

Comrie Flood Protection Scheme 2020 Summary of Objections

Two valid objections (both from residents) were received by the Council within the statutory 28-day period. A summary of the objections and the Council's responses are provided below.

In their objections, both parties have noted that they are generally supportive of the flood scheme.

1. The first objection received was in relation to a part of the flood scheme proposed to be built in a resident's garden. The resident's main concern was the proposal for a disabled ramp and stairs to maintain access over the flood wall. The resident states that the comments they made at the time of the public consultation have been ignored as they had understood that the ramp and stairs would be removed from the proposed scheme. Their objection notes that access to the adjacent riverside should instead be taken from another location. If retained, the proposed access will encourage parking and possible blocking of a private road and access to other properties, as well as unsociable behaviour and dog fouling. Their objection acknowledges the need for the flood scheme but states that this should not be at the expense of those whose ground the scheme will be built on. They raise concerns about vehicles passing by their property both on a temporary (during the proposed construction works) and permanent basis. The objection raises concern about the public consultation process and why others in the community have been consulted about proposed work on private ground. Their objection also notes concern about the construction sequence of the proposed flood scheme and that this may temporarily increase flood risk to their property.

A summary of the Council's response to this objection is as follows:-

The proposed disabled access ramp formed part of an earlier proposal and was deleted from the proposed flood scheme following public consultation; disabled access to the riverside will be provided from another location. However, as public access is currently available to the riverside at this particular location, the access steps remain as part of the proposed flood scheme.

The Council has carried out an extensive public consultation exercise and has published a public consultation report. In this case, the majority of consultees were in favour of maintaining an access to the riverside over the flood wall. Unfortunately, it is not always possible for the Council to accommodate every viewpoint made during public consultation, particularly when there are conflicting views within the community. This was made clear to the resident during earlier consultation.

The Council has considered moving the access steps, but this would result in moving an existing public access onto private ground. The residents in the

vicinity of the alternative location have already expressed concern about an earlier proposal for an access point in this area.

The issues noted around traffic movements, parking, unsociable behaviour and dog fouling are likely to be of an existing nature and will not be created, or made worse, by the proposed flood scheme. The Council's Planning Officer does not consider that any public concerns/criticisms regarding the proposed steps cannot be overcome and, in any case, would not constitute a material reason for refusal if it were presented as a planning application.

A Construction Environmental Management Plan will be prepared prior to the commencement of the site works setting out how construction traffic movements will be managed. This will include such measures as the provision of one-way traffic systems, parking restrictions, temporary road closures, speed limits, the use of marshalls, etc. that would apply for the duration of the construction works. The flooding observed in Comrie to date has affected many in the community and the Council considers that the flood scheme is therefore a matter for the entire community to consider. The Flood Risk Management (Scotland) Act also requires the Council to notify all those who have an interest in any land on which the flood scheme is to be built and those whose land may be affected.

The flood scheme construction sequence is set out within the EIAR. The scheme documents therefore confirm that the flood defences would be constructed in such a way so as not to increase the risk of flooding to property in the area.

2. The second objection received was on the grounds that the implications for the resident's property remain unclear at this stage. Their objection notes that they would like to engage further with the Council to understand and clarify these implications before waiving their right to object. Their objection states three specific areas of concern:
 - (i) That the scheme could increase flood risk to their property. Their objection notes that recent data provided to them was encouraging, although this differs to information provided previously. They note that this contradiction appears to be expedient for the scheme, highlighting a potential conflict of interest; they therefore request independent validation of the Council's hydraulic analysis.
 - (ii) That the proposed flood scheme will result in significant damage to the driveway of their property; they would like to discuss how this could be mitigated or avoided.
 - (iii) That their property does not benefit from the proposed flood scheme but could perhaps do so with minor alterations to the design. They feel that this would ensure that the flood risk to their property would not increase and, as the opportunity to consider such works may not arise again for many years, they would like to explore alternatives with the Council.

A summary of the Council's response to this objection is as follows:-

The Council has engaged in discussions with the resident throughout the development of the current proposals. With regard to the three areas of concern:-

- (i) The proposed flood scheme will not increase flood risk to the resident's property. The Council has provided the resident with data from the latest flood modelling exercise which has considered the level of flood risk to the property, both prior to and after construction of the proposed scheme. This modelling confirms that the level of flood risk to the property will not change due to the flood scheme and this remains the case even when future climate change is taken into account.

Some information was provided to a previous resident of the property in 2016, based on an earlier flood modelling exercise. This has since undergone an extensive review and has been considerably updated as part of the current proposed scheme and therefore supersedes the Council's previous advice on flood risk.

The flood modelling process has been set out in the Council's public consultation materials from April and May 2019; the public consultation report from November 2019; the final published scheme documents and in correspondence with the resident. The flood modelling has followed a detailed methodology using actual observed and surveyed data where available and complies with SEPA's guidance. The process has been subject to internal audit by the Council's consulting engineers and has been overseen by the Council's flooding team and reviewed by SEPA. The Council does not consider that a separate independent validation is required.

- (ii) The Council will where possible avoid, or at least mitigate, any impact of the proposed scheme on adjacent property. In this case, the proposed works are relatively remote from the residential property, although they do impact on part of the driveway. The Council has liaised with the resident during the development of the proposed scheme in order to minimise its impact and the proposals will include suitable aesthetic finishes and landscaping.

Temporary construction impacts will be managed via a Construction Environmental Management Plan and access to the property will be maintained throughout the works. A condition survey of the property will be carried out prior to and after the works and the driveway will be reinstated to its current condition as far as possible. The Flood Act also includes provision for compensation to be paid under certain circumstances, if the resident has sustained damage as a result of the flood scheme. The Council will continue to liaise with the resident during the detailed design and construction works.

- (iii) The Council carried out flood protection works in 2013 which have already resulted in a reduction in flood risk to the property. The property does not benefit from the proposed flood scheme as it is not considered to be at risk of flooding. To include the property within the flood scheme would require a major alteration to the design, involving significant construction activity. The cost of such works would greatly exceed their benefit and so the Council has not included them within the proposed scheme.