

8. Proposal is in the flood plain

- 8.1. The Flood Risk Assessment (FRA) dated November 2019 [\[SBC2\]](#) used for 19/00182/PPP is out of date and not fit for purpose for the current application as the data used for flood modelling severely underestimates the actual flood risk.
- 8.2. Additional data added to the records for the Peebles gauging station 21003 [\[NRFA1\]](#) in 2022 show that the true peak flow rate of 721 m³/s is 44% higher than the value used for flood modelling shown in section 4.3.3 of the FRA 499.99 m³/s. The true peak event occurred on 7 Jan 1949, not the 30 Dec 2015 event used for the FRA modelling. Similarly, the 7 Jan 1949 peak stage (water height) of 4.111m was almost half a metre higher (0.461m) that used for FRA modelling.
- 8.3. The FRA itself acknowledges a limited shelf life, since flood data are regularly added to with work ongoing to digitise records. Section 2.2 states
 - 8.3.1. *“Limits of Report
This assessment has been carried out based on the information made available at the time of writing and should be reviewed during detailed design, as further information becomes available.”*
- 8.4. More than six years has passed since then and flood levels have been revised significantly upwards.
- 8.5. Page 24 of the approved design statement for 19/00182/PPP [\[Des1\]](#) confirms that the proposal is in the flood plain: “A flood risk analysis was carried out in March 2015 and the proposed development slightly impacts on the 1 in 200 year flood area.” Based on the increased flood levels, even more of the proposal is in the flood plain than previously believed. Without accurate flood models, it is not possible to mitigate these risks. Nor is it reasonable to attempt to mitigate these unknown risks by deferring flood modelling to conditions.
- 8.6. SEPA objected to 19/00182/PPP on the basis the development was within the flood plain, only lifting their objection after being told the development had been set back from the flood plain [\[SEPA1\]](#). But in reality this did not happen. The approved site plan for 19/00182/PPP [\[SBC1\]](#) dated June 2015 shows that the North-East corner of the proposal is within the 1 in 200-year flood event line. Grant of this permission under section 42 must be for the same development on the same site as that previously granted and would therefore be in the flood plain. SEPA policy would require them to object [\[SEPA3\]](#).
- 8.7. It is not reasonable to grant new permission for development in the flood plain without a competent FRA and the flood risks being understood. Neither is it possible to mitigate unknown flood risk through condition. Permission must therefore be refused.