

Case reference	NA-SBD-050
Application details	Change of use and alterations to form 2 dwellinghouses
Site address	2 Soonhope Farm Holdings, Peebles
Applicant	Mrs J Jeffrey
Determining Authority	Scottish Borders
Local Authority Area	
Reason(s) for notification	Category 2 (Objection by Government Agency) (SEPA)
Objectors	SEPA
Date notified to Ministers	3 May 2016
Date of recommendation	26 May 2016
Decision / recommendation	Clear

Description of Proposal and Site:

- The proposal is to convert a two-storey, detached building into 2 dwellinghouses. The property is located on Soonhope Farm Holdings, to the west of Soonhope Burn, Peebles.
- The property was previously approved for residential use in 1990 before being superseded by consents relating to workshops, a foundry, gallery and shop.
- There are detached dwellinghouses to the north and south. The building does not lie within Peebles Conservation Area but does lie within Special Landscape Area 2: Tweed Valley.

EIA Development:

- The proposal fits the description of being an urban development project under 10(b) of the table in Schedule 2, the site is not located within a sensitive area, and is below the size threshold of 0.5ha. Therefore the Council's view that no EIA is required is reasonable.

Consultations and Representations:

- The application only attracted an objection from SEPA on the grounds of lack of information in respect of flood risk and that it may place people and persons at flood risk contrary to Scottish Planning Policy (SPP).

- The site lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding.

Assessment:

1. The application has been notified due to SEPA's objections on the grounds of lack of information on flood risk. Scottish Borders Council have recommended to approve the application subject to a number of conditions and informatives.
2. Following the provision of topographical information, SEPA maintained their objection, stating that a flood risk assessment is required to show whether the site is outwith the 0.5% annual probability flood extent.
3. Assessment by a Council Flood Protection Officer stated that the site was at minimal risk of flooding as a result of the flow of the river and likely breaking point of the burn. The assessment stated that there is a concrete step of 0.5m which protects the site further and there was also no evidence of the burn overtopping its bank in the more recent flood events in Peebles.
4. The Scottish Government Flooding Policy Unit do not believe the application should be called in for decision by Scottish Ministers. The objection from SEPA is that there is insufficient information available on the level of flood risk at the site. Consequently, they want the developer to conduct a formal Flood Risk Assessment. Given that the site is shown on SEPA's indicative flood maps as being at risk from a 1 in 200 year flood event, their request for a Flood Risk Assessment is perfectly reasonable. However, this on its own is not sufficient to justify calling in the application, particularly in light of the small scale nature of the development and the fact that it is limited to the conversion to residential use of an existing historic building, located within established settlement boundaries, with no new construction on the flood plain proposed. Furthermore, based on the albeit limited assessment undertaken on a site visit by a flood officer from Scottish Borders Council, it seems that the flood risk to the site from the Soonhope Burn may in fact be lower than indicated by the SEPA maps, which, until January 2014, did not show the site as being at risk. There also appears to be no record of flooding having occurred in the past at the site or its vicinity, including during the most recent serious flood events, which affected the Peebles area over the winter of 2015/16.
5. There is no issue of national significance to the development that would justify intervention by Scottish Ministers.

Decision/Recommendation:

- The application should be cleared back to Scottish Borders Council.