

Issue 65		Flood Risk	
Development plan reference:		Policy 65 (para 21.15, page 111)	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number)			
Brenda Herrick (5), Royal Society for the Protection of Birds Scotland (RSPB) (78), Scottish Environment Protection Agency (SEPA) (326).			
Provision of the development plan to which the issue relates:		Flood Risk General Policy	
Council's summary of the representation(s):			
<p><u>Brenda Herrick (5)</u> Supports policy but fears its introduction is too late.</p> <p><u>RSPB (78)</u></p> <ul style="list-style-type: none"><li>• Asserts the Policy should require developers to produce flood risk assessments that include consideration of environmental effects and climate change. Believes this principle is now established by the Flood Risk Management Act.</li><li>• Comments that climate change impacts are not limited to coastal developments.</li><li>• Suggests rewording of final sentence to provide a fuller description of potential natural flood management measures.</li></ul> <p><u>SEPA (326)</u> Supports policy.</p>			
Modifications sought by those submitting representations:			
<ul style="list-style-type: none"><li>• Policy 65 should be amended to require developers to produce flood risk assessments that include consideration of environmental effects and climate change (assumed) (78).</li><li>• Deletion of final sentence of policy and replacement with: "Where flood management measures are required, natural methods such as restoration of floodplains, wetlands and water bodies should be incorporated, or adequate justification should be provided as to why they are impracticable." (78)</li></ul>			
Summary of responses (including reasons) by Planning Authority:			
<p><u>Brenda Herrick (5) &amp; SEPA (326)</u> Support noted.</p> <p><u>RSPB (78)</u></p> <ul style="list-style-type: none"><li>• The Council accepts that section 9 of the Flood Risk Management (Scotland) Act 2009 requires SEPA, in producing its management district flood risk assessments (FRA), to base them on "available and readily derivable information", in particular including an allowance for climate change, in judging flooding probabilities.</li><li>• Although this legal requirement applies to SEPA and to very large geographic areas, the Council accepts the desirability of including a climate change allowance in Highland's flood risk mapping and planning</li></ul>			

<p>policy. Indeed Policy 65 already recognises this principle for development that borders the coast and requires an FRA for these developments.</p> <ul style="list-style-type: none"> <li>• However, the issue is one of data quantity and quality. The Council's policy in triggering a sometimes expensive developer requirement to undertake an FRA needs to be based on reliable evidence to be defensible and applicable to specific geographic areas. SEPA's existing coastal flood risk data and mapping does not include an allowance for climate change and the consequent, predicted sea level rise. The Council therefore added an FRA requirement to apply to all coastal development. However, to go further when there is no "available and readily derivable information" to base the FRA policy trigger on would not be sensible. It is understood that SEPA is striving to improve its flooding data and mapping, albeit using national modelling, to provide better local data on groundwater, pluvial, small watercourse and coastal flooding. Policy 65 is written to allow for the application of this better data when it becomes available.</li> <li>• The suggested re-wording of the final sentence adds very little to the value and meaning of the policy but if the Reporter sees fit to recommend such a change then the Council would be content to accept it.</li> </ul>
<b>Any further plan changes commended by the council</b>
None.
<b>Reporter's conclusions:</b>
Added by Reporter at later date.
<b>Reporter's recommendations:</b>
Added by Reporter at later date.