



Moray Council Flood Risk management Team Statement with regards to:-

Notice of Review: Planning Application - 18/01323/APP - Erect garage at Kimberlee, Rothes, Aberlour.

Moray Council Flood Risk Management team (MCFRM) were consulted on the above application in October 2018. MCFRM, following the assessment of the application, objected based on the following reasons:-

- The application site lies entirely within the medium likelihood (0.5% annual probability or 1 in 200 years) flood extent of the SEPA Flood Maps.
- Scottish Planning Policy states (paragraph 255) that “the planning system should promote flood avoidance by safeguarding flood storage and conveying capacity, and locating development away from functional flood plain.

Background Assessment

The site has been assessed against the 2 flood risk maps at a 0.5% probability of an event happening in any single year. The 2 maps looked at were:-

- Surface water
- Fluvial

Following the initial assessment it was clear that the site was within the 0.5% probability for fluvial flooding as per map in Appendix A. Following a review of the maps MCFRM feel that this development would be contravening paragraph 255 as the site will be effecting the functional flood plain. This has been confirmed by SEPA in their response PCS/161771.

MCFRM understand that looking at this single development that the loss of the flood plain is very small. However, loss of flood plain is only one aspect of the flooding issues. We also have concerns on the following areas:-

- Potential change of use of the building in the future. We would not want to see this garage in the longer term being turned in to a residential or commercial property as this increases the risk to life as the building is within the functioning flood plain.
- Incremental increase of flood plain loss. Although this individual application has minimal effect by itself, if we approve a number of small developments within the functioning flood plain the overall effect would be significant. Therefore, due to the nature of the area we need to prevent and reduce the loss of flood plain due to incremental development.

Further Information

We welcome the section 75 agreement proposed by the applicant, however we have to consider this application on present legislation and guidance, which were not considered or in place during the original site application for the house.

Recommendation

Our original recommendation for refusal of this application still applies.

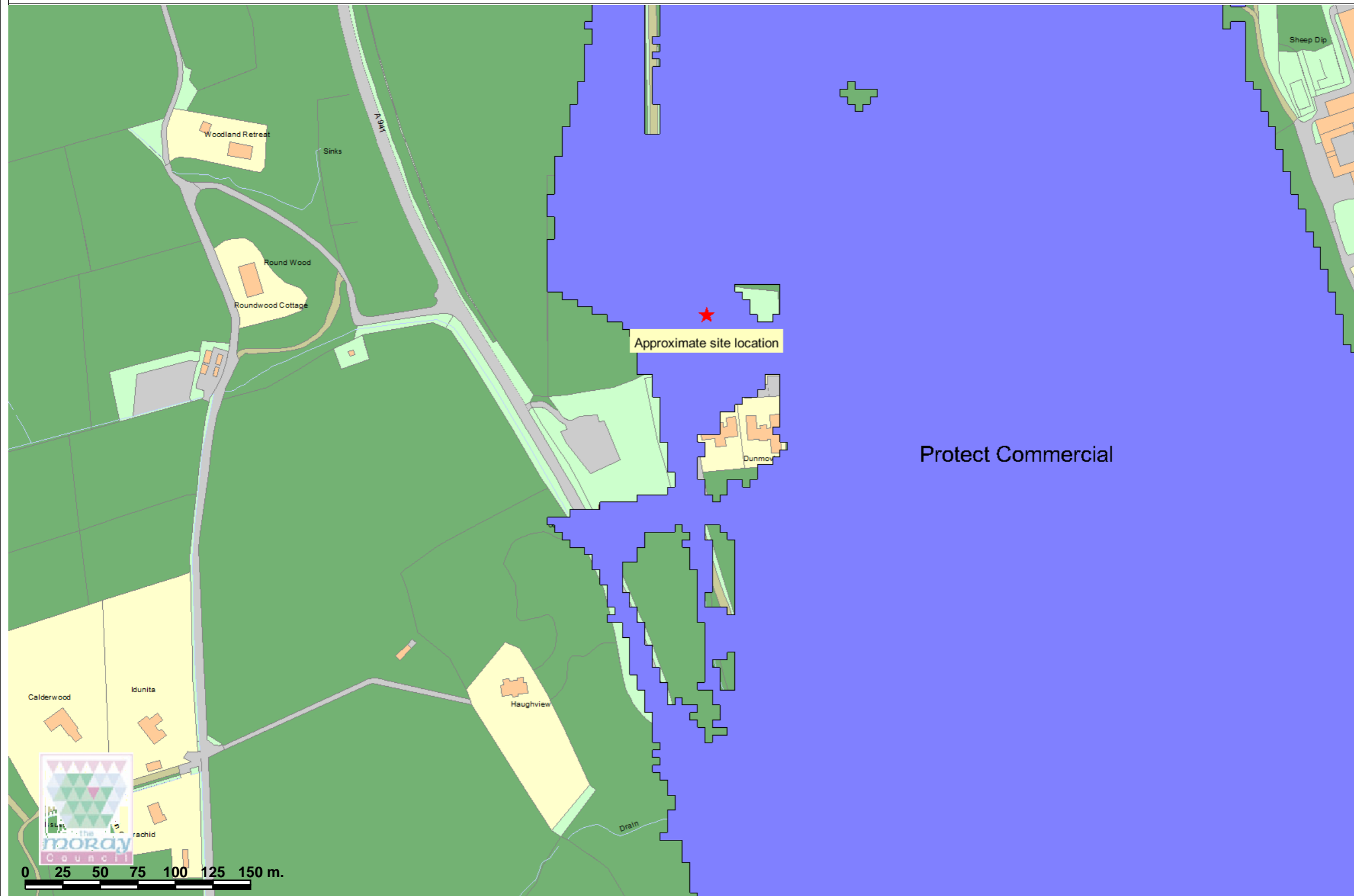
Documents used as part of this assessment;-

Moray Council Local Development Plan Policies: Policy EP7

Scottish Planning Policy: Para 255, 263,264

SEPA Flood Maps

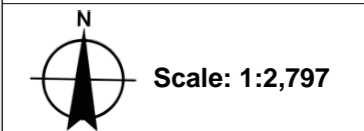
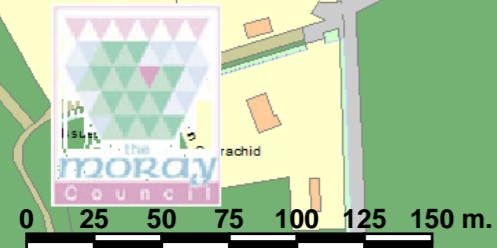
18/01323/APP



Legend

-  Wards 2017 (Moray)
-  SEPA River Extents Medium

Protect Commercial



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Notes: Kimberlee, garage location - 1 in 200 year fluvial flood map (SEPA)