

Our ref: PCS 120965
Your ref: 2012/0145/DET

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If telephoning ask for:
Julie Gerc

25 July 2012

By email only to: planning@lochlomond-trossachs.org

Dear Sir

Town and Country Planning (Scotland) Acts

Planning application: 2012/0145/DET

Change of use of land including an existing Camping and Caravan Club site (5no. stances) to form a caravan park comprising 10no. stances, access road and parking Drummond Fish Farm Lochearnhead FK19 8PZ

Thank you for your consultation letter which SEPA received on 22 June 2012.

We **object** to this planning application on the grounds of flood risk and the lack of information. We will remove this objection if the issues detailed in Section 1.3 below are adequately addressed.

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.

Advice for the planning authority

1. Flood Risk

- 1.1 We **object** to the proposed development on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy and PAN 69.
- 1.2 In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk the application must be notified to the Scottish Ministers as per The Town and Country Planning (Notification of Applications) (Scotland) Direction 2009.
- 1.3 In summary we wish to receive clarification on the following points before we would consider removing our objection to the proposed development:
 - How the flood level was calculated and clarification of the return period.
 - Identification of the 1 in 200 year flood extent taking into account both the Beich Burn and Loch Earn to demonstrate the functional floodplain.



Chairman
David Sigsworth
Chief Executive
James Curran

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5 Redwood Crescent, Peel Park,
East Kilbride G74 5PP
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2. Detailed Comment

- 2.1 We previously objected to the application in 2008 due to lack of information with regard to flood risk.
- 2.2 SEPA identified two sources of flooding, from the Beich Burn and from high levels within Loch Earn. We also highlighted the risk for caravans to become buoyant during flooding. We stated previously that we would consider removing our objection if a Flood Risk Assessment (FRA) or other appropriate information demonstrated that the development was in accordance with SPP7. SPP7 has now been superseded by Scottish Planning Policy (SPP).
- 2.3 Information submitted with this application includes a Flood Level Plan and Flood Level Cross Sections. The Flood Level Cross Sections refer to a flood level of approximately 98.7 m. It is not clear what return period this level relates to or how it was estimated therefore we cannot confirm or accept the value of 98.7m. A level of freeboard should be added to take into account uncertainty due to climate change and flood level estimation.
- 2.4 The Flood Level Plan illustrates the area to be used for the new caravan stances and the area for proposed excavation of material which we understand is to be used for the purposes of raising ground on which the new caravans are to be sited. Based on the information provided, we are unable to determine whether the proposed development site is part of the functional floodplain.
- 2.5 In accordance with the SPP risk framework, "In undeveloped and sparsely developed areas, medium to high risk areas are generally not suitable for additional development" and in particular "New caravan and camping sites should not be located in these areas". Additionally, landraising within the functional floodplain is actively discouraged in SPP,
- 2.6 Insufficient information is provided with this consultation for us to assess flood risk at this site. Additional information should be provided clearly demonstrating (1) how the flood level was calculated and clarification of the return period and (2) identification of the 1 in 200 year flood extent taking into account both the Beich Burn and Loch Earn in order to demonstrate the functional floodplain.
- 2.7 For information, the River Tay Catchment Study by Ove Arup & Partners notes that on the 6th of March 1990 there was a daily observed level of 97.536 mAOD and on the 17th of January 1993 a daily observed level of 98.207 mAOD at Loch Earn. The 1993 flood event has a return period of approximately 1 in 100 year based on a single site analysis of our gauging station at Kinkell Bridge. However this is located a significant distance downstream of Loch Earn and may not be reflective of the return period at the upper end of the Earn catchment. For interest, our gauging station on the Ruchill Water just upstream of Comrie had a return period of 1 in 20 years for the 1993 event. This shows the uncertainties in providing a return period for the 1993 event on the upper Earn.
- 2.8 If this additional information is insufficient to fully assess flood risk at the site we would recommend that a Flood Risk Assessment (FRA) is undertaken. This should take into account all potential sources of flooding and be undertaken by a suitably qualified professional. **We would stress that the provision of this information may only confirm that this site is not suitable for further development and may result in an objection in principle if the development area is identified as part of the functional floodplain and its land classification status of "sparsely developed" as determined by Loch Lomond and Trossachs National Park Planning Authority.**

3. Small Scale Development

- 3.1 To assist with streamlining the planning process, we now focus our site specific advice in development management where we can add best value in terms of enabling good development and protecting Scotland's environment. We have therefore provided standing advice applicable to this type of small-scale local development which is available at www.sepa.org.uk/planning.aspx.
- 3.2 However, if you are seeking comment on some site specific issue, which is not adequately addressed by our standing advice, we would welcome the opportunity to be re-consulted. The reason for consultation should be clearly indicated in the body of the email or letter.
- 3.3 Guidance on *How and when to consult SEPA* and our *Standing advice for small scale local development* is available on our website at www.sepa.org.uk/planning.aspx.

Detailed advice for the applicant

Please note our comments above in relation to flood risk.

4. Caveats & Additional Information for Applicant

- 4.1 The Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² 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.
- 4.2 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. 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.
- 4.3 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
- 4.4 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.
- 4.5 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (2) 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 Loch Lomond & Trossachs National Park as Planning Authority in terms of the said Section 72 (2). 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.

Regulatory advice

5. Regulatory requirements

- 5.1 Details of regulatory requirements and good practice advice for the applicant can be found on our website at www.sepa.org.uk/planning.aspx. 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:

SEPA Perth
Broxden Business Park
Lamberkine Drive
PERTH
PH1 1RX

If you have any queries relating to this letter, please contact me by telephone on 01355 574286 or e-mail at planning.ek@sepa.org.uk .

Yours faithfully

Julie Gerc
Senior Planning Officer
Planning Service

Copy to:

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