

Case reference	NA-HLD-083
Application details	Erection of house
Site address	Land to East of Station Cottage, Corpach, Fort William
Applicant	Mr J Morris
Determining Authority	The Highland Council
Local Authority Area	
Reason(s) for notification	Category 2 (Objection by Government Agency) (SEPA)
Representations	Nil
Date notified to Ministers	30 September 2016 (Not fully documented until 12 October 2016)
Date of recommendation	27 October 2016
Decision / recommendation	Clear

### Description of Proposal and Site:

- The application is for the renewal of planning permission for the erection of a single dwellinghouse.
- The application site is located in the village of Corpach, Fort William.
- The site has a previous planning history. It is the most westerly of two house plots that were granted full planning permission in 2012. Planning permission was originally granted in 1989. This permission was renewed in 1994 and granted again in 2006.

### EIA Development:

- N/A.

### Consultations and Representations:

- Both SEPA and the Council's Flood Risk Management Team (FRM) have objected to the proposal on the grounds that it involves the culverting of a watercourse for land gain.
- There are no other objections or representations.
- Following notification to Scottish Ministers, the Scottish Government's Flooding Policy Team was consulted. They recommended that the development does not raise any issues of national importance that would warrant call in by Scottish Ministers.

### **Assessment:**

1. The Council are minded to grant planning consent for this proposal in line with the planning official's recommendation but against the advice of SEPA and their FRM Team. The application has been duly notified to Scottish Ministers as a result of SEPA's objection.
2. The proposal seeks the renewal of detailed planning permission that was previously granted in May 2012. The Council's committee report sets out that there has been no material change in development plan policy since this previous approval.
3. The report highlights that both SEPA and the FRM Team acknowledge that due to site constraints, it is unlikely that their objections could be overcome. The SEPA and FRM Team responses set out that Scottish Planning Policy (SPP) states that the planning system should promote flood reduction by avoiding the construction of new culverts and opening existing culverts where possible.
4. The Scottish Government's Flood Policy Team have been consulted and do not believe that there is reason to call in the application for decision by Scottish Ministers. SEPA were invited to comment from the perspective of potential coastal flood risk which they have confirmed is not a risk here. The flood risk assessment submitted alongside the application confirms that the watercourses provide significant allowance for climate change and blockage. The objection to culverting is principally an interpretation of SPP.
5. The Council's committee report sets out that it has been demonstrated, through a flood risk assessment, that the site will not be at risk of flooding and that the only material matter in relation to flood risk is culverting for land gain.
6. The Council have considered the objections from SEPA and their FRM Team alongside the site history, site constraints, proposals to reinstate previous culverting, SPP and development plan policy. They consider the proposal to be a minor departure from development plan policy.
7. It is considered that this application raises no issues of national importance that would warrant intervention by Scottish Ministers.

### **Decision/Recommendation:**

- Clear the application back to Highland Council.