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Ask For: John Gordon
Our Ref: HWD/L/PPSL/18/DEC/18
Your Ref: 18/0164/PP

Date: 18 December 2018

Dear Sirs

Subject: Proposal: Erection of new leisure building including swimming pool, improved flood defences, new car park including public realm works and demolition of existing swimming pool

Site Address: Helensburgh Swimming Pool 1B West Clyde Street Helensburgh Argyll and Bute G84 8SQ Reference: 18/01614/PP

With respect to the submission from the Helensburgh Community Council, dated 19 December 2018, we would offer the following comments as the applicant:

1. Introduction

- It is our considered technical opinion, that irrespective of the location of any buildings on the proposed development site, the existing flood defences would need to be improved to protect against the potential impact of Climate Change Predictions.

2. Summary

- At the Discretionary Hearing on 19 November 2018 members of the Planning, Protective Services and Licensing Committee (PPSL) deferred making a determination to seek further assurances in respect of the sufficiency of our proposed flood defences, including the impact that soon to be published Climate Change Predictions (UKCP18) might have during the design life of our development. Following the publication of UKCP18 on 26 November 2018 we

undertook a full multi-disciplinary engineering review and Flood Risk Assessment, as a consequence of which we have revised our proposals to allow for a sea wall height on the southern elevation of the site, set at +5.9m AOD, with that height continued for a distance of 10m as the wall returns along the eastern and western elevations of the site. It should be noted that all other aspects of our planning application remain unchanged from those submitted with our original application.

- The height of the southern sea defence wall varies along its 97.5m length, as viewed from the pedestrian walkway between it and the new leisure building, ranging from 0.65m high to 1.28m.

3. The new seawall

- As noted above the height of the southern sea defence wall varies along its length. We are confident that even by raising the sea wall defences by 0.5m there will still be a number of opportunities for visitors to the site to experience views of the River Clyde.
- Given our statutory duty of care obligations we consider it best to undertake appropriate risk assessments and put in place policies and procedures to ensure the safety of persons and their possession when using our buildings or accessing our land. This would as a matter of course include procedures to deal with severe weather warnings for a site, such as this, and close to the sea, irrespective of the specific locations of any buildings etc. on that site.
- We note the Community Councils comments with respect to the cost of the flood defences, however as this is not a material consideration in terms of a planning application we make no specific comment.

4. Helensburgh Community Council's Alternative Proposal

- It is not for us to comment in detail on the compliance or otherwise of the Community Council's proposal, however we would offer the following observations:
 - The alternative proposals would appear to show a large section of car parking being provided at the southern end of the site, with a sea defence wall at a height of +3.3m AOD. Given that the UKCP18 Climate Change Predictions forecast a Maximum Sea Level (still water level + ½ wave height) in 2018 of 4.61m, this would suggest that the Community Council considers it acceptable for an area of car parking to be at risk of flooding to a height of 1.31m in 2018 and potentially 1.7m by 2060. Obviously our position is that the entirety of the site should be protected to maximise its availability and minimise the risk of accident, injury and/or damage.

4.1 Glare – a Minor Issue

- We cannot emphasise strongly enough the importance that we place on our design responsibility and liability, which is set out in various statutory

provisions. A simple but important example would be the duties of the Designer under the Construction (Design and Management) Regulations, Section 9, which states unequivocally:

'(2) When preparing or modifying a design the designer must take into account the general principles of prevention and any pre-construction information to eliminate, so far as is reasonably practicable, foreseeable risks to the health or safety of any person.....'

'(3) If it is not possible to eliminate these risks, the designer must, so far as is reasonably practicable—

(a) take steps to reduce or, if that is not possible, control the risks through the subsequent design process;....'

- We note that the issue of glare has been characterised in the Community Council's submission as "A Minor Issue", something which we would respectfully suggest is fundamentally incorrect. Specular reflection from direct sunlight on the surface of swimming pools is a known and serious safety issue which can, in extreme circumstances, result in fatalities. Whilst the layperson might wish to characterise this risk as minor we, as engineering professionals with responsibility and liability, would disagree in the strongest possible terms. Moreover, we consider that such a statement fails to demonstrate a detailed technical understanding of this safety critical design issue.
- We have previously explained that where the physical constraints of the site permitted it, we would always seek to orientate the pool hall glazing in a manner to avoid direct sunlight onto the surface of the water. This site provides us with such an opportunity in respect of the location and orientation of the Leisure Building and therefore, by design, those with responsibility and liability have designed out the phenomenon of 'specular reflection' for a pool which will after all be used by all age groups, swimming abilities and physical capabilities, with supervision and safety monitoring being provided by life guards in accordance with the appropriate regulations. We would therefore suggest that this decision making process should not be open to question by those who do not carry the same level of responsibility, liability or technical experience and expertise.
- In addition, the view expressed, that orientating the pool hall so that its glazing aligns to the pier rather than as the current design, has little effect on specular reflection is also fundamentally incorrect. We have run sun path analysis of both orientations, which demonstrate why it is not appropriate to orientate the pool glazing as the Community Council have suggested. As designed, sunlight will only fall on the pool area before 8am during a few weeks in very high summer. If the Community Council's alternative orientation were to be adopted

then direct sunlight would fall on the pool from around 4.30pm until sunset each day for approximately 9 months of the year.

Subsequent Sections:

We consider that our development proposals are in full compliance with all national and local planning policies, standards and regulations. Ultimately however this is a determination which will be made by the members of the Committee taking advice from their expert witnesses, including their own Flood Risk Advisor, SEPA as the National Regulator on Flood Defence and Mitigation matters and their own Planning officers.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John Gordon', followed by a period.

JOHN GORDON
CHORD Programme Manager