



CASE STUDY

STRATEGIC PLANNING ADVICE FOR CALMAX CONSTRUCTION LTD

**CLIENT: CALMAX
CONSTRUCTION LTD**

LOCATION: SCOTLAND

HIGHLIGHTS

- Planning advice and strategy
- Policy interpretation
- Flood Risk

THE CHALLENGE

Calmax Construction Ltd brought forward proposals for a substantial housing development on approximately eight hectares of previously developed land associated with the former RAF base and airport operations at Stornoway Airport. The scheme proposed 94 semi-detached dwellings ranging from two to four bedrooms and included landscaping and public open space.

The site represented a significant opportunity to deliver much-needed housing within the Western Isles while regenerating underutilised brownfield land. However, as planning progressed, flood risk concerns emerged as the principal obstacle to securing consent.

Although detailed flood risk assessment work demonstrated that the proposed residential development could be designed to remain operational and safe during extreme flooding events, concerns were raised regarding compliance with national planning policy.



info@arthian.com



www.arthian.com



+44 0141 227 2300

THE CHALLENGE, CONTINUED

The principal objection came from the Scottish Environment Protection Agency (SEPA), which considered that elements of the proposed layout conflicted with the flood risk avoidance principles embedded within National Planning Framework 4 (NPF4).

Specifically, SEPA's position was that residential development should avoid areas potentially susceptible to future coastal flood risk wherever practicable. This created a significant planning risk because:

- Flood risk forms a material planning consideration
- NPF4 places considerable weight on precautionary flood avoidance
- A continued SEPA objection could have justified refusal despite the strategic housing benefits of the scheme

THE SOLUTION

Arthian's Planning team became involved during the latter stages of the application process to assist Calmax in navigating the policy and technical challenges associated with flood risk. Rather than attempting to challenge national policy directly, Arthian's approach focused on demonstrating how decision-makers could lawfully reconcile the technical evidence with the policy framework.

The planning strategy centred on three key principles:

Distinguishing Flood Risk from Policy Compliance

Arthian advised that the critical issue was not whether flooding could occur in a theoretical sense, but whether the development would place future residents at unacceptable risk.

The planning team worked with the existing technical evidence to show:

- The site's flood characteristics were understood.
- Appropriate mitigation measures could be incorporated.
- The development would remain safe and functional over its design life.

This shifted the discussion away from a binary policy conflict and towards a balanced planning judgement based on real-world risk.



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THE SOLUTION, CONTINUED

Emphasising the Council's Role as Flood Risk Authority

A key component of Arthian's advice was to focus the planning authority's attention on its own statutory responsibilities and technical expertise.

While SEPA maintained concerns regarding NPF4's flood avoidance principle, the Comhairle itself, acting as:

- Flood Risk Management Authority,
- Roads Authority, and
- Coast Protection Authority,

ultimately concluded that it did not object to the development on coastal flood risk grounds. Arthian's planning assessment highlighted that decision-makers were entitled to place significant weight on the findings of their own technical authorities where robust evidence demonstrated that risks could be satisfactorily managed.

Establishing Wider Planning Benefits

Arthian also ensured that the wider planning merits of the proposal remained central to the assessment.

Key benefits included:

- Delivery of 94 new homes in an area experiencing housing demand.
- Regeneration of previously developed brownfield land.
- Efficient reuse of former airport and military land.
- Provision of landscaping and public open space.
- Avoidance of pressure for greenfield development elsewhere.

The planning case demonstrated that refusal based solely on a precautionary interpretation of flood policy would fail to recognise the substantial social and economic benefits arising from redevelopment of the site.



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THE SOLUTION, CONTINUED

The Recommended Way Forward

Arthian advised that the most robust route to consent was not to pursue further redesign or significant reduction of the developable area, but instead to:

1. Maintain the technically justified site layout.
2. Continue engagement with planning officers.
3. Demonstrate compliance with flood risk management objectives through evidence.
4. Rely on the Comhairle's own flood risk assessment and technical conclusions.
5. Balance any remaining policy tension against the significant housing and regeneration benefits delivered by the proposal.

This approach provided planning officers and committee members with a defensible basis for exercising planning judgement despite the outstanding policy concerns.



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THE OUTCOME

Planning officers concluded that, notwithstanding SEPA's concerns regarding NPF4 flood avoidance principles, the evidence demonstrated that the development could proceed without creating unacceptable flood risk. The officer report acknowledged SEPA's position but confirmed that the Comhairle, in its own capacity as flood risk, roads and coast protection authority, raised no objection on coastal flood risk grounds.

The Planning Committee subsequently approved the 94-home development subject to conditions on 31 March 2026. Subsequently the application was notified to Scottish Ministers on 7th April 2026 under the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 Category 2 (Objection by Government agency – (v) Flooding) (SEPA).

On the 18th of June 2026 the Directorate for Planning, Architecture and Regeneration (PARD) determined that the Council's report of handling demonstrated a clear understanding of the site-specific flood risk and identified appropriate mitigation and that the Council had reached its conclusion by weighing flood risk considerations alongside other material considerations relevant to the wider planning context of the area.

In view of the above, the PARD considered that the proposal did not give rise to issues that would warrant a call-in by Ministers.



We engaged Arthian at an early stage of our proposed housing development at Stornoway Airport to provide advice on flood risk, which we knew was going to be an important consideration as the project progressed through planning. We found Kenny and the team very easy to work with. Their advice was clear, practical and responsive, and helped us better understand the flood risk constraints affecting the site before we submitted the planning application. This allowed us to consider the issue properly alongside the wider site design and engineering work and gave us a much clearer basis for progressing the development.

What we particularly appreciated was the practical approach Arthian took. They understood that we were trying to deliver a viable development while properly addressing the environmental and planning requirements. We would have no hesitation in working with Arthian again or recommending them to others looking for similar technical advice.

James Mackinnon, Project Manager, CalMax Construction Ltd.



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