

Land west of Causewayfoot Cottage

Bonchester Bridge, Hawick

Flood Risk Assessment

October 2020

Project Information	
Project:	Land west of Causewayfoot Cottage, Hawick
Report Title:	Flood Risk Assessment
Client:	Dawn Kilpatrick
Instruction:	The instruction to undertake this Flood Risk Assessment was received from Mr David Connachan acting on behalf of the Client.
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Approval Record	
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Document History		
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Introduction

Waterco has been commissioned to undertake a Flood Risk Assessment in relation to a proposed residential dwelling on land west of Causewayfoot Cottage, Bonchester Bridge, Hawick, TD9 9TF.

The purpose of this report is to outline the potential flood risk to the site, the impact of the proposed development on flood risk elsewhere, and the proposed measures which could be incorporated to mitigate the identified risk. This report has been prepared in accordance with Scottish Planning Policy (SPP).

The Scottish Borders Council (SBC) is the Flood Prevention Authority and has statutory duties under the Flood Risk Management (Scotland) Act 2009 to reduce the risk of flooding. As part of these duties the SBC must not permit development which has the potential to increase flood risk.

Existing Conditions

The site covers an area of approximately 1,020m² and is located at National Grid Reference (NGR): 358792, 609112. A location plan and an aerial image are included in Appendix A.

Online mapping (including Google Maps / Google Streetview imagery, accessed October 2020) shows that the site currently comprises a storage shed and garage which are to be retained as part of the development. The remainder of the site is undeveloped. The site is bordered by Catlee Burn (watercourse), an unnamed road and woodland to the north, an unnamed road and Causeway Cottage to the east and agricultural land to the south and west. Access to the site is provided from the unnamed road to the east.

Local Topography

A topographical survey has been obtained by Malcolm McEwen Design in September 2020 and is included in Appendix B. The topographical data shows that levels in the location of the proposed dwelling are approximately 161 metres Above Ordnance Datum (m AOD). The top bank level of Catlee Burn in the northern extent of the site is situated at approximately 159m AOD.

Ground Conditions

Reference to the British Geological Survey (BGS) online mapping (1:50,000 scale) indicates that the site is underlain by superficial deposits of Devensian Till (comprising diamicton) and Alluvium (generally comprising silt, sand and gravel). The superficial deposits are identified as being underlain by the Strathenden Group and Inverclyde Group (undifferentiated) consisting of interbedded sandstone and argillaceous rocks.

The geological mapping is available at a scale of 1:50,000 and as such may not be accurate on a site-specific basis.

There are no historical BGS borehole records within the vicinity of the site.

Development Proposals

The proposed development is for the erection of a 2-bed single storey detached dwelling. A proposed development plan is included in Appendix C.

Flood Zone Classification & Policy Context

The Scottish Environment Protection Agency (SEPA) 'Flood Maps' [accessed October 2020 and available online only] show that the site is located within an area with a medium to high likelihood of river flooding meaning it has between a 0.5% (1 in 200 year) and 10% (1 in 10 year) annual probability of fluvial flooding.

The site is located outside the tidal and surface water flood extents, meaning it has a less than 0.1% (1 in 1000 year) annual probability of flooding from tidal and surface water sources.

Section 263 of SPP states that where the 'annual probability of coastal or watercourse flooding is greater than 0.5% (1:200 years)', development should generally not be proposed in sparsely developed (non-urban) areas.

This report will assess the fluvial flood risk to the site and whether the medium to high likelihood of flooding from rivers as shown on the SEPA mapping is accurate.

Local Policy

The SBC Local Development Plan (adopted May 2016) contains the following policies relating to flood risk:

'Policy IS8: Flooding

At all times, avoidance will be the first principle of managing flood risk. In general terms, new development should therefore be located in areas free from significant flood risk. Development will not be permitted if it would be at significant risk of flooding from any source or would materially increase the probability of flooding elsewhere. The ability of functional flood plains to convey and store floodwater should be protected, and development should be located away from them.

Within certain risk defined categories, particularly where the risk is greater than 0.5% annual flooding probability or 1 in 200 year flood risk, some forms of development will generally not be acceptable. These include:

- a) Development comprising essential civil infrastructure such as hospitals, fire stations, emergency depots etc., schools, care homes, ground-based electrical and telecommunications equipment unless subject to an appropriate long term flood risk management strategy;*
- b) Additional built development in undeveloped and sparsely developed areas.*

Other forms of development will be subject to an assessment of the risk and mitigation measures.

Developers will be required to provide, including if necessary at planning permission in principle stage:

- a) A competent flood risk assessment, including all sources of flooding, and taking account of climate change; and*
- b) A report of the measures that are proposed to mitigate the flood risk.*

The information used to assess the acceptability of development will include:

- a) Information and advice from consultation with the council's flood team and the Scottish Environment Protection Agency;*
- b) Flood risk maps provided by the Scottish Environment Protection Agency which indicate the extent of the flood plain;*
- c) Historical records and flood studies held by the council and other agencies, including past flood risk assessment reports carried out by consultants and associated comments from the Scottish Environment Protection Agency, also held by the council*
- d) the Scottish Environment Protection Agency's Land Use Vulnerability Guidance.'*

Consultation

A request for modelled flood level data and mapping was submitted to the SEPA in September 2020. In their response, provided as Appendix D, SEPA have stated:

'SEPA are unable to undertake site specific flood risk enquiries. However, we can provide any flood information we have which will provide a first indication of potential flood risk. Review of the SEPA Flood Map 200-year flood outline (i.e. the flood with a 0.5% chance of occurring in any single year) indicates that this area is adjacent to this envelope and at medium to high risk of flooding from the Catlee Burn.

We currently hold no historical records of flooding at this location.

We are not currently aware of any Flood Risk Assessments or modelling conducted at or adjacent to the site. We recommend that you make contact with the Flood & Coastal Management team at Scottish Borders Council, who as the Flood Risk Management Authority, may be able to provide further information on flooding or flood alleviation in this area.'

A pre-planning opinion request was submitted to SBC in September 2020. In their response, provided as Appendix E, SBC have stated:

'regarding your recent enquiry I can advise that the Council have no LiDAR data available for you to use but the Scottish Government provide LiDAR data online via the Scottish Remote Sensing Portal.

There is also no Council flood mapping or any record of historic flood events for the land in question.

However, the SEPA flood maps show the entire site is at risk of flooding for a return period of 1:200 years (0.5% annual probability). Due to the licensing agreements I am unable to show you these maps.

On review of the available site maps I can advise that due to its location close to a burn and upstream of a bridge, the site may have flooded in February 2020, January 2016 and December 2015.

If the planning application for this site is taken forward, I can further advise that:

- the applicant - via assessments and design - need to show that the development has no adverse effect on land downstream, including bridges
- the Flood Risk Assessment (FRA) should be modelled to show flood risk and flood depth up to a return period of 1:200 years
- the FRA, elevation and floor plan drawings should show all site levels, Finished Floor Levels and flood levels in meters At Ordinance Datum (mAOD).'

Sources of Flooding and Probability

Fluvial

The nearest watercourse is Catlee Burn which is located adjacent to the northern boundary of the site. Catlee Burn flows north-east in this location. There is also an unnamed watercourse located along the north-eastern boundary of the site which discharges into Catlee Burn. Figure 1 shows the location of the watercourses.

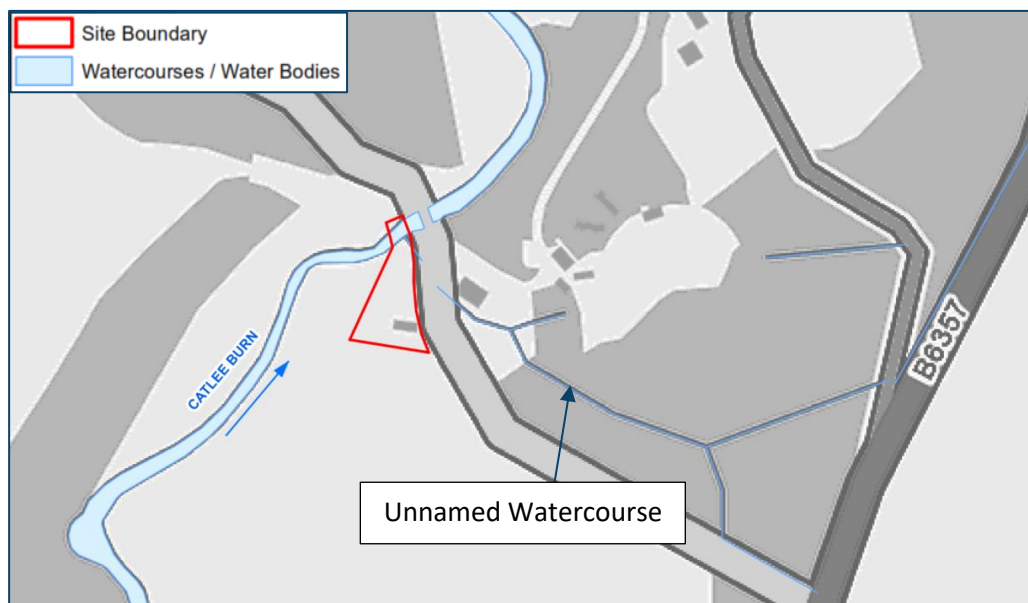


Figure 1 – Watercourse Location Plan

Fluvial flooding could occur if Catlee Burn overtopped its banks during or following an extreme rainfall event. Flooding could also occur from a blockage of the road bridge located immediately north of the site or

alternatively from the unnamed watercourse along the north-eastern boundary of the site.

SBC have stated in correspondence (Appendix D) that given the site's '*location close to a burn and upstream of a bridge, the site may have flooded in February 2020, January 2016 and December 2015.*'. However, there are no records of flooding affecting the site. Photographs provided by the client, provided as Appendix F, show that flows are retained in channel during heavy rainfall events. During heavy rainfall in September 2020, high flood flows in Catlee Burn were at least 1m below the top bank level. When flooding was recorded in Bonchester Bridge downstream of the site, flows were retained within the channel of Catlee Burn adjacent to the site.

Both SEPA and SBC have advised that they hold no flood level data for Catlee Burn in this location. Construction of a new hydraulic model for Catlee Burn and associated channel / topographical survey is not considered commensurate to the nature and scale of the development. Therefore, a qualitative assessment of flood risk has been made using topographical data.

From a review of the topographical data (Appendix B), levels in the location of the proposed dwelling are 161m AOD. The water level within Catlee Burn adjacent to the site at the time of the survey was recorded at 157m AOD. The top bank level of Catlee Burn is recorded at 159m AOD. The dwelling is therefore a minimum of 2m above the level of Catlee Burn. Land north of Catlee Burn is situated at between 159m AOD and 160m AOD and 1m below the ground level in the location of the proposed building. In the event of flooding, any potential out of channel flow would be directed to areas of lower ground north of the site and north of Catlee Burn.

Given the elevation of the ground in the location of the proposed dwelling, the risk of flooding from Catlee Burn under normal conditions is considered to be low.

A residual risk arises from a blockage of the bridge over Catlee Burn immediately north of the site. In the event of a blockage, flows would back up behind the bridge structure and would overtop the northern and lower bank of Catlee Burn. The topographical data shows that the road level north of Catlee Burn is 160m AOD. The road level south of Catlee Burn and adjacent to the development rises from 160.5m AOD at the road bridge to 162m AOD adjacent to the south-eastern corner of the site. Out of channel flows would therefore spill over the road north of Catlee Burn and return to the channel downstream. The proposed dwelling is situated on ground 1m above the road level immediately north of Catlee Burn.

Any potential flooding arising from the unnamed watercourse which flows along the north-eastern boundary of the site, and originates east of the site, would be directed north to Catlee Burn following the local topography. Furthermore, the unnamed watercourse appears to serve a limited upstream catchment (<1km²) and flows would be minimal.

There is no modelled data available to make an assessment of climate change on future flood events.

An annotated version of the 'Site Levels Plan' is included in Appendix G and identifies potential flood flow routes from Catlee Burn and the unnamed watercourse.

It can be concluded that the location of the proposed dwelling (land at or above 161m AOD) is likely at low

risk of flooding when considering the local topography, potential flood flow routes and extent of local historical flooding. The northern extent of the site, situated at approximately 159m AOD to 160m AOD and near to Catlee Burn, is at potential flood risk.

Tidal

The site is situated at or above 159m AOD and is significantly above sea level. Therefore, risk of tidal flooding is very low.

Surface Water

Surface water flooding occurs when rainwater does not drain away through the normal drainage system or soak into the ground. It is usually associated with high intensity rainfall events but can also occur with lower intensity rainfall or melting snow where the ground is saturated, frozen or developed, resulting in overland flow and ponding in depressions in topography. Surface water flooding can occur anywhere without warning. However, flow paths can be determined by consideration of contours and relative levels.

The SEPA online 'Flood Maps' show that the majority of the site has a very low likelihood of surface water flooding, with a less than 0.1% annual probability of occurrence.

An area immediately north of the site, in the location of Catlee Burn, is identified as having a high likelihood of surface water flooding, with a 10% annual probability of occurrence. However, this risk is associated with Catlee Burn and does not impact the location of the proposed dwelling.

Any potential surface water flooding arising at or near to the site would be directed north, away from the site, following the local topography.

It can therefore be concluded that the risk of surface water flooding is very low.

Sewer

Flooding from sewers can occur when a sewer is overwhelmed by heavy rainfall, becomes blocked, is damaged, or is of inadequate capacity. Flooding is mostly applicable to combined and surface water sewers.

In the absence of the ability of Scottish Water to provide sewer plans at the time of reporting and rural nature of the site, it is assumed that there are no public sewers within the vicinity of the site. On this basis it is concluded that the risk of sewer flooding is very low.

Groundwater

Groundwater flooding occurs when water levels underneath the ground rise above normal levels. Prolonged heavy rainfall soaks into the ground and can cause the ground to become saturated. This results in rising groundwater levels which leads to flooding above ground.

There are no records of groundwater flooding at or near to the site.

Groundwater levels correspond with river levels. As such, localised groundwater flooding could occur in the topographically lower northern extent of the site during periods of prolonged high-water levels in Catlee

Burn. However, given the elevation of the proposed dwelling above Catlee Burn, the risk of groundwater flooding in the location of the proposed dwelling is low.

Artificial Sources

There are no canals within the vicinity of the site. The online SEPA 'Reservoirs Map' shows that the site is not located in a reservoir inundation area. It can therefore be concluded that the risk of flooding from artificial sources is very low risk.

Summary of Potential Flooding

It can be concluded that fluvial flooding from Catlee Burn is the main potential source of flood risk to the site. The associated risk has been used to inform mitigation design as discussed further in this report.

Mitigation

The northern extent of site is identified at potential risk of fluvial flooding from Catlee Burn. The proposed dwelling will be located on ground at or above 161m AOD and a minimum of 2m above the bank of Catlee Burn and over 2m above water levels in Catlee Burn recorded during extreme flooding events.

However, and taking a precautionary approach, finished floor levels should be set 600mm above surrounding ground levels and at 161.6m AOD. This measure is proposed to mitigate against any potential future risk associated with climate change. Non-return valves should be placed on any outfalls to Catlee Burn.

Flood Warnings and Evacuation

Floodline is a free service that provides live flooding information and advice on how to prepare for a flood event, and how to cope with the impacts of flooding. It provides prior warning of when a flood event is likely. Under Floodline, the site is covered by Flood Alert messages. Residents should register to receive flood alerts.

The property owner should prepare a flood plan to inform residents of the potential flood risk and to provide advice on what to do in the event of a flood. The flood plan should include details of a safe access / egress route to be used during a flood event. Safe access / egress is available from the unnamed road to the east, heading south to an area shown outside of the extreme fluvial flood extent on SEPA mapping.

Impact on Flood Risk Elsewhere

The location of the proposed dwelling is considered to be outside of the extreme flood extent associated with Catlee Burn. No ground raising is proposed on lower lying ground adjacent Catlee Burn. The development will therefore not remove flood storage space from the floodplain and will not increase flood risk elsewhere.

Conclusions

The proposed development is for the erection of a 2-bed single storey detached dwelling.

Scottish Environment Protection Agency (SEPA) 'Flood Maps' show that the site is located within a medium to high likelihood area of river flooding, meaning it has between a 0.5% (1 in 200 year) and 10% (1 in 10 year) annual probability of fluvial flooding.

The main potential source of flooding to the site is fluvial flooding from Catlee Burn and an unnamed watercourse along the north-eastern boundary of the site. Modelled flood level data is not available for the area. A qualitative assessment of flood risk has been made using topographical data.

The proposed dwelling will be situated on ground at 161m AOD and a minimum of 2m above the level of Catlee Burn. Land north of Catlee Burn is situated at between 159m AOD and 160m AOD and 1m below the ground level in the location of the proposed dwelling. In the event of flooding, any potential out of channel flow would be directed to areas of lower ground north of the site and north of Catlee Burn which would provide flood storage.

A residual risk arises from a blockage of the bridge over Catlee Burn immediately north of the site. In the event of a blockage, flows would back up behind the bridge structure and would overtop the northern and lower bank of Catlee Burn. The topographical data shows that the road level north of Catlee Burn is 160m AOD. Out of channel flows would therefore spill over the road north of Catlee Burn and return to the channel downstream. The proposed dwelling is situated on ground 1m above the road level immediately north of Catlee Burn.

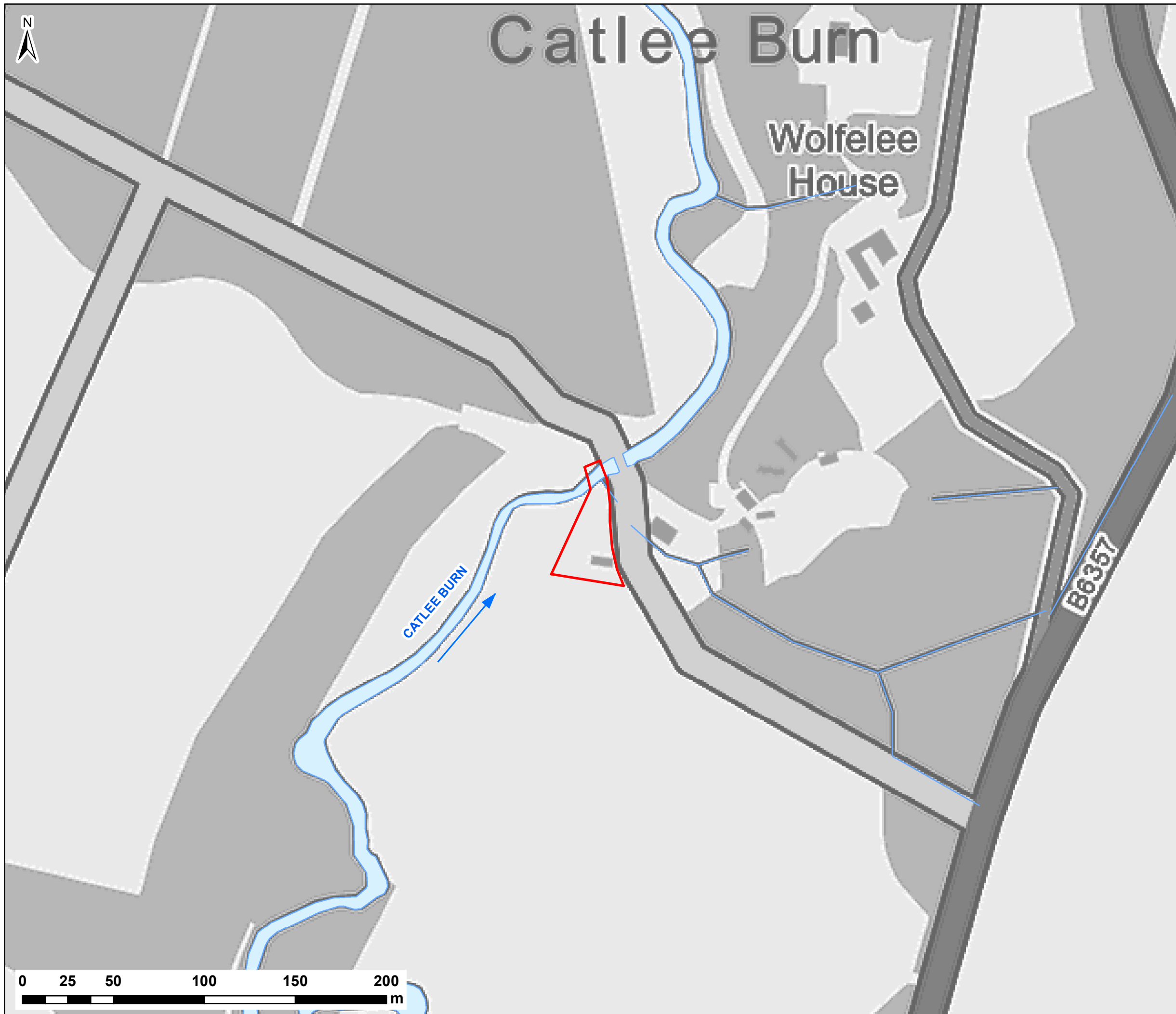
Whilst the proposed dwelling is situated on ground at or above 161m AOD and a minimum of 2m above the bank of Catlee Burn and over 2m above water levels in Catlee Burn recorded during extreme flooding events, taking a precautionary approach, finished floor levels should be set 600mm above surrounding ground levels and at 161.6m AOD. This measure is proposed to mitigate against any potential future risk associated with climate change.

In the event of a flood, safe access / egress is available along the unnamed road to the east of the site.

Recommendations

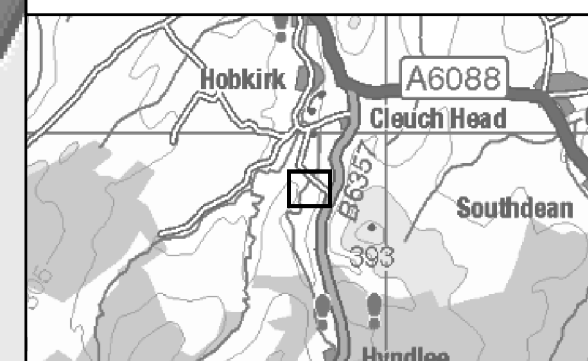
1. Submit this Flood Risk Assessment to the Planning Authority in support of the Planning Application.
2. Set finished floor levels at or above 161.6m AOD.
3. Fit non-return valves on any outfalls to Catlee Burn.

Appendix A Location Plan & Aerial Image



NOTES:
1) ALL DIMENSIONS ARE IN METRES AND ALL LEVELS IN METRES ABOVE ORDNANCE DATUM UNLESS STATED OTHERWISE

- LEGEND**
- Site Boundary
 - Watercourses / Water Bodies



CLIENT:
DAWN KILPATRICK



SCHEME:
**LAND WEST OF
CAUSEWAYFOOT COTTAGE,
HAWICK**

PLOT TITLE:
LOCATION PLAN

PLOT STATUS: **FINAL** DATE: 20/10/2020

DRAWN: CM	CHECKED: JJ	APPROVED: AW	PLOT SCALE @ A3: 1:2,000 (UNLESS STATED OTHERWISE)
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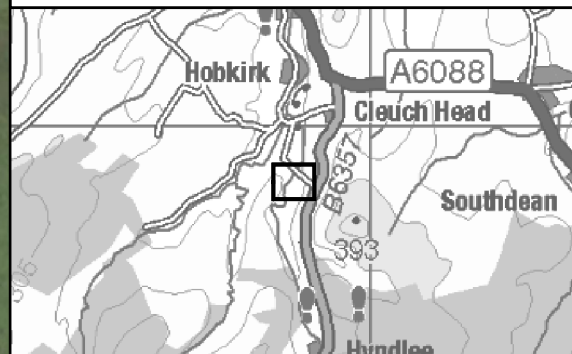
PLOT NAME: 13364-Location_Plan REV: -



NOTES:
1) ALL DIMENSIONS ARE IN METRES AND ALL LEVELS IN METRES ABOVE ORDNANCE DATUM UNLESS STATED OTHERWISE

LEGEND

 Site Boundary



CLIENT:
DAWN KILPATRICK



SCHEME:
**LAND WEST OF
CAUSEWAYFOOT COTTAGE,
HAWICK**

PLOT TITLE:
AERIAL PLAN

PLOT STATUS: **FINAL** DATE: 08/10/2020

DRAWN: VJ	CHECKED: JJ	APPROVED: AW	PLOT SCALE @ A3: 1:2,000 (UNLESS STATED OTHERWISE)
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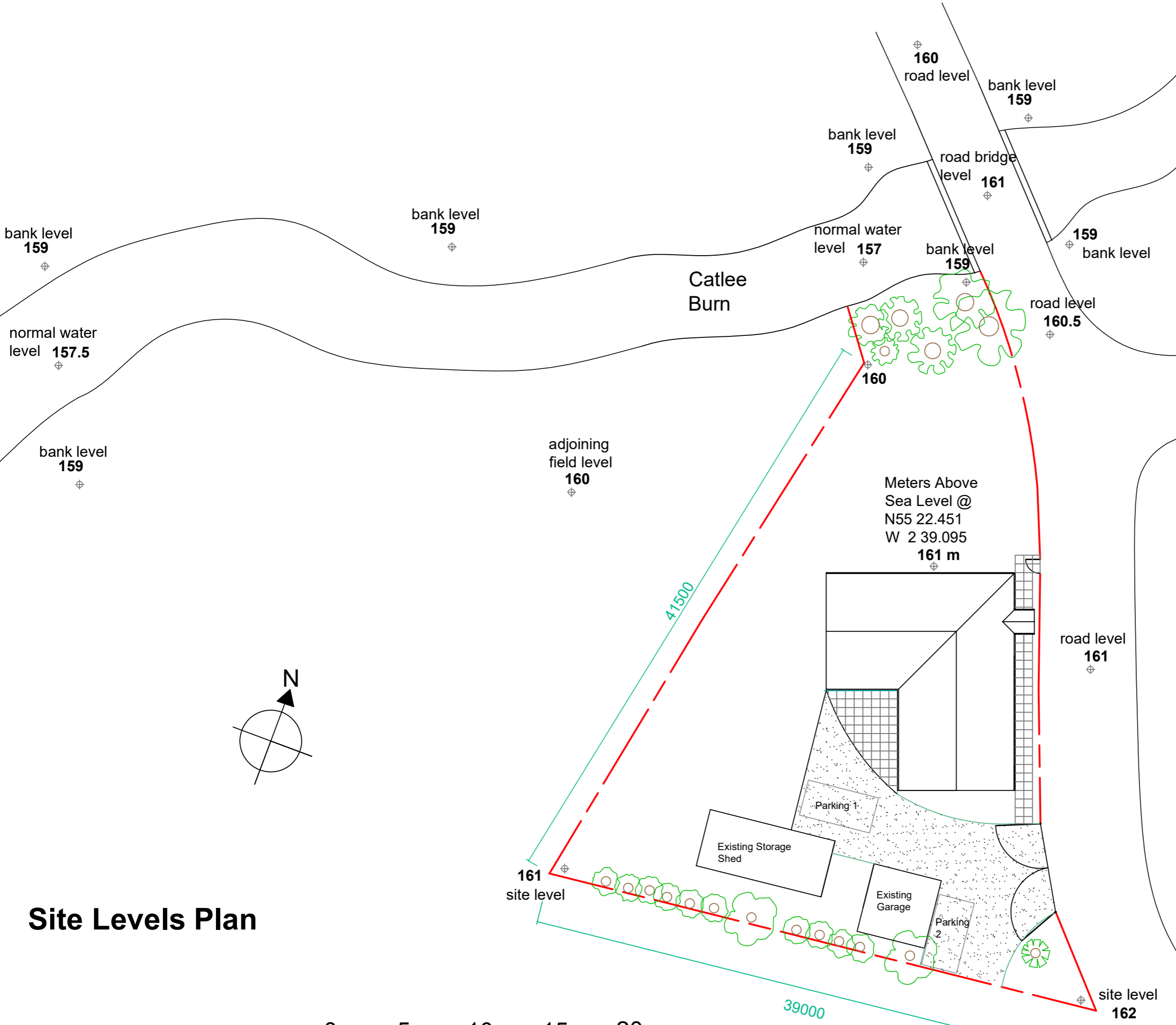
PLOT NAME: 13364-Aerial_Plan	REV: -
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Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Appendix B Topographical Information

Notes :



Site Levels Plan



Malcolm McEwan Design
 2 The Old Bowling Green,
 Bonchester Bridge
 Hawick, Borders. TD9 8JS
 Tel 01450 860641 e-mail shankmac@aol.com

Client
Dawn Kilpatrick

Job Title
New 2 Bedroom Dwelling

**Causeway Foot
 Hobkirk
 Hawick
 TD9 9TF**

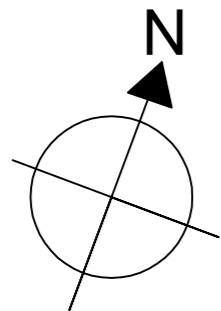
Drawing Title
Site Levels Plan

scale 1 : 250 at A3

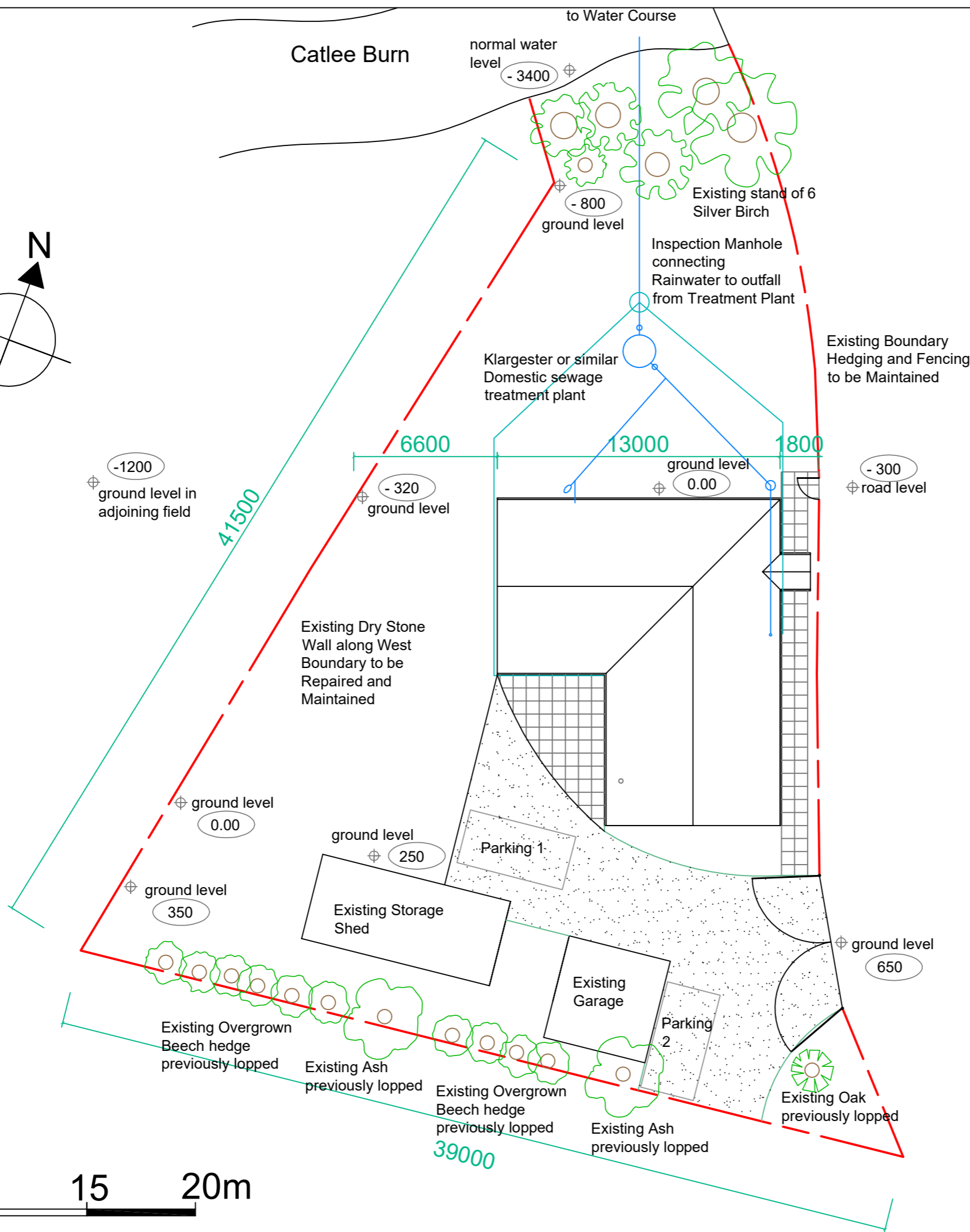
date 8th Sept 2020 drawn by

Drawing No	MM2008/5	A
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Appendix C Development Plan



Site Plan



Notes :



Malcolm McEwan Design
 2 The Old Bowling Green,
 Bonchester Bridge
 Hawick, Borders. TD9 8JS
 Tel 01450 860641 e-mail shankmac@aol.com

Client
Dawn Kilpatrick

Job Title
New 2 Bedroom Dwelling
Causeway Foot
Hobkirk
Hawick
TD9 9TF

Drawing Title
Site Plan

scale 1 : 200 at A3

date 8th Sept 2020 drawn by

Drawing No
 MM2008/1 A

Appendix D SEPA Correspondence

RESPONSE TO F0192419

1. Requested Information

Proposed residential dwelling on land west of Causewayfoot Cottage, Bonchester Bridge, Hawick, TD9 9TF. Grid Reference: 358792, 609112

Please can you provide flood level data for a site at the above address for use within a Flood Risk Assessment. I have attached a development plan for reference. If available, please could any flood maps for rivers and surface water also be provided.

2. Response

We can confirm that we have handled your request under the terms of the Environmental Information (Scotland) Regulations 2004 (EIRs).

SEPA are unable to undertake site specific flood risk enquiries. However, we can provide any flood information we have which will provide a first indication of potential flood risk. Review of the SEPA Flood Map 200-year flood outline (i.e. the flood with a 0.5% chance of occurring in any single year) indicates that this area is adjacent to this envelope and at medium to high risk of flooding from the Catlee Burn.

We currently hold no historical records of flooding at this location.

We are not currently aware of any Flood Risk Assessments or modelling conducted at or adjacent to the site. We recommend that you make contact with the Flood & Coastal Management team at Scottish Borders Council, who as the Flood Risk Management Authority, may be able to provide further information on flooding or flood alleviation in this area.

Flood maps

The SEPA Flood Map, which includes flood extent mapping (including surface water, fluvial, and coastal flood risk maps), can be viewed online at the following website:

<http://map.sepa.org.uk/floodmap/map.htm>.

The SEPA flood maps are designed as a strategic community level tool to support the development of co-ordinated Flood Risk Management Plans and Strategies as well as public awareness raising of flooding issues where they live or work. The identification of those parts of Scotland potentially at risk of flooding has been undertaken at a national scale and this level of modelling, whilst providing the most comprehensive national source of information on flooding, does have certain necessary limitations and simplifications. Given the strategic scale of mapping, it is inappropriate for these Flood Maps to be used to inform detailed site specific flood risk investigations and as a flood risk assessment should be undertaken to determine flood levels at the site of interest.

Terms & Conditions - You may use the Flood Maps for Your own personal use only. The Flood Maps cannot be used for or related to any commercial, business, professional or other income generating purpose or activity, nor by value added resellers. You must not copy, assign, transfer, distribute, modify, create derived products or reverse engineer the Maps in any way. Your use of the Flood Maps must not be detrimental to SEPA, its activities or the environment

SEPA do not make data from the flood modelling and mapping process available for commercial or non-statutory purposes due to our obligations to the license holders of the datasets underlying the Flood Maps.

The Flood Map is a licensed product, which is provided to third party organisations with statutory Flood Risk Management or Civil Contingency responsibilities, principally public bodies due to our obligations to the licensors of the datasets underlying the Flood Maps.

If you are working on behalf of a Responsible Authority who has a Flood Map data licence, they can request permission to sub-licence the data by contacting ourselves. For other uses of the flood map, if you are working on a flood risk project for a non-commercial project we may be able to grant you a temporary licence for the flood map.

Further information regarding the regulations/ exceptions applied to this information can be found below.

3. Application of Regulations/Exceptions

3.1 Section 39(2)

We have applied the exemption under Section 39(2) of the Freedom of Information (Scotland) Act 2002 as we have determined that the information sought in your request is environmental information. We are therefore handling your request under the terms of the Environmental Information (Scotland) Regulations 2004 (EIRs). In this case the public interest in maintaining this exemption and in dealing with the request in line with the requirements of the EIRs outweighs any public interest in disclosing the information under FOISA.

3.2 Regulation 9 – Advice and assistance

Where we have issued additional information or advice this is provided in line with SEPA's duty to advise and assist under Regulation 9 of The Environmental Information (Scotland) Regulations 2004.

3.3 Regulation 6(1)(b) Publically available & easily accessible

Where we have advised above that information is publically available & easily accessible Regulation 6(1)(b) applies, the text of which is reproduced below;-

6(1) Where an applicant requests that environmental information be made available in a particular form or format, a Scottish public authority shall comply with that request unless-
(b) the information is already publicly available and easily accessible to the applicant in another form or format.

3.4 Regulation 10(4)(a) – Information not held

Where we have advised above that SEPA does not hold this information it is excepted under Regulation 10(4)(a) of the Environmental Information Regulations 2004. The text of which is reproduced below;

(4) A Scottish public authority may refuse to make environmental information available to the extent that;-
(a) it does not hold that information when an applicant's request is received.

The exception in regulation 10(4)(a) is subject to the public interest test in regulation 10(1)(b) of the EIRs. As SEPA does not hold the information in question there is no conceivable public interest in requiring that the information be made available.

3.5 Regulation 14(1)(b) – other authority

As confirmed above SEPA does not hold this information, therefore I advise that you contact Scottish Borders Council direct as in accordance with the terms of The Environmental Information (Scotland) Regulations 2004 section 14 b, The text of which is reproduced below;

14(1) Where a Scottish public authority has received a request to make environmental information available and does not hold that information but believes that another public authority holds the information requested then it shall
(b) supply the applicant with the name and address of that other authority,

In accordance with the above, please note that the below contact details;-

Access to information, data compliance and records management
Council Headquarters
Newtown St. Boswells
Melrose
TD6 0SA

https://www.scotborders.gov.uk/info/20060/access_to_information/347/making_an_information_request

3.6 Regulation 10(5)(c) – Intellectual property rights

The Flood Map is excepted under Regulation 10(5)(c) of the EIRs. The text of which is reproduced below;

(5) A Scottish public authority may refuse to make environmental information available to the extent that its disclosure would, or would be likely to, prejudice substantially;-
(c) Intellectual property rights;

The release of the information in question would be likely to prejudice substantially the rights of the license holders, as well as the relationship between SEPA and the license holders.

The Public Interest Test was carried out in relation to the information to be withheld under Regulation 10(5)(c) of the EIRs. In this case, we recognise that Regulation 10(2)(b) requires SEPA to apply a presumption favour of disclosure.

While it is in the public interest for SEPA to be open and transparent, it is not in the public interest for SEPA to compromise its access to datasets that are crucial for it to fulfil its statutory duty with regards to flood risk and forecasting.

Therefore, it is deemed that the public interest in favour of disclosure is outweighed by that in favour of withholding. Requests for such information are considered by SEPA on a case by case basis. In this case, it was determined that the public interest would not be served by the release of the information at this time.

What to expect when making a Request for Information

Each request for information, under The Environmental Information (Scotland) Regulations 2004 or the Freedom of Information (Scotland) Act 2002, is formally logged by the authority. The request falls within a process that has two internal stages carried out by the authority; a right of appeal to the Scottish Information Commissioner followed by an appeal to the Court of Session on a point of law only.

- Stage 1 – Request for information
- Stage 2 – Formal Review
- Stage 3 – Appeal for decision by Scottish Information Commissioner (OSIC)
- Stage 4 – Appeal to the Court of Session on a point of law only.

Each enquiry will have a unique Reference Number which should be quoted when you contact us.

How you will be kept informed

You will receive an acknowledgement for your request and Formal Review. We aim to reply to all enquiries promptly, within 20 working days. You will receive a response along with the requested information and/or an explanation regarding any withheld information. We may also contact you if we require clarification or if we are issuing a fees notice.

What happens once your enquiry has been responded to?

If you are not happy with the response or have failed to receive a response, you have the right to request a Formal Review from SEPA.

Guidance on your rights and how to ask for a review is on the Scottish Information Commissioner's website; <http://itspublicknowledge.info/YourRights/Askingforareview.aspx>

We will ensure that all personal data is processed, recorded and retained in accordance with the requirements of the Data Protection Act 2018 throughout the handling of each request. You have a right to see information about yourself via submitting a Subject Access Request under the Data Protection Act 2018.

What to do if you are not happy with how your enquiry and review were handled

If you are unsatisfied with our Formal Review response or have failed to receive a response, you can then appeal to the Scottish Information Commissioner via the links below.

www.itspublicknowledge.info/appeal

<http://www.itspublicknowledge.info/home/ContactUs/ContactUs.aspx>

Should you wish to appeal against the Scottish Information Commissioner's decision, you have the right to appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days after the date of intimation of the decision.

Appendix E Scottish Borders Council Correspondence

Jordan Jones

From: Diesel, Raffaella <Raffaella.Diesel@scotborders.gov.uk>
Sent: 17 September 2020 17:20
To: Jordan Jones
Subject: SBC Flood level data for Land W of Causewayhead Cottage

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Info

Dear Mr Jones,
regarding your recent enquiry I can advise that the Council have no LiDAR data available for you to use but the Scottish Government provide LiDAR data online via the Scottish Remote Sensing Portal.

There is also no Council flood mapping or any record of historic flood events for the land in question. However, the SEPA flood maps show the entire site is at risk of flooding for a return period of 1:200 years (5% annual probability). Due to the licensing agreements I am unable to show you these maps.

On review of the available site maps I can advise that due to its location close to a burn and upstream of a bridge, the site may have flooded in February 2020, January 2016 and December 2015.

If the planning application for this site is taken forward, I can further advise that:

- the applicant- via assessments and design- need to show that the development has no adverse effect on land downstream, including bridges
- the Flood Risk Assessment (FRA) should be modelled to show flood risk and flood depth up to a return period of 1:200 years
- the FRA, elevation and floor plan drawings should show all site levels, Finished Floor Levels and flood levels in meters At Ordinance Datum (mAOD)

Let me know if you have any further questions.

Kind regards

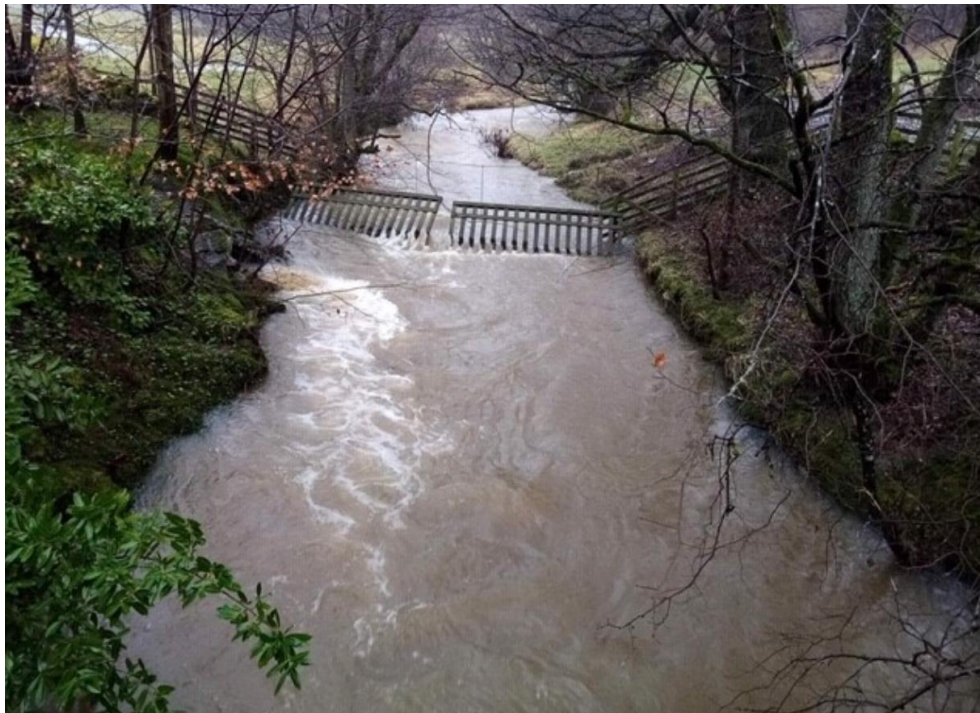
RAFFAELA DIESEL
Technician- Flood and Coastal Management
Asset Management
Scottish Borders Council

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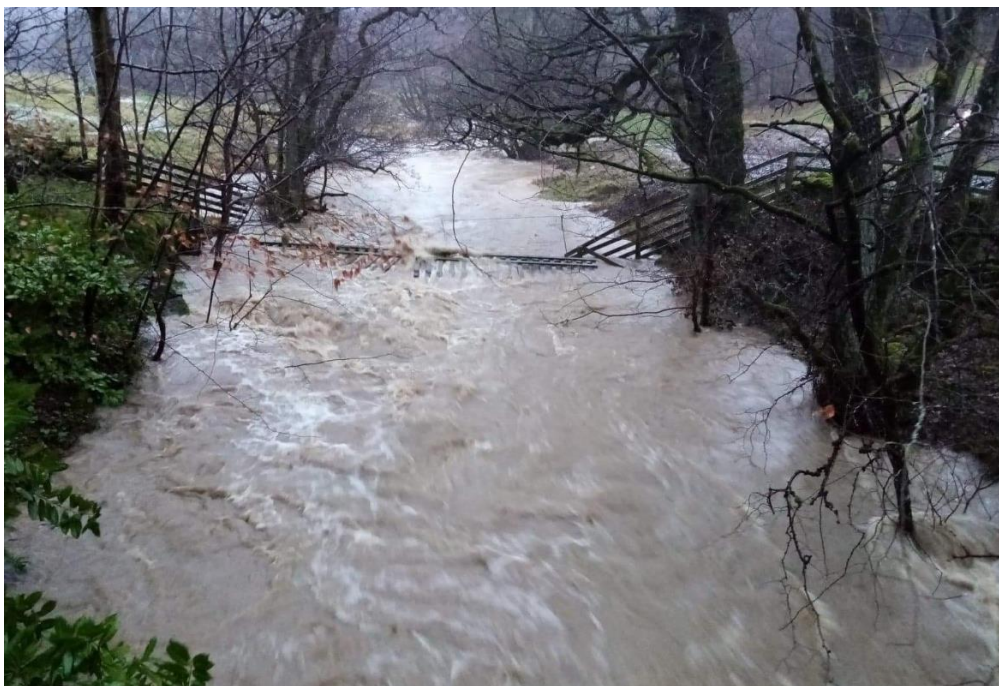
Appendix F Flooding Photographs

Appendix F Photographs

Photographs of Catlee Burn have been provided by the client.



Photograph 1 – Taken on 10th September 2020 from the road bridge over Catlee Burn looking west / upstream. The Catlee Burn under ‘normal’ conditions.



Photograph 2 – Taken during an event where the downstream village of Bonchester Bridge flooded. The site was not affected during this flood event.

Appendix G Indicative Flood Flow Paths

Indicative Flood Flow Paths

