

6. **LRB 453** – Notice of Review Against Refusal of Planning Permission in Principle for Demolition of Existing Workshop and Storage Buildings and Erection of 3 Dwellinghouses at Dykehead Workshop, Aboyne, Aberdeenshire, AB34 5JJ – Reference: APP/2018/1857.

(iii) Representation Received from Consultee.



## RE: LRB 453 Notice of Review (APP/2018/1857)

22 April 2019

11:07

Subject	<b>RE: LRB 453 Notice of Review (APP/2018/1857)</b>
From	<a href="#">Planning Aberdeen</a>
To	Local Review Body Submissions
Cc	Alison Mcleod
Sent	02 April 2019 11:59
Attachments	<<SEPA response APP20181857.doc>>

### **SEPA reference - PCS/164564**

Dear Alison

Thank you for your email.

With regards to this proposed development, we (SEPA) were consulted to provide advice on flood risk. Following our review of the information submitted with the application, we have no objection to the proposed development/planning application on flood risk grounds. As stated in our response, the application site lies outwith the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Maps and is therefore at low risk of fluvial flooding. Part of the site has been identified by the SEPA Flood Maps as being at risk of surface water flooding and we consider the water quantity aspects of surface water drainage to largely be the remit of the Local Authority to consider in conjunction with Scottish Water. I have attached our response to this planning application for your records.

If you require further information please let me know.

Many thanks

Judith

Judith Montford

Senior Planning Officer

Planning Service, SEPA,

Direct line: 01224 266604 Email: [planning.aberdeen@sepa.org.uk](mailto:planning.aberdeen@sepa.org.uk) for planning matters in North East

Direct line: 01698 839000 Email: [planning.sw@sepa.org.uk](mailto:planning.sw@sepa.org.uk) for planning matters in South West

**Our planning guidance:** [www.sepa.org.uk/environment/land/planning/](http://www.sepa.org.uk/environment/land/planning/)

*Please note I do not work on Wednesdays.*

Paul Williamson  
Aberdeenshire Council  
Planning and Environmental Services  
Viewmount  
Arduathie Road  
Stonehaven  
AB39 2DQ

If telephoning ask for:  
Judith Montford

28 August 2018

By email only to: [ma.planapps@aberdeenshire.gov.uk](mailto:ma.planapps@aberdeenshire.gov.uk)

Dear Mr Williamson

**Town and Country Planning (Scotland) Acts**  
**Planning application: APP/2018/1857**  
**Demolition of Existing Workshop and Storage Buildings and Erection of 3**  
**Dwellinghouses**  
**Dykehead Workshop Aboyne Aberdeenshire AB34 5JJ**

Thank you for your consultation email which SEPA received on 17 August 2018 specifically requesting for flood risk advice.

**Advice for the planning authority**

We have **no objection** to this planning application on flood risk grounds. Please note the advice provided below.

**1. Flood risk**

- 1.1 The application site lies outwith the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Maps and is therefore at low risk of fluvial flooding. However, part of the site has been identified by the SEPA Flood Maps as being at risk of surface water flooding, and a letter of representation has highlighted an issue with flooding of properties in the vicinity of the site caused by surface water runoff from the Dykehead Hill, and we thank the Planning Authority for bringing this to our attention. Please note that the [SEPA Flood Maps](#) have been produced for catchment areas equal to or greater than 3km<sup>2</sup> using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal

land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland.

- 1.2 In many cases surface water flooding can be managed by good site design and appropriate surface water drainage measures. Scottish Planning Policy states that “surface water drainage measures should have a neutral or better effect on the risk of flooding both on and off the site”. As the site is on a gradient with existing residential properties downhill, then care should be taken when designing the site drainage to ensure that the proposed development does not increase flood risk to others. With regards to the risk to the development itself, measures such as amending the site layout to avoid any areas of low topography where there is the potential for water to pond or flow during heavy rain could be beneficial.
- 1.3 We consider the water *quantity* aspects of surface water drainage to largely be the remit of the Local Authority to consider in conjunction with Scottish Water. Taking into account matters within our flood risk remit, we have **no objection** to the proposals, however we would recommend that Aberdeenshire Council Flood Team in their role as Flood Risk Management Authority are consulted, who may be able to provide more detailed advice on appropriate drainage measures at this site.

## 2. Other planning matters

- 2.1 For all other matters we provide standing advice applicable to this type of local development.

## **Regulatory advice for the applicant**

### 3. Regulatory requirements

- 3.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).
- 3.2 Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.
- 3.3 A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:
  - is more than 4 hectares,
  - is in excess of 5km, or
  - includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25°

See SEPA's [Sector Specific Guidance: Construction Sites \(WAT-SG-75\)](#) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

- 3.4 Below these thresholds you will need to comply with [CAR General Binding Rule 10](#) which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.
- 3.5 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at: Inverdee House, Baxter Street, Torry, Aberdeen, AB11 9QA, Tel: 01224 266600.

If you have any queries relating to this letter, please contact me by telephone on 01224 266604 or e-mail at [planning.aberdeen@sepa.org.uk](mailto:planning.aberdeen@sepa.org.uk)

Yours sincerely

Judith Montford  
Senior Planning Officer  
Planning Service

ECopy to: Ian MacDonald, Ian MacDonald Architecture, [info@mac.uk.net](mailto:info@mac.uk.net)

*Disclaimer*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).*