligns with what is required of the planning authority. The correspondence from the third party does not bring into question the validity of the planning authority's screening opinion. It is therefore recommended that the Scottish Ministers decline to issue a screening direction in this case. It is also recommended that PAD confirm with the Council that we have no reason to question the validity of their screening opinion.

Planning Decisions  
7 March 2018

Jane Smith  
2-H (South)  
Victoria Quay

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017  
APPLICATION TO SCOTTISH MINISTERS FOR A SCREENING DIRECTION (REGULATION 7): DEVELOPMENT OF PIPELINE AT BURNCROOKS WATER TREATMENT WORKS**

1. I refer to the e-mail from Lynn Cree, secretary of the Friends of Milngavie Reservoir requesting that a Screening Direction be made by Scottish Ministers under Regulation 7 of the above Regulations in relation to the above-mentioned application. I have managed to obtain a copy of the Screening opinion request made to the Council and have saved it into the objective file. I think the Council has uploaded some of the docs submitted on to their website, but not the letter as it is being redacted for uploading, and they can be found under reference TP/ED/18/0007.
2. This is a request from a third party so we have no time restrictions on dealing with this request, but I can advise that the Council have agreed with Scottish Water to delay a decision by the Council Planner until 8 February 2018 on their request.
3. It would, therefore, be appreciated if a response stating whether you consider that an Environmental Assessment is required could be provided by as quickly as possible.
4. If you consider that any other consultations are required, please let me know by return. Could you also let me know if you think that we may have problems in meeting the statutory deadline for reply.

Alex Kerr  
Directorate for Local Government and Communities  
Planning and Architecture Division  
Planning Decisions  
Area 2-H (South)  
Victoria Quay

Ext. [REDACTED]

1 February 2018

From: [REDACTED]  
Sent: 14 February 2018 15:01:58  
To: CorrespondenceUnit@gov.scot  
Subject: Letter to Kevin Stewart MSP

Attachments: letter to Kevin Stewart - Milngavie Reservoir.pdf

Good afternoon,

Please find attached a letter from Gil Paterson MSP regarding East Dunbartonshire Council's screening opinion that an EIA is not required for proposed works at Burncrooks Water Treatment Works by Scottish Water.

With thanks and best wishes,

[REDACTED]  
Caseworker Gil Paterson MSP  
MSP for Clydebank & Milngavie (SNP)

Constituency Office: Titan Enterprise Business Centre (Suite 1-6) | 1 Aurora Avenue |  
Clydebank | G81 1BF

Tel: [REDACTED]

Email:

[REDACTED]

Web: [www.gilmsp.com](http://www.gilmsp.com)<<http://www.gilmsp.com/>>

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The Scottish Parliament  
Pàrlamaid na h-Alba

T3.22

The Scottish Parliament  
Edinburgh  
EH99 1SP

14/02/2018

Dear Kevin

**Re: Scottish Water's proposed works at Burncrooks Water Treatment Works in Milngavie**

I have been contacted by the Friends of Milngavie Reservoir group, who are my constituents, about Scottish Water's planned works in the area.

In light of East Dunbartonshire Council's opinion that no Environmental Impact Assessment is required, I urge you to look into the circumstances surrounding this development with a view to having an EIA conducted.

With best wishes.

Yours sincerely,

Gil

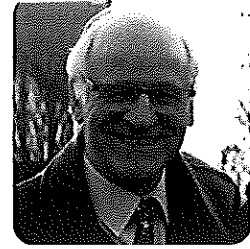


Clydebank and Milngavie

**GIL PATERSON MSP**

Clydebank and Milngavie

SUITE 1-6  
TITAN ENTERPRISE BUSINESS CEN.  
1 AURORA AVENUE  
CLYDEBANK G81 1BF



**From:** Murray LMA (Lyndsey)  
**Sent:** 01 May 2018 10:05  
**To:** Kerr A (Alex)  
**Subject:** DOC 5

Lyndsey Murray | Planning Decisions | Planning & Architecture | Scottish Government



**From:** Lawson P (Paul)  
**Sent:** 20 February 2018 12:38  
**To:** Murray LMA (Lyndsey)  
**Cc:** Stephen S (Suzanne); Carlin WR (William); Kerr A (Alex); Smith J (Jane)  
**Subject:** Update on Burncrooks Water Treatment Works for Lyndsey

Hi Lyndsey,

After looking at this one closely and speaking to William, I disagree with Lynn Cree's opinion that the Council's screening opinion fails to provide adequate responses to some of the key questions such as 'should the application be regarded as an integral part of a more substantial project' or 'is the location susceptible to earthquakes etc'.

I reached this conclusion as can be seen from the EIA Regs below the screening opinion must take into account 'the selection criteria set out in schedule 3 **as are relevant** to the development'.

#### General provisions relating to screening

7.—(1) When making a determination as to whether Schedule 2 development is EIA development, a planning authority or Ministers, as the case may be, must—

- (a) in all cases take into account—
  - (i) such of the selection criteria set out in schedule 3 as are relevant to the development; and
  - (ii) the available results of any relevant assessment; and
- (b) where information is provided to them by the developer by virtue of regulation 8(2) and (3), 9(4), 10(1) or (3)(a), 11(3), (3) or 16(6), as the case may be, base their determination on that information.

Whilst a checklist as Lynn is suggesting the Council should have supplied as well may have been helpful, it is not a requirement of the EIA Regs as highlighted by the Circular.

Overall, the EIA Regs state that authorities must take account of the selection criteria in Schedule 3 which are as follows:

1. Characteristics of the development
2. Location of the development
3. Characteristics of the potential impact

From reading the screening opinion, the Council have assessed the project on these criteria and I see no reason as to why Scottish Ministers would interfere with the Council's assessment.

Hope this helps!

Paul

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**From:** Murray LMA (Lyndsey)  
**Sent:** 19 February 2018 15:00  
**To:** Lawson P (Paul); Smith J (Jane)  
**Cc:** Stephen S (Suzanne); Carlin WR (William)  
**Subject:** FW: Scottish Water Burncrooks Water Treatment Works Main-OutProposal:Environmental Impact Screening Opinion Request East DunbartonshireCouncilReference number: TP/ED/18/007/EIA

Hi Paul (and Jane)

The Council are keen to know if we are going to act on Lynn Cree's latest request or if we are going to confirm that we have no reason to question the validity of their screening opinion.

Any update would be good – we can chat when I am in office tomorrow.

Thanks

Lyndsey

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**From:** Kerr A (Alex)  
**Sent:** 16 February 2018 10:44  
**To:** Lawson P (Paul)  
**Cc:** Murray LMA (Lyndsey); Smith J (Jane)  
**Subject:** FW: Scottish Water Burncrooks Water Treatment Works Main-OutProposal:Environmental Impact Screening Opinion Request East DunbartonshireCouncilReference number: TP/ED/18/007/EIA

Can you provide an answer on this or does it have to go to William?

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**From:** [redacted] [mailto:[redacted]]  
**Sent:** 16 February 2018 10:21  
**To:** Kerr A (Alex); Murray LMA (Lyndsey)  
**Cc:** Gus; Eddy Yacoubian  
**Subject:** FW: Scottish Water Burncrooks Water Treatment Works Main-OutProposal:Environmental Impact Screening Opinion Request East DunbartonshireCouncilReference number: TP/ED/18/007/EIA

Friday 16<sup>th</sup> February

Hi Alex

Following up from todays conversation Friends of Milngavie Reservoir have concerns as to the format EDC has presented the information (see attached).

EDC has presented the information as overall summaries and therefore fails to provide adequate responses to some key questions -as examples ...Should the application for this development be regarded as an integral part of a more substantial project, is the location susceptible to earthquakes...adverse climatic change,

I appreciate a response in terms of the correct form that a EIA Screening opinion should be presented to aid our understanding of the process and to ensure present our submission in an appropriate format.

I have copied my response to FoMR Committee members for their information as you are aware I am on holiday for the coming week.

Alex, thanks for all your help to date.

Kind regards

Lynn Cree

**From:** [Alex.Kerr@gov.scot](mailto:Alex.Kerr@gov.scot)

**Sent:** 16 February 2018 06:45

**To:** [REDACTED]

**Cc:** [Lyndsey.Murray@gov.scot](mailto:Lyndsey.Murray@gov.scot)

**Subject:** FW: Scottish Water Burncrooks Water Treatment Works Main-OutProposal:Environmental Impact Screening Opinion Request East DunbartonshireCouncilReference number: TP/ED/18/007/EIA

I acknowledge receipt of this e-mail and look forward to receiving your detailed submission as soon as possible.

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**From:** [REDACTED] [[mailto:\[REDACTED\]](mailto:[REDACTED])]

**Sent:** 15 February 2018 16:05

**To:** [Notes.Administrator@eastdunbarton.gov.uk](mailto:Notes.Administrator@eastdunbarton.gov.uk); Kerr A (Alex); Murray LMA (Lyndsey)

**Subject:** Scottish Water Burncrooks Water Treatment Works Main-OutProposal: Environmental Impact Screening Opinion Request East DunbartonshireCouncil Reference number: TP/ED/18/007/EIA

FAO Alex Kerr SG, Lyndsey Murray SG, Laura McLetchie EDC

Dated: 15 February 2018

**Intention to request that Scottish Ministers issue  
an EIA Screening Direction 4**

Scottish Water is pursuing permitted development for this proposal and has asked East Dunbartonshire Council (EDC) for the need for an Environmental Impact Assessment (EIA). East Dunbartonshire Council has now reached a decision and determined in their opinion there is no requirement for an EIA.

EDC has not made available their written assessment as yet. 'Friends of Milngavie Reservoir' (FoMR) does not agree with East Dunbartonshire Council's assessment and will be presenting a case to Scottish Ministers requesting an EIA Screening Direction 4 to ensure this major planning development is the subject of a full EIA.

'Friends of Milngavie Reservoir' is however very concerned at this juncture that work could start immediately providing no opportunity for Scottish Ministers to intervene, hence this communication in advance of our detailed submission.

'Friends of Milngavie Reservoir' believes this proposal requires to be considered in its entirety and not in a piecemeal manner i.e. possible granting of aqueducts as permitted development since the cumulative effect on national sites of high sensitivity is our primary concern.

Please can you acknowledge receipt of this communication.

Kind regards

Lynn Cree

Secretary

Friends of Milngavie Reservoir (FoMR)

FoMR website address: <http://www.fomr.uk/>

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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**From:** Murray LMA (Lyndsey)  
**Sent:** 01 May 2018 10:08  
**To:** Kerr A (Alex)  
**Subject:** DOC 6

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**From:** Carlin WR (William)  
**Sent:** 02 March 2018 16:35  
**To:** Smith J (Jane); Murray LMA (Lyndsey); Lawson P (Paul)  
**Cc:** Stephen S (Suzanne); Kerr A (Alex)  
**Subject:** RE: Scottish Government screening opinion: Burncrooks Water Treatment Works Main out

Hi Jane

In terms of bullet point 4 and your summary, Circular 1/2017 states clearly at paragraph 63 in relation to a request from a third party that *'Some indication will therefore be looked for to demonstrate that the person making the request has seriously considered the basis on which an EIA might be needed, and has offered relevant grounds for that request. Where a planning authority has previously issued a screening opinion, the Scottish Ministers will consider whether the issues raised are sufficient to call into question the validity of that screening opinion, and whether therefore a direction should be issued.'*

Hope this helps

William

William Carlin | Senior Policy Manager: Environmental Assessment | Planning & Architecture | Scottish Government |



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**From:** Smith J (Jane)  
**Sent:** 01 March 2018 14:35  
**To:** Murray LMA (Lyndsey); Lawson P (Paul); Carlin WR (William)  
**Cc:** Stephen S (Suzanne); Kerr A (Alex)  
**Subject:** RE: Scottish Government screening opinion: Burncrooks Water Treatment Works Main out

All

Summary of where we are with this request and suggested way forward:

- We responded to original request from the third party that Ministers opt not to direct in this case. On the basis that EDC had yet to adopt their screening opinion.
- EDC then adopted a screening opinion that EIA not required. The proposed pipeline could proceed via permitted development and other environmental management permits.
- From reading the screening opinion, we considered that the Council had assessed the project on the Regs selection criteria and could see no reason as to why Scottish Ministers would interfere with the Council's assessment.
- Third party now informing us that they will be submitting a detailed submission requesting again that SMs make a direction. We have yet to receive this but their email says that SNH asked for an EIA and SEPA were not consulted and those issues don't form part of the council's consideration.
- MACCS case from Roseanna Cunningham asking Ministers to make a direction.

I think we'd want to go back on this request to make clear that EIA screening is primarily a matter for the local authority and Ministers would only ever revisit their decision not to issue a direction where it was clear, that the authority had misdirected itself or there was particular sensitivities requiring our attention. If they are wanting us to revisit our decision we would need the evidence to be submitted if they are questioning that the screening opinion does not align with what is required of the planning authority. At that point we if we considered we needed to engage with SNH or SEPA, we would do so, to be able to ascertain whether there is a risk that the planning authority's assessment is not valid.

Grateful for whether this sounds reasonable / right.

Jane

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**From:** Murray LMA (Lyndsey)  
**Sent:** 26 February 2018 10:24  
**To:** Lawson P (Paul)  
**Cc:** Stephen S (Suzanne); Smith J (Jane); Kerr A (Alex)  
**Subject:** FW: Scottish Government screening opinion: Burncrooks Water Treatment Works Main out

Hi Paul

Further information, as was expected.

You can advise further after you have spoken to Jane again on Wednesday.

I have copied Suz – to keep her in the loop.

Thanks

Lyndsey

Lyndsey Murray | Planning Decisions | Planning & Architecture | Scottish Government



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**From:** [redacted] mailto:[redacted]  
**Sent:** 26 February 2018 10:20  
**To:** Kerr A (Alex); Murray LMA (Lyndsey)

**Cc:** Lynn; Eddy Yacoubian; Gus; Alan Douglas

**Subject:** Scottish Government screening opinion: Burncrooks Water Treatment Works Main out

Monday 26<sup>th</sup> February 10am

FAO Lyndsey Murray/Alex Kerr

Further to my telephone conversation with Alec this morning I am appraising you both of Friends of Milngavie Reservoir's (FoMR) progress in producing a full submission for the consideration of Scottish Government.

As you will be aware we are a local community group and have a great deal of support from our local MSPs in regard to pursuing this matter with Scottish Government and providing a full and accurate submission for your consideration.

I had previously emailed Scottish Government (Alec) to clarify whether there is an agreed screening opinion format that requires to be completed i.e. the checklist with yes/no responses. As yet we have not received a definitive response from SG. The response provided by Scottish Government will help to inform the content of FoMR's final submission.

We are in discussion with national bodies/consultees and currently awaiting further information that will inform our response. EDC asked for information only in regard to the pipeline route and it is apparent vital information has been excluded.

Due to this approach we have learned that no information has been submitted by SEPA in regard to adverse weather events and high risk of flooding to Bankell site (pumping station proposed site). This matter is now being taken up by SEPA.

SNH in their response stated the need for a full planning application with the completion of a full EIA. This information was omitted from EDC screening opinion. We are now aware that failing to adhere to proper mitigation by SW and its appointed contractors incurs severe penalties on Scottish Government applied at a daily rate of ~£50K. This matter is now being discussed with SNH.

FoMR is therefore awaiting responses from a number of public bodies and we are wholly dependent on their availability and their response times in dealing with our request for information.

FoMR is also in discussion with our appointed contractor LUC to help to guide our community group through this planning process to ensure we capture all pertinent points.

As stated FoMR endeavours to lodge our full submission in the coming weeks.

We trust Scottish Government is supportive of our approach and timeline.

**Please acknowledge receipt of this email for our records.**

Kind regards

Lynn

Secretary

Friends of Milngavie Reservoir

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**From:** Murray LMA (Lyndsey)  
**Sent:** 01 May 2018 10:10  
**To:** Kerr A (Alex)  
**Subject:** DOC 7 (WITH ATTACHMENT)  
**Attachments:** SW SCREENING REPORT[2196].pdf

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**From:** Murray LMA (Lyndsey)  
**Sent:** 19 February 2018 15:00  
**To:** Lawson P (Paul); Smith J (Jane)  
**Cc:** Stephen S (Suzanne); Carlin WR (William)  
**Subject:** FW: Scottish Water Burncrooks Water Treatment Works Main-OutProposal:Environmental Impact Screening Opinion Request East DunbartonshireCouncilReference number: TP/ED/18/007/EIA

Hi Paul (and Jane)

The Council are keen to know if we are going to act on Lynn Cree's latest request or if we are going to confirm that we have no reason to question the validity of their screening opinion.

Any update would be good – we can chat when I am in office tomorrow.

Thanks

Lyndsey

Lyndsey Murray | Planning Decisions | Planning & Architecture | Scottish Government



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**From:** Kerr A (Alex)  
**Sent:** 16 February 2018 10:44  
**To:** Lawson P (Paul)  
**Cc:** Murray LMA (Lyndsey); Smith J (Jane)  
**Subject:** FW: Scottish Water Burncrooks Water Treatment Works Main-OutProposal:Environmental Impact Screening Opinion Request East DunbartonshireCouncilReference number: TP/ED/18/007/EIA

Can you provide an answer on this or does it have to go to William?

---

**From:** [redacted] [mailto:[redacted]]  
**Sent:** 16 February 2018 10:21  
**To:** Kerr A (Alex); Murray LMA (Lyndsey)  
**Cc:** Gus; Eddy Yacoubian

**Subject:** FW: Scottish Water Burncrooks Water Treatment Works Main-OutProposal:Environmental Impact Screening Opinion Request East DunbartonshireCouncilReference number: TP/ED/18/007/EIA

Friday 16<sup>th</sup> February

Hi Alex

Following up from todays conversation Friends of Milngavie Reservoir have concerns as to the format EDC has presented the information (see attached).

EDC has presented the information as overall summaries and therefore fails to provide adequate responses to some key questions -as examples ...Should the application for this development be regarded as an integral part of a more substantial project, Is the location susceptible to earthquakes...adverse climatic change,

I appreciate a response in terms of the correct form that a EIA Screening opinion should be presented to aid our understanding of the process and to ensure present our submission in an appropriate format.

I have copied my response to FoMR Committee members for their information as you are aware I am on holiday for the coming week.

Alex, thanks for all your help to date.

Kind regards

Lynn Cree

**From:** [Alex.Kerr@gov.scot](mailto:Alex.Kerr@gov.scot)

**Sent:** 16 February 2018 06:45

**To:** [REDACTED]

**Cc:** [Lyndsey.Murray@gov.scot](mailto:Lyndsey.Murray@gov.scot)

**Subject:** FW: Scottish Water Burncrooks Water Treatment Works Main-OutProposal:Environmental Impact Screening Opinion Request East DunbartonshireCouncilReference number: TP/ED/18/007/EIA

I acknowledge receipt of this e-mail and look forward to receiving your detailed submission as soon as possible.

---

**From:** [REDACTED] [[mailto:\[REDACTED\]](mailto:[REDACTED])]

**Sent:** 15 February 2018 16:05

**To:** [Notes.Administrator@eastdunbarton.gov.uk](mailto:Notes.Administrator@eastdunbarton.gov.uk); Kerr A (Alex); Murray LMA (Lyndsey)

**Subject:** Scottish Water Burncrooks Water Treatment Works Main-OutProposal: Environmental Impact Screening Opinion Request East DunbartonshireCouncil Reference number: TP/ED/18/007/EIA

FAO Alex Kerr SG, Lyndsey Murray SG, Laura McLetchie EDC

Dated: 15 February 2018

**Intention to request that Scottish Ministers issue  
an EIA Screening Direction 4**

Scottish Water is pursuing permitted development for this proposal and has asked East Dunbartonshire Council (EDC) for the need for an Environmental Impact Assessment (EIA). East Dunbartonshire Council has now reached a decision and determined in their opinion there is no requirement for an EIA.

EDC has not made available their written assessment as yet. 'Friends of Milngavie Reservoir' (FoMR) does not agree with East Dunbartonshire Council's assessment and will be presenting a case to Scottish Ministers requesting an EIA Screening Direction 4 to ensure this major planning development is the subject of a full EIA.

'Friends of Milngavie Reservoir' is however very concerned at this juncture that work could start immediately providing no opportunity for Scottish Ministers to intervene, hence this communication in advance of our detailed submission.

'Friends of Milngavie Reservoir' believes this proposal requires to be considered in its entirety and not in a piecemeal manner i.e. possible granting of aqueducts as permitted development since the cumulative effect on national sites of high sensitivity is our primary concern.

Please can you acknowledge receipt of this communication.

Kind regards

Lynn Cree

Secretary

Friends of Milngavie Reservoir (FoMR)

FoMR website address: <http://www.fomr.uk/>

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)  
(SCOTLAND) REGULATIONS 2017  
THE SCOTTISH GOVERNMENT CIRCULAR 01/2017**

**THE RESPONSE OF EAST DUNBARTONSHIRE COUNCIL TO A REQUEST FOR A  
SCREENING OPINION SUBMITTED UNDER THE TOWN AND COUNTRY PLANNING  
(ENVIRONMENTAL IMPACT ASSESSMENT) (SCOTLAND) REGULATIONS 2017 FOR  
THE PROPOSED DEVELOPMENT OF A FRESH WATER PIPELINE BY SCOTTISH  
WATER**

**Proposed Development**

The proposed development is a Scottish Water project for the laying of a new fresh water main from the Bankell Distribution Service Reservoir to the Baljaffray Distribution Service Reservoir in order to supply c. 54,000 customers from Milngavie Water Treatment Works (WTW), rather than from Burncrooks WTW, which has been identified as an aging asset with water supply and quality concerns. This involves the construction of a new pumping station at Bankell Distribution Service Reservoir and the laying of a 6.9km long (700mm diameter) underground water main between Bankell and Baljaffray Service Reservoirs. This water main would run along the north edge of Milngavie and then follow a path southwest to the Baljaffray Service Reservoir. In addition, a 3.9km (200mm diameter) underground water main linking the proposed network north towards the Burncrooks WTW would be provided to ensure customers fed directly from the existing trunk main are fed from the new system. This water would be pumped from a new pumping station to the northeast of Craigton.

Due to the approximate site area of the proposed 6.9km pipeline being over one hectare and its route through a portion of Mugdock Wood Site of Special Scientific Interest (SSSI), the proposal is deemed to constitute Schedule 2 development under the terms of the above regulations and must therefore be screened in order to determine whether the proposal constitutes 'EIA development'. An EIA will only be required for Schedule 2 development where it is "likely to have significant effects on the environment by virtue of factors such as its nature, size or location."

The laying of an underground pipeline constitutes Permitted Development under Class 38 of Town and Country Planning (General Permitted Development) (Scotland) Order of 1992. However, as the proposal constitutes Schedule 2 development, these Permitted Development rights are subject to the further provision of a Screening Opinion from the relevant authority.

**Screening Opinion Assessment**

This determination is referred to as a 'screening opinion'. In each case, the basic question to be asked is: 'Would this particular development be likely to have significant effects on the environment?'

It is necessary to consider the characteristics of the development in combination with its proposed location in order to identify the potential for interactions between the development and its environment and therefore determine whether there are likely to be significant environmental effects.

In determining whether this development is likely to have such effects, the Council must take into account the selection criteria in Schedule 3 of the Regulations. The three categories of selection criteria are:

1. Characteristics of the development
2. Location of the development
3. Characteristics of the potential impact

Consideration of the third category is designed to help in determining whether any interactions between the first two categories (i.e. between a development and its environment) are likely to be significant.

In addition, the Council is required to base their determination on any information that is provided to them by the developer by virtue of regulation 8(2) and (3), 9(4), 10(1) or (3)(a), 11(3), 12(7), 13(3) or 16(6) of the regulations. This includes the Environmental Management Plan which has been submitted by Scottish Water in respect to this request for a screening opinion.

Below is an assessment of the Schedule 3 selection criteria for screening Schedule 2 Development which takes into account all information that has been submitted by Scottish Water to date, as well as any comments received from the Council's internal and external consultees in relation to the proposal.

### **Characteristics of Development**

Schedule 3 states that the "characteristics of development must be considered having regard, in particular, to—

- (a) the size and design of the development;
- (b) cumulation with other existing development and/or approved development;
- (c) the use of natural resources, in particular land, soil, water and biodiversity;
- (d) the production of waste;
- (e) pollution and nuisances;
- (f) the risk of major accidents and/or disasters which are relevant to the project concerned, including those caused by climate change, in accordance with scientific knowledge;
- (g) the risks to human health (for example due to water contamination or air pollution)."

In this regard, the overall site area has not been specified, however, it is estimated as being over the indicated threshold of one hectare. The primary water main will be 6.9 km in length and have an internal diameter of 700mm. The information submitted indicates that the laying of the pipeline will generally have a working width of 30 metres and will be reduced to an easement of 10 metres where constraints exist.

The net end result of the proposal would be laying of an underground pipeline that will function as a fresh water main.

The proposal will not use natural resources beyond the water that is to be transported and will not result in the production of waste.

The proposal would result in some additional traffic and disturbance during the phases of the construction and laying works. The proposed option was chosen over others, in part, because it avoids the built up urban area which would result in substantially more instances of temporary nuisance. There are a few residential properties close to the route,

however, the construction activity and level of traffic would be unlikely to be significant. Temporary impacts on the recreational resources found in the area are likely to occur, including impacts on existing core paths and associated parking. Scottish Water have indicated that during periods of construction any such impacts would be mitigated through diversions, alternative parking arrangements or any other appropriate mitigation measures identified throughout the development process and agreed with the relevant parties, including the Council's Access and Paths Development Officer. Therefore, any nuisances created in relation to recreational opportunities are unlikely to be significant.

The development would not be considered to result in a risk of additional accidents at the site or within the immediate vicinity.

### Location of Development

Schedule 3 states that the "environmental sensitivity of geographical areas likely to be affected by development must be considered having regard, in particular, to—

- (a) the existing and approved land use;
- (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- (c) the absorption capacity of the natural environment, paying particular attention to the following areas—
  - (i) wetlands, riparian areas, river mouths;
  - (ii) coastal zones and the marine environment;
  - (iii) mountain and forest areas;
  - (iv) nature reserves and parks;
  - (v) european sites and other areas classified or protected under national legislation;
  - (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered that there is such a failure;
  - (vii) densely populated areas;
  - (viii) landscapes and sites of historical, cultural or archaeological significance."

The nature of the proposal is such that the site is effectively a long narrow corridor. The pipeline would traverse from Bankell DSR, on the northeast edge of Milngavie, along a short section of Strathblane Road then through the eastern corner of the Milngavie Reservoirs site through a grassed area. From the reservoirs site, the pipeline would then travel north then west traversing grazing land along the northern boundary of the site. It would then traverse back through the north western corner of Milngavie Reservoirs primarily following footpaths with a short section of pipe being laid within the northern edge of Mugdock Reservoir adjacent to an existing pipe. The pipeline would then travel out of the reservoirs towards Mugdock Road to Drumclog car park.

From Drumclog car park, the route would follow the footpath west through Mugdock Wood which is within Mugdock Country Park. By following the footpath, the route selected seeks to avoid notified features of the SSSI. The route would then cross under The Allander Water and continue southwest through green belt land following field boundaries around Clober Golf Course and Craigton Road. At Stockiemuir Road the pipeline would traverse southwest crossing fields towards Mains Plantation. It would then travel up the north side of the woodland following the quarry boundary and then cut through the trees to Baljaffray DSR, on the west side of Milngavie.

The proposed route includes a portion that would traverse through Mugdock Country Park, including Mugdock Wood, which is designated as a Site of Special Scientific Interest (SSSI), a Local Nature Conservation Site and a LNCS Geodiversity Site, and the woodland at the Mains Plantation, which is designated as ancient woodland and a Local Nature Conservation Site and is subject to a Tree Preservation Order (TPO). In addition, the Mugdock and Craigmaddie Reservoirs are designated as category A listed buildings and are set within a Conservation Area and a locally designated garden and designed landscape, Mugdock Wood SSSI and Mugdock Country Park.

The smaller pipeline would follow the line of Stockiemuir Road north to connect to the Carbeth water supply area. The southern section would follow field boundaries to the east of Stockiemuir Road up to the new pumping station which is to be situated on green belt grazing land close to a Scottish Gas Networks site on Broadmeadow Road. From here the pipeline would traverse along the road for a short section to the east of Craigangawn Quarry which is designated as a LCNS Geodiversity Site.

Taking the above into consideration, it is clear that the site does cross areas of environmental sensitivity. That being said, given that the site is essentially a long narrow corridor and that the end result of the development would be an underground pipeline, there is potential for the proposed route to be developed to minimise environmental impacts. Some work has already been undertaken to ensure that the proposed route is the most appropriate. The information submitted states that the preferred route was developed following technical review and consultation with Scottish Natural Heritage (SNH), Historic Environment Scotland (HES) and East Dunbartonshire Council Planning Authority, Access Officer and Arboricultural Officer. An Environmental Management Plan has been submitted with the screening request. This plan identifies areas of sensitivity and not only set out mitigation measures but also outlines potential opportunities for betterment. This is a live document that is to be updated as the project progresses and as further surveys, consultations etc. are carried out. The works with appropriate environmental management mechanisms in place are unlikely to give rise to significant environmental impacts. Scottish Water have responsibilities related to the implementation of appropriate environmental management in respect of onsite work practices. These responsibilities would address any unanticipated environmental concerns arising on site. This facility extends to the potential for encountering any heritage or archaeological resources.

### **Characteristics of Potential Impact**

Schedule 3 states that the "likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 above, with regard to the impact of the development on the factors specified in regulation 4(3), taking into account—

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing and/or approved development;
- (h) the possibility of effectively reducing the impact."

In this regard, the nature of the impacts are primarily related to the landscape character, biodiversity and nuisances related to transportation and recreation. The spatial extent of the impact of the development is limited given in that the water main will be buried underground with no permanent visible external impacts along the majority of the route. The intensity and complexity of any potential impacts will not be so significant that they cannot be effectively reduced through appropriate mitigation measures.

The Environmental Management Plan identifies one 'Sensitive Area' as defined by the EIA Regulations (Mugdock Wood SSSI) along with other designated areas of environmental sensitivity. The document focuses on four key locations along the proposed route where the above mentioned designations apply. Each location is assessed separately within the Environmental Management Plan with consideration given to proposed works, potential impacts, mitigation and potential benefits. The most significant of the four areas in relation to this assessment is Mugdock Wood. Potential impacts on this area include loss of use of the core path during construction; vegetation removal; potential temporary closure of Drumclog car park; potential impacts on the SSSI; and potential impacts on protected species. The mitigation measures identified for this area include reduction of the working easements; appropriate storage and management of infill materials; reduction of excavation depths; appropriate timeframes for tree felling to avoid nesting season; identification of trees with bat roost potential; compensatory planting of trees, grassland and heathland; felled trees to be left for invertebrates; Beech stumps to be treated with glyphosate; notified features of the SSSI to be avoided; and core path diversions and alternative parking arrangements to be provided with adequate warning. These mitigation measures have been developed in consultation with Scottish Natural Heritage (SNH), Historic Environment Scotland (HES) and East Dunbartonshire Council Planning Authority, Access Officer and Arboricultural Officer and will continue to be reviewed, revised and consulted on as required throughout the development process and as further surveys are carried out.

The proposal does not give rise to any transboundary issues. The water main will traverse through an area of farmland within the adjacent Local Authority of Stirling Council. This area of land is designated as green belt within their Local Development Plan. Stirling Council Planning Authority has been consulted and has confirmed that no significant environmental impacts are anticipated as a result of the proposed works within their boundary area. They have also adopted a screening option to this effect in relation to this proposal.

Overall, with proper environmental management mechanisms in place, the impacts are considered to be reversible, with no significant transboundary concerns and limited to the period of construction and rehabilitation.

### **Conclusion**

Regulation 7(1) required the planning authority to take into account the information set out in Schedule 3 in conjunction with any information provided by the developer by virtue of regulation 8(3); in this case, the Environmental Management Plan submitted by Scottish Water.

Scottish Natural Heritage have been consulted and have confirmed that "negative impacts on the notified features can be avoided by adherence to the construction methods outlined in the Environmental Management Plan." The Council's Biodiversity Policy Service has reviewed the Environmental Management Plan in relation to sites of local importance and



has confirmed that the proposed mitigation and enhancements are considered to be acceptable but noted that they are subject to change as further survey work is completed. They have therefore requested continued dialogue with the relevant internal and external bodies be carried out by Scottish Water as the proposals progress and mitigation and enhancement measures are implemented. The Planning Service agrees with this request and therefore considers the proposed Environmental Management Plan to provide adequate scope for mitigation on the assumption that the planning authority and other relevant stakeholders are regularly consulted throughout the development and implementation of the proposals.

In addition to the above, other regulatory requirements and restrictions exist beyond the remit of the planning authority to ensure that the impacts of the proposed development are minimised. These include, but are not limited to, Protected Species legislation, the requirement for Operations Consent from SNH for works within the SSSI and the requirement for a CAR Licence from SEPA.

Therefore, on the basis of the information submitted, the construction and laying of a water pipeline at this location is not considered to have the potential to result in significant environmental effects associated with the development.

### **Screening Opinion**

On the assumption that the mitigation measures outlined in the Environmental Management Plan (PL21), submitted by Scottish Water, are implemented in full and that the Planning Authority and any other relevant bodies are consulted on any changes to this plan, having examined the proposed development in relation to the relevant criteria in the 2017 regulations and the advice given in Circular 1/2017, it is considered that the proposed development does not require an Environmental Impact Assessment.

[REDACTED]

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**From:** Murray LMA (Lyndsey)  
**Sent:** 19 February 2018 09:31  
**To:** Hunt M (Marion)  
**Cc:** Lawson P (Paul); Kerr A (Alex); Stephen S (Suzanne); Smith J (Jane); Johnston L (Leigh)  
**Subject:** FW: MACCS: New case 2018/0005826 allocated.  
**Attachments:** S20180005826.PDF

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Marion

I understand that this is currently with Paul. Paul will advise you re his timing for your response.

The Council had said last week that an EIA was not required and that has prompted third parties to continue to ask Ministers for a screening direction.

Alex had previously written to a third party to say that we were content, at that time, to leave the handling with the Council. In light of the Council's decision that an EIA was not required further correspondence was received at the end of last week and Alex passed to Paul for handling. Should all be on case file

Hope this helps you.

Thanks

Lyndsey

Lyndsey Murray | Planning Decisions | Planning & Architecture | Scottish Government

[REDACTED]

-----Original Message-----

From: Hunt M (Marion)  
Sent: 19 February 2018 09:23  
To: Murray LMA (Lyndsey); Smith J (Jane)  
Subject: FW: MACCS: New case 2018/0005826 allocated.

Ladies

I understand that you were involved with earlier correspondence for this MACCS case and will be best placed to respond, one of you may wish to take the case for reply.

Marion

-----Original Message-----

From: MACCS [<mailto:maccs@scotland.gsi.gov.uk>]  
Sent: 19 February 2018 08:42  
To: Hunt M (Marion)

Subject: MACCS: New case 2018/0005826 allocated.

Ministerial and Corporate Correspondence System:

Please see case 20180005826 which has been allocated to you. The current target date for this case is 01/03/2018.

<http://s0842a/MACCS/CaseDetail.aspx?c=20180005826>

If this correspondence contains a complaint as defined in the Complaints Handling Policy please remember that it needs to be dealt with in accordance with those procedures. <http://scotland.gov.uk/Contacts/Have-Your-Say/Making-Complaints/complaintshandling>

Further advice on Complaints Handling is available on Saltire.

<http://intranet/InExec/HR/PoliciesandGuidance/Conduct/Standards/Service-Standards/Complaints/ICHP>

If the case includes a request for information, see guidance on FOI and MACCS. <http://goo.gl/LqHTbx>

Please do not reply to this email.

From: [REDACTED]  
Sent: 14 February 2018 15:01:58  
To: CorrespondenceUnit@gov.scot  
Subject: Letter to Kevin Stewart MSP

Attachments: letter to Kevin Stewart - Milngavie Reservoir.pdf

Good afternoon,

Please find attached a letter from Gil Paterson MSP regarding East Dunbartonshire Council's screening opinion that an EIA is not required for proposed works at Burncrooks Water Treatment Works by Scottish Water.

With thanks and best wishes,

Lynda Williamson  
Caseworker Gil Paterson MSP  
MSP for Clydebank & Milngavie (SNP)

Constituency Office: Titan Enterprise Business Centre (Suite 1-6) | 1 Aurora Avenue |  
Clydebank | G81 1BF  
Tel: [REDACTED]  
Email:  
Lynda.williamson@parliament.scot<mailto:Lynda.williamson@parliament.scot>  
Web: www.gilmsp.com<http://www.gilmsp.com/>

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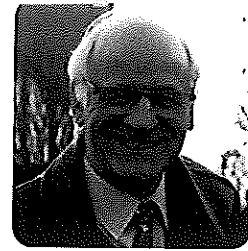
**GIL PATERSON MSP**

Clydebank and Milngavie

SUITE 1-6  
TITAN ENTERPRISE BUSINESS CEN.  
1 AURORA AVENUE  
CLYDEBANK G81 1BF

T3.22

The Scottish Parliament  
Edinburgh  
EH99 1SP



14/02/2018

Dear Kevin

**Re: Scottish Water's proposed works at Burncrooks Water  
Treatment Works in Milngavie**

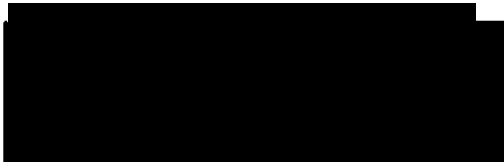
I have been contacted by the Friends of Milngavie Reservoir group, who are my constituents, about Scottish Water's planned works in the area.

In light of East Dunbartonshire Council's opinion that no Environmental Impact Assessment is required, I urge you to look into the circumstances surrounding this development with a view to having an EIA conducted.

With best wishes.

Yours sincerely,

Gil



Gil Paterson MSP  
Clydebank and Milngavie

[REDACTED]

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**From:** Murray LMA (Lyndsey)  
**Sent:** 01 May 2018 10:21  
**To:** Kerr A (Alex)  
**Subject:** DOC 8 (3) - (2 e-mails chains) and redact MACCS signature - 3 docs in total  
**Attachments:** FW: MACCS: New case 2018/0005826 allocated.

A

2 e-mail chains to print here. Please black out Gil Paterson's signature on the attachment  
Many thanks for all your help with this one.

L

Lyndsey Murray | Planning Decisions | Planning & Architecture | Scottish Government



---

**From:** Smith J (Jane)  
**Sent:** 02 March 2018 09:13  
**To:** Carlin WR (William)  
**Subject:** RE: Scottish Government screening opinion: Burncrooks Water Treatment Works Main out

William

Thanks for your help with this.

MACCS case attached.

Jane

---

**From:** Carlin WR (William)  
**Sent:** 01 March 2018 17:58  
**To:** Smith J (Jane)  
**Subject:** RE: Scottish Government screening opinion: Burncrooks Water Treatment Works Main out

Hi Jane

Before I respond to group can you please elaborate on the MACC **from** Roseanne Cunningham?

William

William Carlin | Senior Policy Manager: Environmental Assessment | Planning & Architecture | Scottish Government | [REDACTED]



---

**From:** Smith J (Jane)  
**Sent:** 01 March 2018 14:35  
**To:** Murray LMA (Lyndsey); Lawson P (Paul); Carlin WR (William)  
**Cc:** Stephen S (Suzanne); Kerr A (Alex)  
**Subject:** RE: Scottish Government screening opinion: Burncrooks Water Treatment Works Main out

All

Summary of where we are with this request and suggested way forward:

- We responded to original request from the third party that Ministers opt not to direct in this case. On the basis that EDC had yet to adopt their screening opinion.
- EDC then adopted a screening opinion that EIA not required. The proposed pipeline could proceed via permitted development and other environmental management permits.
- From reading the screening opinion, we considered that the Council had assessed the project on the Regs selection criteria and could see no reason as to why Scottish Ministers would interfere with the Council's assessment.
- Third party now informing us that they will be submitting a detailed submission requesting again that SMs make a direction. We have yet to receive this but their email says that SNH asked for an EIA and SEPA were not consulted and those issues don't form part of the council's consideration.
- MACCS case from Roseanna Cunningham asking Ministers to make a direction.

I think we'd want to go back on this request to make clear that EIA screening is primarily a matter for the local authority and Ministers would only ever revisit their decision not to issue a direction where it was clear, that the authority had misdirected itself or there was particular sensitivities requiring our attention. If they are wanting us to revisit our decision we would need the evidence to be submitted if they are questioning that the screening opinion does not align with what is required of the planning authority. At that point we if we considered we needed to engage with SNH or SEPA, we would do so, to be able to ascertain whether there is a risk that the planning authority's assessment is not valid.

Grateful for whether this sounds reasonable / right.

Jane

---

**From:** Murray LMA (Lyndsey)  
**Sent:** 26 February 2018 10:24  
**To:** Lawson P (Paul)  
**Cc:** Stephen S (Suzanne); Smith J (Jane); Kerr A (Alex)  
**Subject:** FW: Scottish Government screening opinion: Burncrooks Water Treatment Works Main out

Hi Paul

Further information, as was expected.

You can advise further after you have spoken to Jane again on Wednesday.

I have copied Suz – to keep her in the loop.

Thanks

Lyndsey

Lyndsey Murray | Planning Decisions | Planning & Architecture | Scottish Government



**From:** [redacted] [mailto:[redacted]]  
**Sent:** 26 February 2018 10:20  
**To:** Kerr A (Alex); Murray LMA (Lyndsey)  
**Cc:** Lynn; Eddy Yacoubian; Gus; Alan Douglas  
**Subject:** Scottish Government screening opinion: Burncrooks Water Treatment Works Main out

Monday 26<sup>th</sup> February 10am

FAO Lyndsey Murray/Alex Kerr

Further to my telephone conversation with Alec this morning I am appraising you both of Friends of Milngavie Reservoir's (FoMR) progress in producing a full submission for the consideration of Scottish Government.

As you will be aware we are a local community group and have a great deal of support from our local MSPs in regard to pursuing this matter with Scottish Government and providing a full and accurate submission for your consideration.

I had previously emailed Scottish Government (Alec) to clarify whether there is an agreed screening opinion format that requires to be completed i.e. the checklist with yes/no responses. As yet we have not received a definitive response from SG. The response provided by Scottish Government will help to inform the content of FoMR's final submission.

We are in discussion with national bodies/consultees and currently awaiting further information that will inform our response. EDC asked for information only in regard to the pipeline route and it is apparent vital information has been excluded.

Due to this approach we have learned that no information has been submitted by SEPA in regard to adverse weather events and high risk of flooding to Bankell site (pumping station proposed site). This matter is now being taken up by SEPA.

SNH in their response stated the need for a full planning application with the completion of a full EIA. This information was omitted from EDC screening opinion. We are now aware that failing to adhere to proper mitigation by SW and its appointed contractors incurs severe penalties on Scottish Government applied at a daily rate of ~£50K. This matter is now being discussed with SNH.

FoMR is therefore awaiting responses from a number of public bodies and we are wholly dependent on their availability and their response times in dealing with our request for information.

FoMR is also in discussion with our appointed contractor LUC to help to guide our community group through this planning process to ensure we capture all pertinent points.

As stated FoMR endeavours to lodge our full submission in the coming weeks.

We trust Scottish Government is supportive of our approach and timeline.

Please acknowledge receipt of this email for our records.

Kind regards  
Lynn



Secretary  
Friends of Milngavie Reservoir

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**From:** Shields M (Melissa)  
**Sent:** 01 February 2018 07:36  
**To:** Kerr A (Alex)  
**Subject:** FW: Request to Scottish Ministers for EIA Screening Direction

Hi Alex,

As I said, please see email below from Lynn Cree.

Thanks☺

Melissa

Melissa Shields | Gateways Administrator | 2H South | Planning & Architecture | Scottish Government |

 | gov.scot     | Development.scot

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**From:** [redacted] [mailto:[redacted]]  
**Sent:** 31 January 2018 18:27  
**To:** Shields M (Melissa)  
**Subject:** FW: Request to Scottish Ministers for EIA Screening Direction

Hi Melissa

Please note email sent to the Chief Planner on 30 January (see below).

Please can you acknowledge receipt for our records?

Kind regards  
Lynn Cree

Secretary  
Friends of Milngavie Rsservoir

**From:** Lynn  
**Sent:** 30 January 2018 19:40  
**To:** [chief.planner@gov.uk](mailto:chief.planner@gov.uk)  
**Subject:** Request to Scottish Ministers for EIA Screening Direction

FAO John McNairney, Chief Planner.

Dated: 30 January 2018

### **Request to Scottish Ministers for EIA Screening Direction**

**Re: Scottish Water Burncrooks Water Treatment Works Main-Out Proposal: Environmental Impact Screening Opinion Request**

**East Dunbartonshire Council Reference number: TP/ED/18/007/EIA**

Scottish Water is pursuing permitted development for this proposal and asked East Dunbartonshire Council (EDC) for the need for an Environmental Impact Assessment (EIA).

We are concerned East Dunbartonshire Council may reach a decision and works could start immediately providing no opportunity for Scottish Ministers to intervene.

We are therefore extremely worried about the timescales, hence this communication to request Scottish Ministers issue an EIA Screening Direction 4 to ensure this major planning development is the subject of a planning application and full EIA.

This proposal is a Schedule 2) 10 (l) 'installations of long distance aqueducts' and involves building new water infrastructure and constructing a number of pumping stations.

We believe this proposal requires to be considered in its entirety and not in a piecemeal manner i.e. possible granting of aqueducts as permitted development since the cumulative effect on national sites of high sensitivity is our primary concern.

This proposal will adversely impact of a number of national ecological and environmental sensitive sites that includes Milngavie Reservoir and Drumclog Muir.

- Milngavie Reservoir has multiple designations as recognised in EDC Local Plan 2017 and includes: A listed building and includes its setting, Historic Garden and Designed Landscape, Conservation area and a local nature conservation area. The edges are identified as wildlife corridors and the paths around the reservoirs and along the northern edge of the site are core paths.
- Drumclog Muir is a national site of scientific importance.

While it is acknowledged that the water treatment plant at Burncrooks requires to be replaced we are not convinced the Bankell main out option is the best solution. For example, the independent study carried out on behalf of the Water Industry Commissioner for Scotland indicated a main out supply from Blairlinnans WTW (which is near Croftamie) offered similar costs and water quality as Bankell.

We believe a full EIA that details the option appraisal process undertaken by Scottish Water and its appointed contractors is essential for full transparency when undertaking such public works programmed to take 1.5 years on site and estimated to cost £28 million.

Should you require any further details please do not hesitate to get in touch with me in the first instance.

I wish to thank you for your assistance in this matter.

Kind regards

Lynn Cree

Secretary

Friends of Milngavie Reservoir (FoMR)

FoMR website address: <http://www.fomr.uk/>

Note: Please provide an acknowledgement of receipt of this email.

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04 January 2018



East Dunbartonshire Council  
Southbank House  
Strathkelvin Place  
Kirkintilloch  
G66 1XQ

By Email: [planning@eastdunbarton.gov.uk](mailto:planning@eastdunbarton.gov.uk)  
[planning@stirling.gov.uk](mailto:planning@stirling.gov.uk)

SCOTTISH WATER

C/o 54 Douglas Muir Drive  
Milngavie  
G62 7RJ

Tel: [REDACTED]  
Email: [REDACTED]  
[REDACTED]@scottishwater.co.uk  
W: [www.scottishwater.co.uk](http://www.scottishwater.co.uk)

Dear Sir

Our Ref: 5021320000

**Burncrooks Water Treatment Works Main-Out Proposals  
The Town and Country Planning (Environmental Impact Assessment) (Scotland)  
Regulations 2017  
Environmental Impact Assessment Screening Opinion Request**

**The Proposal**

Burncrooks Water Treatment Works (WTW) is an aging asset with water supply and quality issues. Following a review of options for the future of Burncrooks WTW, Scottish Water, has concluded the optimum solution is to abandon the works by supplying its Water Operational Area from Milngavie WTW, a modern works with an excellent source water quality. This also has the benefit of providing resilience to the area's water supply by providing links to water distribution networks currently beyond Milngavie WTW.

The main-out can be achieved by the pumped transfer of flows from a new pumping station at Bankell Distribution Service Reservoir (DSR), which is served by Milngavie WTW and Balmore WTW, to Baljaffray DSR which is currently served by Burncrooks WTW. A new 700mm internal diameter 6.9km water main would be laid between the Service Reservoirs. In addition, a smaller 200mm internal diameter 3.9km water main linking from this network back up towards the Burncrooks WTW would be provided to ensure customers fed directly from the existing trunk main are fed from the new system. This water would be pumped from a new pumping station to the north east of Craigton.

**The EIA Regulations**

Under the provisions of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 (the EIA Regulations), certain projects require Environmental Impact Assessment (EIA). Projects listed in Schedule 1 to the EIA Regulations must always be subject to EIA, projects listed in Schedule 2 to the EIA Regulations require EIA where they meet the applicable criteria and thresholds and are considered likely to have significant effects on the environment.

Schedule 2)10)l) to the Regulations includes "*Installations of long-distance aquaduct*". There is no guidance as to what constitutes "long-distance" and 6.9km would not necessarily be considered as long distance. However, if the pipelines are taken together and are

considered long distance then in order to determine whether the proposals would constitute "Schedule 2 development" it is necessary to consider whether "(a) any part of that development is to be carried out in a sensitive area; or (b) any applicable threshold or criterion in the corresponding part of Column 2 of that table is respectively exceeded or met in relation to that development".

The EIA Regulations define "sensitive area" as any of the following:

- (a) a site of special scientific interest;*
- (b) land in respect of which an order has been made under section 23 (nature conservation orders) of the Nature Conservation (Scotland) Act 2004(a);*
- (c) a European site within the meaning of regulation 10 of the Conservation (Natural Habitats, &c.) Regulations 1994(b);*
- (d) a property appearing in the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage(c);*
- (e) a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979(d);*
- (f) a National Scenic Area as designated by a direction made by the Scottish Ministers under section 263A(e) (national scenic areas);*
- (g) an area designated as a National Park by a designation order made by the Scottish Ministers under section 6(1) (making of designation orders) of the National Parks (Scotland) Act 2000(a); and*
- (h) a marine protected area;"*

In this case the proposed pipeline from Bankell DSR to Baljaffray DSR follows a path through Mugdock Wood Site of Special Scientific Interest (SSSI) and, therefore, it would constitute Schedule 2 development. EIA will only be required for Schedule 2 development where it is "likely to have significant effects on the environment by virtue of factors such as its nature, size or location".

In order to confirm whether the proposal constitutes EIA development a screening opinion can be requested from the Planning Authority. The EIA Regulations provide in paragraph 8 that "(1) A developer may request the planning authority to adopt a screening opinion.

(2) A request for a screening opinion under paragraph (1) must be accompanied by—

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

(b) a description of the proposed development, including in particular—

(i) a description of the physical characteristics of the proposed development and, where relevant, of demolition works;

(ii) a description of the location of the proposed development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;

(c) a description of the aspects of the environment likely to be significantly affected by the proposed development; and

(d) a description of any likely significant effects, to the extent of the information available on such effects, of the proposed development on the environment resulting from—

(i) the expected residues and emissions and the production of waste, where relevant;

(ii) the use of natural resources, in particular soil, land, water and biodiversity.

(3) A request for a screening opinion may, in addition to the information required in accordance with paragraph (2), also be accompanied by a description of any features of the proposed development, or proposed measures, envisaged to avoid or prevent significant adverse effects on the environment.

(4) The information referred to in paragraph (2) is to be compiled taking into account, where relevant—

(a) the selection criteria set out in schedule 3; and

(b) the available results of any relevant assessment."

We are, therefore, writing to formally request an EIA screening opinion from East Dunbartonshire Council and, as a short section of the Bankell DSR to Baljaffray DSR transfer main runs through the Stirling Council area, Stirling Council. We have provided below the required information to inform this decision taking into account the selection criteria in schedule 3.

## **Description and Location of the Development**

The proposal is to supply water to the area currently supplied by Burncrooks WTW from a mix of Milngavie WTW and Balmore WTW. In order to achieve this there are four key components of the development:

- A pumping station at Bankell DSR;
- a transfer main from Bankell DSR to Baljaffray DSR;
- a pumping station near Craigton to pump flows back to the Carbeth DMA; and,
- a rising main from Baljaffray DSR to connect to the south of the Carbeth DMA.

The initial stage of the project examined potential route options for the transfer main from Bankell DSR on the north east edge of Milngavie east of Strathblane Road to Baljaffray DSR on the west side of the town within Mains Plantation. A number of environmental and technical constraints were identified within the area.

The route options examined between these two sites either involved traversing the urban area of Milngavie by first heading south-east from Bankell DSR then west through the centre of Milngavie, or avoiding the urban area by running to the north of the settlement then heading south down to Baljaffray DSR. Significant technical and health and safety constraints exist due to extensive existing services (including the existing water supply pipes) within key pinch points on the urban options. This combined with the extensive road closure requirements through the centre of Milngavie and impact on residents and businesses in the town led to the urban route options being ruled out.

To the north of Milngavie lie Mugdock and Craigmaddie Reservoirs which are category A listed buildings, a Conservation Area and a locally designated garden and designed landscape, Mugdock Wood SSSI and Mugdock Country Park. A number of options for traversing the reservoirs site and Mugdock Wood were examined. Following technical review and consultation with Scottish Natural Heritage (SNH), Historic Environment Scotland (HES) and East Dunbartonshire Council Planning Authority, Access Officer and Arboricultural Officer, a preferred transfer route option was developed that minimises potential environmental impacts. The preferred route is shown on drawing WOA0002660-WN-DRA-04117102.

Bankell DSR was constructed as part of the Katrine Water project in the early 2000's and entailed substantial landscaping to make it below ground and grassed over. The Bankell site lies within a Local Landscape Area. The proposal is to construct a pumping station within a building on the grassland to the south east of the DSR and to set the site into the hillside to minimise visual impact. Initial design drawings are enclosed. There are some residential properties at Bankell to the north of the site and Nuffield Health Gym lies to the south. To the east is agricultural land. There are no natural or built heritage designations on this area of land.

From Bankell DSR the route runs up a short section of Strathblane Road then cuts through the eastern corner of the Milngavie Reservoirs site through a grassed area. From the reservoirs site the main heads north then west traversing grazing land along the northern

boundary of the site. This farmland lies within the Stirling Council area and is designated green belt. It then cuts back through the north western corner of Milngavie Reservoirs primarily following footpaths with a short section of pipe being laid within the northern edge of Mugdock Reservoir adjacent to an existing pipe. It then heads out of the reservoirs and south down Mugdock Road to Drumclog car park.

From Drumclog car park the route follows the footpath west through Mugdock Wood which is within Mugdock Country Park. The wood is designated as a SSSI, a Local Nature Conservation Site and a LNCS Geodiversity Site. By following the footpath the route selected seeks to avoid notified features of the SSSI. The route then crosses under The Allander Water and continues south west through green belt land following field boundaries around Clober golf course and Craigton Road. At Stockiemuir Road it heads south west crossing fields towards Mains Plantation. It cuts up the north side of the woodland following the quarry boundary and then cuts through the trees to Baljaffray DSR. There are no international or national built heritage designations on Mains Plantation but the woodland is designated as ancient woodland and a Local Nature Conservation Site and is subject to a Tree Preservation Order (TPO). This is a managed plantation woodland and a route through the trees will be developed in discussion with the landowner and EDC Arboricultural Officer using the results of the tree survey. A new below ground valve chamber will be required at Baljaffray DSR and as a result of routing additional water demand through the site the security infrastructure may require upgrading.

The smaller pipeline follows the line of Stockiemuir Road north to connect to the Carbeth water supply area. This section of pipe is 3.9km long. The southern section follows field boundaries to the east of Stockiemuir Road up to the new pumping station. It is proposed that this small pumping station be situated on green belt grazing land close to a Scottish Gas Networks site on Broadmeadow Road, north east of Craigton. The site is to be confirmed but a potential site is shown on the enclosed drawings. From here the pipeline heads along the road for a short section to the east of Craigangawn Quarry which is designated as a LCNS Geodiversity Site.

There is a pinch point to the west of Cragangawn Quarry where there is a designated wooded site to the west and woodland and a burn to the east. Consideration will be given to laying the pipe in road for this section.

From this point the road forms the boundary of the Local Landscape Area to the west. The pipeline heads into the fields following the western road edge through this area avoiding the more wooded eastern areas around Hilton Park Golf Courses and the trees along the western edge of the road. There is a water crossing at Craigton Burn which will likely be open cut with flume pipe to maintain flow following SEPA good practice guidelines for *Temporary Construction Methods* and *River Crossings*. The pipeline should go west along field boundary at this point to avoid trees and should then stay to the western edge of the trees along the roadside. The pipeline crosses back across the road to the north of Hilton Park and connects in to Carbeth DMA to the south of the Allander Water.

Burncrooks WTW, associated Dam Impounded Reservoirs, and associated Raw Water Pump Stations will become non-operational assets once the new supply has been established. They will go into a redundant assets program and will be managed by Scottish Water Estates.

## **Potential Environmental Effects and Mitigation**

### *Overview*

Overall the proposed development has the purpose of providing good quality of drinking water, and more available capacity, to the population of large parts of Milngavie, Bearsden



and the west of Glasgow. The solution adopted also provides a resilience of supply by providing links to adjacent water networks that could not be achieved by upgrading Burncrooks WTW. This will ensure the continued supply of water to the wider area in the event of unplanned emergency shut-downs or planned shut-downs for maintenance.

There is one area affected by the project that is identified in the list of 'Sensitive Areas' in the EIA Regulations. This is Mugdock Wood SSSI. In terms of other International and National natural and built heritage designations Milngavie Reservoirs is designated as a Category A Listed Building. The focus of route development has been minimising potential environmental effects associated with the laying of a pipeline through these areas. An Environmental Management Plan has been drafted for these areas and is included with this submission. It sets out proposed mitigation measures for these areas.

The design team has been working closely with SNH and East Dunbartonshire Council to identify potential environmental effects and develop mitigation. It is anticipated that this close working, particularly in respect of the eastern end of the route, will continue up to and for the duration of the construction period of this project. Further liaison will also be required with other stakeholders including Historic Environment Scotland, West of Scotland Archaeological Service, SEPA, landowners and local interest groups. Environmental Clerk of Works will be deployed in the sensitive areas.

An arboricultural survey has been undertaken for the pipelines to identify key trees or groups of trees for protection. The survey report and further discussion with the Arboricultural Officer and SNH where appropriate will confirm the precise route through wooded areas and tree protection measures as well as proportionate compensation measures.

An Ecological Constraints Survey, including protected species, invasive non-native species and habitats of conservation importance, is being undertaken for the entire route to identify any potential issues. Mitigation will depend on the findings but would include micro-siting of the pipeline, restrictions to working periods, and species and habitat protection measures during construction.

SEPA's Pollution Prevention Guidelines will be followed for all work in the vicinity of watercourses. This will include mitigation to prevent silted run off to water courses through a Pollution Prevention Plan.

Scottish Water has consulted with Stirling Council Archaeologist and East Dunbartonshire Archaeology Services. Both have advised an initial archaeological desk based assessment and walkover is carried out prior to any intrusive site investigation works and implementation of the construction phase of the project. Scottish Water have engaged archaeological consultants and based on the outcome of the initial assessment and with the agreement of the two council areas appropriate mitigation measures will be implemented to protect any potential unrecorded historical resources.

As a rural route was selected, no areas of potential contaminated land have been identified.

Construction of the proposals including pumping stations is anticipated to last 18 months. The pipelines will be laid in sections with a total construction timeframe of around 9 months. Timing of each section of pipeline will be dependent on sensitivities associated with each section. Hydrostatic testing of sections of laid pipe will be done in a timely manner to minimize the overall construction duration on the land for each section. A compound with welfare facilities will be required as well as pipe storage areas. It is anticipated that there would be compounds adjacent to the two pumping stations and a further compound possibly in Drumclog Car Park or the surrounding area. All compounds would be re-instated on

completion of the work. If a storage area is required within Drumclog Car Park it would be re-surfaced. An alternative parking resource will be identified for the duration of the work.

The standard working width when traversing fields and open ground would be 35m. In areas such as Mugdock Wood and Milngavie Reservoirs this will reduce to a maximum of 10m. The trench the pipe will be laid in will be approximately 2m deep and 1.2m wide but in some areas more depth will be required depending on landform.

Taking each section of the proposed development in turn, likely effects and identified mitigation are set out below. As discussed further detail on mitigation at Mugdock Wood, Milngavie Reservoirs and Mains Plantation are provided in the enclosed Environmental Management Plan which will be discussed and agreed with stakeholders as the project develops.

#### *Bankell Pumping Station*

The pumping station at Bankell will be situated on the managed grassland to the south east of the existing service reservoir. The construction will result in the loss of an area of this grassland and a wider area will be disturbed. A landscape plan will be developed to cover the re-instatement of disturbed ground.

As the site lies within a Local Landscape Area the pumping station has been located and designed to minimise landscape and visual impact. The pumping station naturally has to sit low in order for water to be sucked from the service reservoir into the pumps and this mitigates visual impact. The pumping station has been situated to the south east of the existing DSR which means it is not close to existing roads. Bankell House and Bankell Farm Cottage lie to the north of the pumping station site but are elevated above the site. Nuffield Health Gym lies to the south but does not have views into the site.

The pumping station will be located within a building measuring approximately 22m x 20.5m x 9m high, the detailed design of which is ongoing. The intention is to design it like an agricultural building and to set it into the hillside to minimise landscape and visual impact. Further mitigation will be provided in the form of bunding and screen planting. Outwith the building will be 2 surge vessels and kiosks to manage the power supply. A new internal access road will be required from the existing entrance to the DSR from Strathblane Road and this will follow contours as far as practicable. Options to create the road from grasscrete or similar are being actively considered.

Once the pumping station is operational there is potential for noise nuisance from the pumps. The nearest residential properties are to the north of the site around 215m from the building. Each pump will be acoustically insulated to attenuate noise. Also the pumps will be covered by the building. As the nearest receptors are around 215m from the building there will be little risk of noise nuisance.

There may be some noise disturbance to nearby properties during construction but this will be of short duration. Construction of the pumping station is expected to take 14 months.

Considerable earthworks are required to create the site for the pumping station. The aim is to retain as much material on site as possible but it is likely some spoil removal and disposal will be required. The Pollution Prevention Plan will cover all the potential impacts of the works on people and the environment.

#### *Bankell DSR to Baljaffray DSR Transfer Main*

The selection of the route option to the north of Milngavie means the populated area of Milngavie and busy transport routes in the town will be avoided. However, there are some areas sensitive to change to be navigated including Milngavie Reservoirs and Mugdock Wood SSSI. In terms of permanent impacts the pipeline is being laid below ground. There will be some vegetation loss as discussed below but the route was selected to minimise loss of mature vegetation and compensatory planting will be provided. In several areas the pipeline easement has been significantly reduced in order to minimise impacts.

At Bankell DSR the pipeline would result in the loss of some smaller recently planted trees but mature trees would not be affected. Replacement planting can be provided within the site. The pipeline will run up Strathblane Road for a short stretch which will necessitate a lane closure and some temporary traffic management for a period of around 16 days.

As Milngavie Reservoirs are Category A listed and form part of a Conservation Area, the route selected seeks to minimise the extent of work within this area and be in the adjacent fields as much as possible. The proposed route will cross the eastern edge of Milngavie Reservoirs through the open area of grassland to the south of the Lodge. Two sections of wall would require removal and re-building using the same stones and gaps in the mature trees have been identified for crossing points.

The pipeline then cuts up through agricultural land, into the Stirling Council area. It runs westwards through fields used for rough grazing along the northern boundary of the reservoirs then cuts back through the western edge of the reservoirs. The precise cut through point will be selected following the tree survey and further discussion with the Arboricultural Officer but suitable areas of predominantly self-seeded saplings and rhododendrons have been identified. The working width will be restricted in this area and trees to the south of the footpath and key mature trees to the north identified in the tree survey will be protected during construction. If any smaller trees are removed appropriate replacement planting will be made. Two small sections of wall would require to be removed and re-built with the same stones in this area. It may be necessary to close the footpath during construction of this section for up to 2 months but there is a suitable alternative route to the south and signage and advanced notice will be provided.

As it is not possible for the pipeline to be laid within the bridge over the measuring pond, it is proposed to lay it in the northern edge of Mugdock Reservoir. There is an existing drainage pipe in this location that the new pipe would be laid next to. The reservoir is very shallow in this area so although it would need to be drawn down to facilitate construction the depth would only need to be decreased by around 2m, while maintaining operational depth to the south of reservoir. Additionally, the reservoir has natural edges in this area so the installation does not impact the reservoir structure.

At the western edge of the reservoir is a derelict redundant pump house, the removal of which already has listed building consent. The pump house will be removed and the area grassed over. Options for the route from here down to Drumclog Car Park are being investigated but if it is necessary to retain the mature black pines along the western edge of the reservoirs the pipeline would be within the road. We would seek to avoid temporary road closure if practicable but if closure is required diversions would be put in place.

From Drumclog Car Park to the Allander Water the pipeline route follows the route of the core path through Mugdock Wood SSSI. The route has been walked and discussed with SNH and EDC's Arboricultural and streetscape officers and it has been agreed that the route shown following the existing path is acceptable if mitigation measures identified in the Environmental Management Plan implemented.

As the proposed pipeline route follows the footpath it will be re-instated using Ultitrec which uses recycled road materials and is durable and a good surface for disabled access. This will be extended to areas of the footpath not impacted by the works. This path will be closed for the duration of these works but signage to an alternative route will be provided.

Once the pipeline exits Mugdock Wood it is proposed to directional drill under the Allander Water into the fields beyond. From here the pipeline runs through fields to the north of Clober Golf Course and Craigton Road up to the junction with Stockiemuir Road. The development lies within a designated salmonid waters area but there are no further National or International natural or built heritage designations along the route west of Mugdock Wood.

The route heads under Stockiemuir Road and cuts through fields used for grazing to the edge of Douglas Muir Quarry, up the side of the quarry then into Mains Plantation and across to Baljaffray DSR. Mains Plantation is subject of a Tree Preservation Order and is ancient woodland. However, it is also a managed woodland and Scottish Water is liaising with the landowner to identify potential route options that would minimise loss of trees and retain older mature trees. This route will be guided by the tree survey results and will be agreed with the EDC Arboricultural Officer. There is a core path around the plantation that will be kept open or a suitable diversion put in place for the duration of the construction works.

There are a number of smaller water crossings along this section of route, which will likely be open cut with flume pipe to maintain flow following SEPA good practice guidelines for *Temporary Construction Methods* and *River Crossings*. Licences will be required from SEPA and all work will be undertaken in accordance with SEPA good practice guide for *Sediment Management*.

#### *Baljaffray DSR to Carbeth Rising Main*

The new rising main that is required from Baljaffray DSR to Carbeth is narrower in diameter as demands are lower. This means there is a narrower working width of 20m in open fields reducing to a maximum of 10m in more constrained areas. Construction of this pipeline is likely to take 3 months. Road lane closures will be required.

It follows the line of Stockiemuir Road north to connect to the Carbeth water supply area. The southern section follows field boundaries to the east of Stockiemuir Road up to the pumping station. It then cuts along the road for a short section before crossing and running up the western edge of the road avoiding the wooded area at the edge of Hilton Park Golf Course. The pipeline crosses back across the road to the north of Hilton Park and connects in to Carbeth DMA to the south of the Allander Water.

The route has been selected to avoid trees wherever practicable. If any tree loss is required compensatory planting will be provided as appropriate.

Where work takes place within the road traffic management measures will be implemented but no road closures are anticipated for this section of pipeline.

#### *Craigton Pumping Station*

The proposed new Treated Water Pumping Station near Craigton will comprise a number of small structures. These include a control kiosk measuring 5m by 3.35m by 2.85m high, a back-up generator and diesel tank, 2 small surge vessels, an access road and a security fence. It is proposed to locate the pumping station off Broadmeadow Road near the Scottish Gas Networks site but likely across the road to reduce risk of interaction between the two. The kiosks will be coloured dark green and a landscape plan will be prepared for the site to

include screen planting. It is proposed to locate the security fence on the inside of the screen planting to reduce its visibility.

Once the pumping station is operational the only potential for nuisance comes from the pumps. As the flows being transferred back to Carbeth DMA are relatively low the pumps will be small. As the nearest receptors are around 250m from the site there will be little risk of noise nuisance.

There may be some disturbance to nearby properties during construction but this will be of short duration. Many of the components will be constructed off site reducing disturbance and construction time. Construction of the pumping station is expected to take 3 months. Ground investigations require completion but based on the information available it is likely that construction will require medium sized machinery. Impacts from the construction will be covered in the Pollution Prevention Plan.

## Summary

The proposal is to main out Burncrooks WTW to provide a reliable, and higher capacity, good quality water supply to residents of parts of Bearsden, Milngavie and western Glasgow. Due to existing constraints and potential disruption associated with a route through the centre of Milngavie a rural pipeline route was selected to the north of the town. Key natural and built heritage constraints associated with this route are Milngavie Reservoirs, Mugdock Wood and Mains Plantation. A number of site visits have been held with representatives of SNH and EDC to establish initially whether there was a feasible route for the pipeline around the reservoirs and through Mugdock Wood and once this was established what would be required by the way of mitigation to ensure there are no adverse environmental effects.

The 2017 EIA Regulations provide that the decision as to whether a proposal is EIA development must be based on the information provided including mitigation measures. As a result we have undertaken a large amount of up front design work and consultation to confirm that there is an acceptable route, establish potential areas of impact and develop appropriate mitigation measures that will be adopted during construction. These are discussed above but are set out in more detail in the Environmental Management Plan for the more sensitive areas and areas of constraint.

We would be grateful if you could review the information provided and provide us with an EIA screening opinion for this project.

I look forward to hearing from you.

Yours faithfully

Catherine Souter Bell  
Scottish Water – Specialist Services Team

Encs:

Environmental Management Plan: WOA0002660-WN-DOC-99112001  
Overall Drawing of pipeline route: WOA0002660-WN-DRA-04117102

Drawings of pipeline route: WOA0002660-WN-DRA-04110118; WOA0002660-WN-DRA-04110119; WOA0002660-WN-DRA-04110120; WOA0002660-WN-DRA-04110121; WOA0002660-WN-DRA-04110122

Drawings of Bankell Pumping Station: WOA0002660-WN-DRA-04121102; WOA0002660-WN-DRA-04121103; WOA0002660-WN-DRA-04121104

Drawings of Craigton Pumping Station: WOA0002660-WN-DRA-04151107; WOA0002660-WN-DRA-04151108; WOA0002660-WN-DRA-04151110

[REDACTED]

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**From:** Murray LMA (Lyndsey)  
**Sent:** 01 May 2018 10:34  
**To:** Kerr A (Alex)  
**Subject:** DOC 11  
**Attachments:** EIA-EDS-005 - Burncrooks water treatment works - Decision letter.pdf

E-mail and attachment.

Lyndsey Murray | Planning Decisions | Planning & Architecture | Scottish Government



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**From:** Kerr A (Alex)  
**Sent:** 29 March 2018 13:59  
**To:** 'Laura.McLetchie@eastdunbarton.gov.uk'  
**Subject:** FW: Burncrooks water treatment works

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**From:** Kerr A (Alex)  
**Sent:** 29 March 2018 13:29  
**To:** [REDACTED]  
**Cc:** Heather.Polnick@eastdunbarton.gov.uk  
**Subject:** Burncrooks water treatment works

Alex Kerr | Planning & Architecture | Scottish Government | [REDACTED]





T: [REDACTED] F: [REDACTED]  
E: [REDACTED]

[REDACTED]

[REDACTED]

Our ref: EIA-EDS-005

29 March 2018

Dear Ms Cree

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)  
(SCOTLAND) REGULATIONS 2017  
REQUEST FOR SCREENING DIRECTION FOR THE PROPOSED DEVELOPMENT OF A FRESH  
WATER PIPELINE AT BURNCROOKS WATER TREATMENT WORKS**

Thank you for your e-mails of 15, 16 and 20 February and 7 March 2018 in relation to your request for Scottish Ministers to issue a screening direction to determine whether an Environmental Impact Assessment ('EIA') is required in connection with the above proposal.

Generally, it will fall to planning authorities in the first instance to consider whether a proposed development requires EIA. Regulation 7(4)(b) provides that any person may, where they consider a proposed development requires EIA even though neither the planning authority nor the applicant takes that view, write to the Scottish Ministers requesting a screening direction. Such requests are considered on a case by case basis, taking into account the substance of the information in light of the criteria set out in the above regulations.

Turning to your specific request, we have considered all the points you raise in your correspondence. However, we are satisfied that the issues raised do not call into question the validity of the view reached by the planning authority's that EIA is not required. The Scottish Government therefore declines to issue a screening direction in this case.





A copy of this letter has been sent to East Dunbartonshire Council.

Yours faithfully

ALEX KERR

