



Our ref: PCS/114733  
Your ref: 11/00689/PPP

If telephoning ask for:  
Nicola Abrams

25 July 2011

Brian Close  
Argyll and Bute Council  
Development and Infrastructure  
Milton House  
Milton Avenue  
Dunoon  
PA23 7DU

By email only to: [planning.bandc@argyll-bute.gov.uk](mailto:planning.bandc@argyll-bute.gov.uk)

Dear Brian

**Town and Country Planning (Scotland) Acts**

**Planning Application: 11/00689/PPP**

**Site for the erection of retail store (Class1) with associated development including access, car parking and landscaping**

**Land at former gas works, Argyll Street/Hamilton Street, Dunoon**

Further to our consultation response of 6 June 2011 and further to additional information from the applicants agent (DBA letter dated 29 June 2011). We are now in a position to remove our objection on flood risk grounds **provided the condition** set out in 1.7 is attached to any grant of planning consent. Notwithstanding the removal of our objection we would expect Argyll & Bute Council to undertake their responsibilities as the Flood Prevention Authority. Also for the avoidance of doubt we request the conditions set out in sections 2, 3 and 4 of our letter of 6 June 2011 are attached to any grant of planning consent. If these are not to be not applied, please consider this representation as an **objection**.

**Advice for the planning authority**

**1. Flood Risk**

- 1.1 We have previously commented on this proposal and the Flood Risk Assessment (FRA) provided in support and raised a number of points. Further information has now been submitted (DBA letter dated 29 June 2011) and we would make the following comments.
- 1.2 Firstly with regards to reservoir routing additional information has now been provided which suggests that the methodology adopted complies with Flood Estimation Handbook (FEH) guidance. Based on the information provided it is considered that the design flow estimated is likely to be appropriate.
- 1.3 It has also now been confirmed that sensitivity analysis has been undertaken for both the 50% and 95% blockage scenarios which is thought to be acceptable.
- 1.4 A long profile and cross sections have also now been submitted and our review of them indicates the model to be stable and cross sections used look to be appropriate.
- 1.5 Alternative layouts to incorporate development zoning and alternative locations have also

been considered but based on the information provided and other material considerations this is thought to be the most appropriate. Also given that this is understood to be a Brownfield re-development it is acknowledged that development is appropriate subject to provision of flood management measures. In this instance landraising and compensatory storage has been recommended and additional information has been provided with regards to this.

- 1.6 In terms of compensatory storage the volume-slice method has now been submitted and indicates that appropriate compensatory storage will be provided which should have at least a neutral effect on potential flood risk. Given this additional information which indicates compliance with the principles of Scottish Planning Policy (SPP) and Sustainable Flood Management the previous flooding objection can be removed.
- 1.7 The applicant has demonstrated that there is adequate space within the site for a suitable compensatory flood storage area but at the planning permission in principle stage a detailed scheme has not been provided. This is acceptable provided a **condition** is attached to the consent requiring the submission and approval, by the Planning Authority in Consultation with SEPA, of full details of the proposed compensatory flood storage scheme as part of any Matters Specified in Condition Application for the site. If this is not attached, then please consider this representation as an **objection**. To assist, the following wording is suggested:

Prior to the commencement of any works, details of a compensatory flood storage scheme shall be submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme.

Reason: in order to maintain the capacity of the floodplain

- 1.8 Also to clarify our comments with regards to freeboard allowance is a recommendation only and the allowance is subject to requirements of the relevant Flood Prevention Authority.

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, which may take into account factors not considered at the planning stage.*

### **Caveats and Detailed advice for the applicant**

## **2. Flood Risk**

- 2.1 The Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The outlines do not account for flooding arising from sources such as surface water runoff, surcharged culverts or drainage systems. The methodology was not designed to quantify the impacts of factors such as flood alleviation measures, buildings and transport infrastructure on flood conveyance & storage. The Indicative River & Coastal Flood Map (Scotland) is designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland. For further information please visit [www.sepa.org.uk/flooding/flood\\_map.aspx](http://www.sepa.org.uk/flooding/flood_map.aspx).
- 2.2 We refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from

[www.sepa.org.uk/flooding/flood\\_risk/planning\\_flooding.aspx](http://www.sepa.org.uk/flooding/flood_risk/planning_flooding.aspx). Please note that this document should be read in conjunction with Annex B in SEPA Policy 41: *"Development at Risk of Flooding, Advice and Consultation – a SEPA Planning Authority Protocol"*, available from [www.sepa.org.uk/flooding/flood\\_risk.aspx](http://www.sepa.org.uk/flooding/flood_risk.aspx).

- 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. It can be downloaded from [www.sepa.org.uk/flooding/flood\\_risk/planning\\_flooding/fra\\_checklist.aspx](http://www.sepa.org.uk/flooding/flood_risk/planning_flooding/fra_checklist.aspx)
- 2.4 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.
- 2.5 The 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 Argyll & Bute Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: *"Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities"* outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from [www.sepa.org.uk/flooding/flood\\_risk/planning\\_flooding.aspx](http://www.sepa.org.uk/flooding/flood_risk/planning_flooding.aspx).

### **Regulatory advice**

#### **3. Regulatory requirements**

- 3.1 Details of regulatory requirements and good practice advice for the applicant can be found on our website at [www.sepa.org.uk/planning.aspx](http://www.sepa.org.uk/planning.aspx). If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office at:

2 Smithy Lane, LOCHGILPHEAD, PA31 8TA Tel: 01546 602876

If you have any queries relating to this letter, please contact me by telephone on 01224 266698 or by e-mail at [planning.aberdeen@sepa.org.uk](mailto:planning.aberdeen@sepa.org.uk).

Yours sincerely

Nicola Abrams  
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Planning Service

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