

Our ref: PCS/157864  
Your ref: 17/01521/PPP

If telephoning ask for:  
Alison Wilson

16 March 2018

Lissa Rowan  
Committee Services Officer  
Legal and Democratic Services  
The Moray Council  
Council Office  
High Street  
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IV30 1BX

By email only to: [lissa.rowan@moray.gov.uk](mailto:lissa.rowan@moray.gov.uk)

Dear Ms Rowan

**Town and Country Planning (Schemes of Delegation and Local Review Procedure)  
(Scotland) Regulations 2013 [“the Regulations”]  
Notice of Review: Planning Application 17/01521/PPP – For the erection of 2no  
dwellinghouses at Seapark House, Kinloss, Forres, Moray, IV36 3TT**

Thank you for your consultation email which SEPA received on 6 March 2018, regarding the Notice of Review for the above application.

We previously commented on this proposal in our letter of 18 October 2017 (our reference PCS/155483) and note this representation will be considered by the Moray Local Review Body (MLRB). As advised in your letter we have considered whether the Notice of Review contains new matters (not forming part of the original application) which we would like to comment on and have the following further comments.

**1. Comments on Notice of Review (NOR)**

- 1.1 In the Notice of Review Supporting Statement the Reason for Refusal 3 is stated to be a “lack of information in respect of flood risk”. In our letter of 18 October 2017 we had no objection to the application on flood risk grounds and made no request for additional flood risk information, but made a recommendation that a precautionary approach to site design and layout was considered.
- 1.2 The Supporting Statement document references that SEPA noted “that this land is not in a designated ‘at risk’ area”. We reiterate the advice in our previous response which stated that as the site is adjacent to the medium likelihood flood extent of the SEPA Flood Maps\* then it *may* be at medium to high risk of flooding. However, our response went on to say that we held no other information to say that it was at flood risk, and therefore had no objection.

- 1.3 We note that a Drainage Strategy including SUDs recommendations Final Report, dated March 2016, has been submitted in Annex 5 which references a 2016 Flood Risk Assessment (FRA) by JBA Consulting. At the time of consultation for this application the FRA was not one of the five documents submitted for review as part of the consultation. It appears this FRA was submitted in support of 6 development plots to the west of Seapark House which we have previously commented on for flood risk, refer our letter of 20 June 2016 (our reference PCS/147227) on application 15/01605/PPP.
- 1.4 From review of the information in Annex 5, it appears the focus is on surface water and coastal flood risk, which were understood to be the potential sources of flooding for the 6 plot site to the west of Seapark House. There is no assessment made of potential fluvial flood risk from the Kinloss Burn, however the statement regarding existing drainage patterns appear to support the limited topographic information we hold which was used to inform our position in our letter of 18 October 2018.
- 1.5 If there is information within the 2016 JBA FRA submitted for the adjacent site that either the agent, or the Planning Authority feel should be brought to SEPA's attention, then we would be happy to review this on confirmation.

\*The SEPA Flood Maps have 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 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. For further information please visit [http://www.sepa.org.uk/flooding/flood\\_maps.aspx](http://www.sepa.org.uk/flooding/flood_maps.aspx).

If you have any queries relating to this letter, please contact me by telephone on 01224 266656 or email at [planning.aberdeen@sepa.org.uk](mailto:planning.aberdeen@sepa.org.uk).

Yours sincerely

Alison Wilson  
Senior Planning Officer  
Planning Service

*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](#).*