

Our ref: PCS/171543
Your ref: 20/00005/RREF

If telephoning ask for:
Sheena Jamieson

10 June 2020

Fiona Walling
Scottish Borders Council
Council Headquarters
Newtown St Boswells
Melrose
TD6 0SA

By email only to: localreview@scotborders.gov.uk

Dear Fiona

Appeal reference: 20/00005/RREF
Planning application: 19/01645/FUL
Erection of dwellinghouse and detached garage
Land South West Of 3 Mill Lade Blyth Bridge Scottish Borders

Thank you for your consultation email which SEPA received on 28 May 2020.

Advice for the planning authority

We **maintain our objection** to this planning application on the grounds of lack of information and that it may place buildings and persons at flood risk contrary to Scottish Planning Policy.

In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.

We will review this objection if the issues detailed in Section 1 below are adequately addressed.

1. Flood Risk

1.1 We previously responded to this proposed development in April 2018 at the pre-planning stage (our ref PCS/158530) and requested additional information in support of the application. In March 2019, we objected in principle to a formal planning application (19/00194/FUL, our ref PCS/163954) on the grounds that limited topographic information indicated that the development was located within the functional floodplain. We objected again in December 2019 (19/01645/FUL our ref PCS/168814) due to limited information, and potential land raising within the functional floodplain. Please read this response in conjunction with previous responses.

1.2 We have reviewed the following documents:



Chairman
Bob Downes

Chief Executive
Terry A'Hearn

SEPA Edinburgh Office

Silvan House, 3rd Floor, 231 Corstorphine Road,
Edinburgh EH12 7AT.

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- Statement of Review, Planning Application 19/01645/FUL Land to South West of Mill Lade, Blyth Bridge
- Drawing: “Flood Risk Assessment – Proposed Condition Sheet 1”, drawing no. 20-001-FR 002, 02/2020
- Drawing: “Flood Risk Assessment – Proposed Condition Sheet 2”, drawing no. 20-001-FR 003, 02/2020
- Drawing: “Flood Risk Assessment – Existing Condition”, drawing no. 20-001-FR-001, 01/2020

- 1.3 The “Statement of Review” states that the proposed dwelling is above the freeboard required in the event of a 1 in 200 year flood. However clarification is required as to how the level of the 1 in 200 year flow was attained. We will only accept a level obtained from a satisfactory detailed flood risk assessment undertaken by a qualified professional. Please note that SEPA flood maps are purely indicative and should never be used to inform development plans or finished floor levels.
- 1.4 Drawing “20-001-FR 002”, Section 3-3 implies that the garage will be elevated outwith the functional flood plain by land raising. Drawing 20-001-FR-002 implies that the finished floor level shall be achieved through land raising within the functional flood plain. As mentioned in our previous responses, we do not support land raising within the functional floodplain. Land raising within the functional floodplain will impact on both the floodwater conveyance and storage functions of the floodplain which will potentially increase the risk to other receptors.
- 1.5 There should be flood free access and egress from the property. Drawing 20-001-FR 001 seems to imply that access and egress shall take place through flood waters.
- 1.6 Please be aware that any Flood Risk Assessment undertaken may only serve to confirm that this site is unsuitable for this development.
- 1.7 In summary, information is required to address the following points before we would consider removing our objection to the proposed development:
- A satisfactory detailed flood risk assessment, undertaken by a suitably qualified professional, that can demonstrate that the proposed development is outwith the 0.5% AP (1:200) floodplain.
 - Confirmation that no land raising will take place within the functional flood plain.
 - Demonstrate safe access and egress from the property.

Caveats & Additional Information for Applicant

1. The [SEPA Flood Maps](#) have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk management in Scotland.
2. We refer the applicant to the document entitled: [“Technical Flood Risk Guidance for Stakeholders”](#). This document provides generic requirements for undertaking Flood Risk Assessments. Please note that this document should be read in conjunction with [Policy 41 \(Part 2\)](#).

3. Our [Flood Risk Assessment Checklist](#) should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process.
 4. Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.
 5. The flood risk advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Scottish Borders Council as Planning Authority in terms of the said Section 72 (1).
- 1.8 If you have any queries relating to this letter, please contact me by e-mail at planning.se@sepa.org.uk.

Yours sincerely

Sheena Jamieson
Senior Planning Officer
Planning Service

Disclaimer

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