

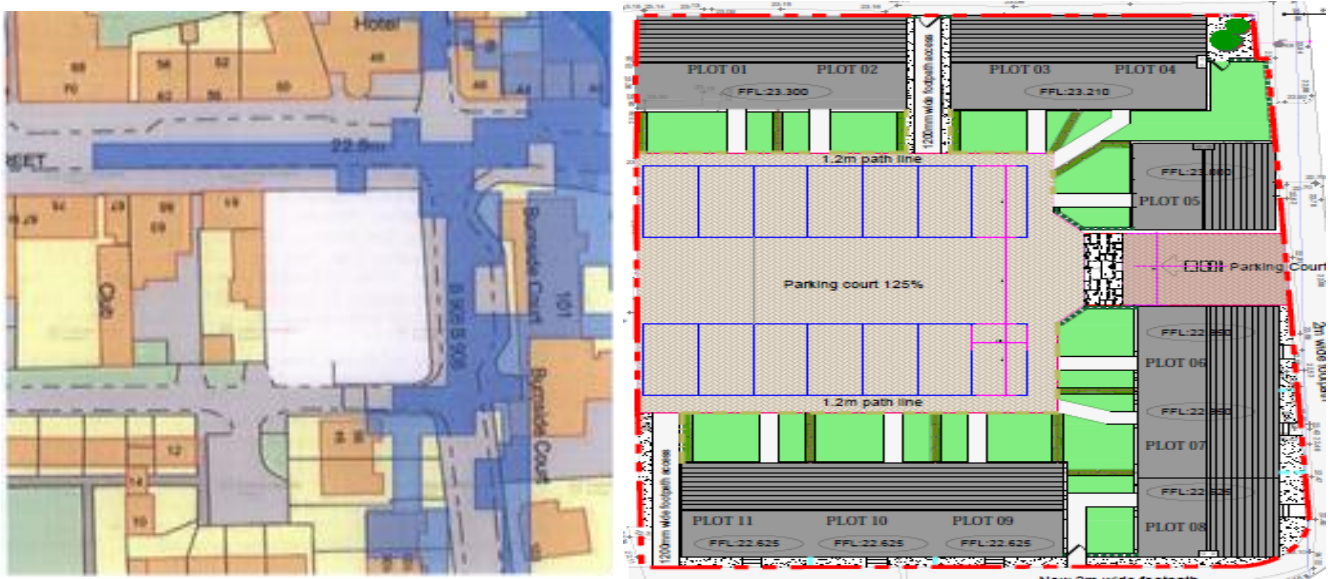
Case reference	NA-CLK-009
Application details Site address	Erection of 11 houses with associated parking Former Alva Glen Hotel, 59 Stirling Street, Alva
Applicant Determining Authority Local Authority Area	Gean Developments Clackmannanshire Council
Reason(s) for notification	Category 2 (objection by Government Agency) (SEPA)
Representations	2 letters of representation of support plus consultation support from Alva Community Council
Date notified to Ministers Date of recommendation	15 June 2017 10 July 2017
Decision / recommendation	Clear

### Description of Proposal and Site:

- Planning permission is sought for the erection of 11 two storey houses on vacant land on the corner of Stirling Street and Brook Street, Alva, which is the site of the former Alva Glen Hotel (16/00268/FULL).
- The former hotel was a vacant and derelict property and was demolished in 2014 with the site being cleared thereafter.
- The current application proposes houses facing the three road frontages to the site with an internal parking courtyard.
- The site is allocated in the Clackmannanshire Local Development Plan (LDP,2015) as housing site – H40 for 12 Units. A previous planning application (15/00295/FULL) for four storey blocks containing 24 flats on the site was withdrawn in February 2016. The Council considered this to be over-development and out of scale with adjoining buildings.



## Proposed Site layout



### EIA Development:

- The proposal fits the description of being an urban development project under 10(b) of the table in Schedule 2, but is below the size threshold of 0.5ha. Therefore no EIA or screening opinion was required for this application.

### Consultations and Representations:

- SEPA objects to the proposal on the grounds that part of the site lies within a medium to high risk flood area, the 0.5% annual probability (1 in 200 year) flood extent, and that it may place buildings and persons at flood risk contrary to Scottish Planning Policy (SPP).
- SEPA considers the methodology employed may underestimate the flood risk from the Alva Burn and therefore, require a full FRA to be prepared and submitted using their preferred methodology before withdrawing their objection. SEPA has raised concerns that the flood mapping study used was part of a flood risk assessment (FRA) being undertaken for another site in Alva some distance from the current application site. SEPA are of the view that the source of information used to determine the flow direction and depths at the site underestimate the flood risk from the Alva Burn. Specifically, SEPA believe that the flood mapping study underestimates the 0.5% (1 in 200 year) flood in the Alva Burn and cannot confirm that the proposed finished floor levels will be adequate to ensure that the new development will not be at significant risk of flooding from surface water or the Alva Burn, or increase the risk elsewhere. They also highlight that the proposal for this site is also a change to a more vulnerable use, from a business to 11 residential units.
- There were no objections from any other statutory consultees.
- Two representations were received but relate to matters that are not relevant for this notified application. Alva community Council supported the application.

- Following notification to Scottish Ministers, the Scottish Government's Flooding Policy Team was consulted and concluded that the development does not raise any issues of national importance that would warrant its call in by Scottish Ministers.

#### **Assessment:**

1. The Council are minded to grant planning consent for this proposal against the advice of SEPA and the application has been duly notified to Scottish Ministers as a result of that objection. SEPA object as part of the proposal is located in an area of medium to high flood risk, the 0.5% annual probability (1 in 200 year) flood extent.
2. The council notes that SEPA did not object to the inclusion of the site in the LDP and recommended a basic FRA, to include topical information to show likely flow paths of surcharged flood water. The council are satisfied that sufficient information has been submitted in the FRA they commissioned to demonstrate that the site is not at risk from flooding from the Alva Burn, to the extent that planning permission should be withheld. They consider the FRA demonstrates that the development is free from flood risk in the 1 in 200yr storm event which they consider only affects two small parts of the site on the north and east edges. The proposal is a brownfield site located within an existing built-up area. The council state they are responsible for inspecting and maintaining the channel of the Alva Burn to minimise the incidence of flooding. The council are also content that the finished floor levels are such that a freeboard has generally been introduced which will limit the risk of flood waters entering ground floor properties.
3. Whilst Scottish Government's Flood Policy Team highlighted that a full FRA would have been helpful, they state that it appears that the council has considered the information provided and the matters raised by SEPA, and are satisfied that the development is not at risk of flooding from the Alva Burn, to the extent that planning permission should be withheld. Therefore, they conclude that the development does not raise any issues of national importance which would warrant its call in by Scottish Ministers.
4. In determining this application the council has fully considered the flood risk objections made by SEPA, alongside development plan policy and material considerations. They consider that the proposal would regenerate a prominent vacant brownfield site within Alva town centre with a suitably designed residential development and complies with the development plan policy.
5. In light of the above information it is not considered that this particular proposal raises issues of national importance to warrant intervention by Scottish Ministers.

#### **Decision/Recommendation:**

- It is recommended that the application be cleared back to Clackmannanshire Council.