

PROJECT: ALTERATIONS & CHANGE OF USE AT 37-39 STEVENSON STREET, OBAN, PA34 5NA

CLIENT: HAMISH HOEY & SON

SUBJECT: LOCAL REVIEW SUPPORTING STATEMENT

DATE: JUNE 2022

1.0 LOCAL REVIEW REQUEST

1.1 The details of this Review Request are summarised in the accompanying Notice of Review submission form ref 100573834

1.2 The applicant requests Local Review against Planning Refusal Reference 19/01858/PP issued on 22 March 2022.

2.0 APPLICATION PROPOSALS

2.1 The details of the Planning Application proposals originally submitted on 4 September 2019 are attached and form part of this Review Request.

2.2 In summary, the proposals comprise alterations to the Applicant's Grade C Listed Building on Stevenson Street, Oban. These include alterations and improvements to the existing ground floor offices and associated workshop/garage/storage areas forming part of the Applicant's existing funeral undertaking business, and further alterations and Change of Use to existing stores on the 2 upper floors to create 4No flats.

3.0 BASIS OF REVIEW REQUEST

3.1 As part of the Statutory Consultation process, an objection was received from SEPA and concerns noted by the Council's own Flood Risk Adviser. In summary, both responses were similar in noting that the application site lies within the SEPA flood risk map area (based on the adjacent tidal Black Lynn burn) and development of new housing there could present an unacceptable risk if there was a medical emergency in the building coinciding with a projected 1:200 year flood event.

3.2 Following the objectors refusal to accept a Flood Risk Assessment for a site located further upstream on the Black Lynn burn at Lochside Street prepared in 2009, the Applicant's local Environmental Consultant confirmed that a fresh Flood Risk Assessment based on current predictions would be unlikely to demonstrate any lesser risk of 1:200 year event flooding at the application site. However, the objections are based on the serious but unlikely coincidence of tidal (and therefore temporary) flooding at the application site with the need for an emergency evacuation of a resident from the proposed flats.

3.3 At the suggestion of the Flood Risk Officer, the Applicants commissioned a digital topographic survey of the rock face and banking to the rear of the application subjects to investigate the possibility of an alternative emergency escape route from the top floor to Star Brae. Given the relative heights and levels involved, this would require a tortuous series of stairs and ramps from the top floor to reach Star Brae to a geometry acceptable to Building Standards. In Planning terms, this was assumed unlikely to be acceptable with stairs, ramps and handrails visible from Star Brae and certain parts of Stevenson Street, Airds Crescent and Combie Street, forming a visible backdrop to the Listed Building. In the unlikely event of the need to use this emergency access/escape, the route from the top floor of the building across these stairs and ramps for evacuation to the even steeper Star Brae and a safe vehicle location adjacent to the Free Church is likely to be even more hazardous and unsuitable than evacuation through a partially flooded Stevenson Street at the front of the building.

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- 3.4 Notwithstanding the authority of these Statutory Consultees and their Flood Assessment Modelling, refusal of this application on the basis of short term tidal flooding on a 1:200 year event coinciding with an emergency in the building effectively sterilises this prominent Listed Building in its town centre location for use in adaptation to much needed town centre housing.
- 3.5 Given the objections raised by SEPA and concerns noted by the Councils own Flood Risk Officer there was no new information that could be provided and it seemed unlikely that either objection would be withdrawn against the background of their own flood prediction modelling. The application was subsequently Refused.

4.0 SUMMARY

- 4.1 The Applicant recognises that, by measure of recently upgraded flood modelling projections, there is a 1:200 year risk of tidal flooding at the application site.
- 4.2 The proposed alterations to the ground floor of the building simply continue an existing and established function with no increase in risk.
- 4.3 The perceived risk of a 1:200 year flood event coinciding with a medical emergency in the proposed living accommodation has been enough to refuse this Planning Application and effectively sterilise the Applicants Listed Building from beneficial future development.
- 4.4 This submission requests that the Local Authority reviews the opinion of the Planning Department that these matters are not material considerations in challenging the automatic need to refuse the Application on the grounds of the SEPA objection.