



Case reference	NA-ABS-044
Application details	Land raising and construction of flood defence wall
Site address	Deeside Holiday Park, South Deeside Road, Maryculter
Applicant	Wood Leisure Ltd
Determining Authority	Aberdeenshire Council
Local Authority Area	
Reason(s) for notification	Category 2 (objection by SEPA)
Representations	17. 5 after notification.
Date notified to Ministers	29 July 2016
Date of recommendation	17 August 2016
Decision / recommendation	Clear

Description of Proposal and Site:

- The proposal is for land raising and the construction of a flood defence wall at Deeside Holiday Park. The site is located within the River Dee (Special Area of Conservation) flood plain and based on the Council's assessment the site is at low to medium risk of flooding.
- Crynoch Burn lies to the east of the site with residential properties to the south and agricultural land to the north and west.

EIA Development:

- EIA not required.

Consultations and Representations:

- SEPA objects to the proposed development on the grounds of flood risk.
- The Scottish Government Flood Risk Team was consulted following notification and do not consider that the application should be called-in.
- SNH state that the proposal is unlikely to have a significant effect on any of the interests of the River Dee Special Area of Conservation (SAC).
- The Council received 17 letters of support on the grounds that the proposal safeguards the site against future flooding.

- Since notification, PAD has received 3 letters including from an MSP on behalf of her constituents seeking the application to be called in for a decision by Scottish Ministers, on the grounds that the proposal protects the holiday park at the expense of other property owners in the area who would have an increased flood risk.

Assessment:

1. The application was recommended for refusal by planning officials but Council members voted to grant the application. The application has been notified to Ministers due to an objection from SEPA, a statutory consultee.

2. The Scottish Government Flood Risk Team have been consulted and do not consider that the application should be called in.

3. Whilst SEPA does not object to the repairs to the existing bunds and the proposed land raising, it does object to the proposed flood wall around the whole site on the grounds that this increase in flood protection would result in a loss of floodplain capacity of around 5% which is considered, by SEPA, to be a substantial loss. SEPA consider that around a dozen residential properties in and around the floodplain would be placed at increased flood risk as a result of this. SEPA would have supported the application if the applicant had made provision for like for like compensatory flood storage alongside the proposal, on a level for level and volume for volume basis at a suitable location nearby. However, the applicant did not pursue this option. The committee report highlights that the applicant does not own any other land to provide this mitigation measure (compensatory flood storage) and therefore this is not a practical solution.

4. A flood risk assessment (FRA) was carried out by a firm of consultants (EnviroCentre) on behalf of the owners of Deeside Holiday Park, with the aim of demonstrating that the proposal would not cause an adverse flooding impact elsewhere.

5. Aberdeenshire Council's Flood Unit initially objected to the application, raising concerns with the FRA since it did not appear to adequately address the flood risk arising from the culvert that runs through the site. This objection was removed following the receipt of additional flood risk information submitted by EnviroCentre. The Council's Flood Unit did not feel that compensatory storage was required as the proposed works are to reduce flood risk to and existing business where existing defences are in place. They accept the nominal increase in flood risk elsewhere from the loss of storage capacity for the River Dee.

6. The letters of objection, and support, have been taken into account. It would have been preferable if the applicant could have provided some compensatory storage, as advised by SEPA, however it is noted that this is not a practicable solution in this particular case.

7. It is noted that The FRA states that the potential flood storage removed from the floodplain is small compared with the floodplains in the surrounding area. Additionally, the reduction in flood storage is very small compared with the volume

and rate of flood waters being discharged by the River Dee under extreme flood conditions. The Scottish Government Flood Risk Team highlight the key point from the FRA is that the 5% floodplain volume would be filled within approximately 70 seconds in extreme flood conditions and, given that typical critical storm durations within the catchment are in the order of magnitude of days, 70-seconds worth of flood storage does not contribute significantly to attenuation of the flood hydrograph under extreme storm conditions. The conclusion of the FRA is that the proposals are unlikely to result in an increase in flood levels elsewhere. This has been supported by the Council's Flood Unit who accept the nominal increase in flood risk elsewhere.

8. Taking all the issues raised into account, it can be concluded that the development does not raise any issues of national importance which would warrant its call in by Scottish Ministers.

Decision/Recommendation:

- Clear.