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[redacted]

APPEAL STATEMENT Application 22/0706/PP

Project: Erection of Two (2) Chalets **Report prepared by:** WJF
Address: East Fulwood Farm House, Houston Rd, Inchinnan, Renfrew PA4 9LX
Job No: GW 22 723
Applicant: Ms Lyndsey Martin
Date: 9 October 2023

1.0 INTRODUCTION

1.1 The application reference 22/0706/PP was registered on 5 December 2022 seeking Planning Permission to erect two Chalets at East Fulwood Farm.

1.2 The application was refused under delegated powers on 11 July 2023.

2.0 REASONS FOR REFUSAL

2.1 **Reason 1**. citing the following reason for the decision:

> *The proposed development is at a location susceptible to flooding. It does not therefore align with the precautionary and avoidance principles advocated by the sustainable flood risk management framework and is contrary to Policy 22 of National Planning Framework 4, Policy 13 of the Adopted Renfrewshire Local Development Plan and the associated New Development Supplementary Guidance on Delivering the Infrastructure Strategy (Flooding and Drainage).*

3.0 RESPONSE

3.1 **Policy 22 of NPF 4**: Policy 22 Flood Risk and Water Management is addressed and relevant as the proposed development will be resilient to current and future flood risk. As per Policy 22a) i and iv, the development proposal of two Chalets within a flood risk area can be supported if they are for the redevelopment of an existing site for an equal or less vulnerable use and where proposals demonstrate that the long term safety and resilience can be secured in accordance with relevant SEPA advice (Part a. iii and iv respectively).

3.2 The application site is brownfield in nature and the proposed use of the site is of equal vulnerability as the previous use was residential in nature being conjoined to the Farmhouse for purposes associated with the residence.

3.3 For development proposals that meet criteria Part iv, where flood risk is managed at the site rather than avoided there is also a requirement for the first occupied/utilised floor to be above the flood risk level and have an additional allowance for the freeboard and in the event of a flood to avoid the creation of an island development and that safe access/egress can be achieved.

3.4 The Applicant has commissioned a detailed Flood Risk Assessment by Messrs Terrenus Land & Water (included with this Application) to examine in detail the potential risks associated with this small scale development. For new developments the acceptable risk of flooding must take account of the various factors including risk to human health and the direct and indirect financial losses relating to flooding. Under existing conditions, the risks from flooding at the site are determined as follows:

1. The majority of the site is at **Little or No Risk** of flooding from an isolated extreme costal flooding event. The northwest edge adjacent to the Lin Burn is at **Low to Medium Risk.**
2. The site is at **Little or No Risk** of surface water flooding.
3. The site is at **Little or No Risk** of flooding as a result of a failure in the local drainage network.
4. The site is at **Little or No Risk** of isolated groundwater rise.
5. The site entrance and along the southeast boundary are considered to be **Medium to High Risk** of fluvial flooding. The majority of the site is at **Low to Medium Risk** of fluvial flooding from the Lin Burn.

3.5 While dry pedestrian and vehicular access and egress is compromised by the functional floodplain, the anticipated depths are minimal and will not be sufficient to prevent access to the site. Furthermore, this inundation on the access is limited to only the vicinity of the site, with the remainder of the access road being free from flooding throughout all considered storm events.

3.6 **LDP Policy 13 – Flooding and Drainage**: Policy 13 promotes avoidance as the first principle of sustainable flood risk management. New development requires to avoid areas susceptible to flooding.

3.7 It is accepted that the site is susceptible to flood. The calculated potential flood level however is minimal and the proposed design avoids the risk of flood to residents and structures by lifting the finished floor from +450mmOD to +600mmOD an increase of 150mm.

4.0 PROPOSED DEVELOPMENT AND FLOOD RESILIANCE MEASURES

4.1 The proposed redevelopment has been applied for under the land use classification Most Vulnerable which is the same classification as the existing Farmhouse. To comply with this classification the following flood mitigation and flood resilience measures will be incorporated to ensure there is minimal impact upon the flood storage, conveyance and risk to the proposed re-development and site neighbours.

4.2 The Applicant proposes the following design measures:

1. No land raising within the functional floodplain within the site.
2. A final Ground Floor Level of 6.75mOD which will provide a 300mm freeboard on the 1 in 200-year plus climate change event peak water level and a 350mm freeboard on the 1 in 1000-year event for the development.
3. Use of Flood Resistant construction methods and materials for the new Chalets.
4. Locating electrical equipment outwith estimated peak water surface elevations at a minimum of 6.87mOD, allowing for a 600mm freeboard.
5. Registration with SEPA Floodline for flooding alerts.
6. Installation of a bespoke flood monitoring alarm system to initiate a site flood evacuation plan.
7. Provision of a raised stilted walkway (as submitted Site Plan L(--)01 Rev A) to permit residents to exit the Chalets keeping their feet dry to the higher ground level at the Farmhouse.

5.0 PHYSICAL WORKS ASSOCIATED WITH THE EXISTING WATERCOURSE

5.1 In relation to flood risk, the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR) may be affected by the development site. The Applicant acknowledges that no earthworks shall be carried out within the banks of the Lin Burn without prior consultation with SEPA and the application of the relevant licensing guidance in relation to CAR regulations.

5.2 Construction works on site will likely require sediment control for surface water runoff to ensure watercourses are not impacted by increased sediment load as a result of construction activities. A pollution prevention plan or surface water management plan will be agreed with SEPA.

6.0 CONCLUSION

6.1 Scottish Planning Policy notes that new developments should be free from significant flood risk from any source and that such developments should not:

1. Materially increase the probability of flooding elsewhere.
2. Add to the area of land which requires protection by flood prevention measures.
3. Affect the ability of the functional flood plain to attenuate the effects of flooding by storing flood water.
4. Interfere detrimentally with the flow of water in the floodplain,
5. Compromise options for future river management.

6.2 It has been established that parts of the site lie within the functional floodplain. Given that the access road to the site allows pedestrian and vehicle access during the design storm event, development of areas within the functional floodplain in line with the measures of mitigation as outlined above, can be considered to be in the spirit of the broad principles of Scottish Planning Policy.

6.3 The Applicant proposed to make a mandatory registration with the SEPA Floodline and will install a flood monitoring/ alarm system in conjunction with a site evacuation plan and operation and maintenance policy highlighting flood risk responsibilities and

mitigation measures. All accommodation is located above the maximum flood level and an elevated walkway to ground outwith the calculated flood level is also incorporated together with construction which is flood resistant.

6.4 As the Application complies with the broad principles of the Development Plan and is supported by relevant material considerations, and with there being no material considerations to indicate otherwise, the appeal should be allowed and the Application approved.