**FAO: Maxine Simmons**
South Holland District Council
Planning & Development
Council Offices Priory Road
Spalding
Lincolnshire
PE11 2XE

**Our ref:** AN/2025/136322/01-L01
**Your ref:** H03-0048-25

**Date:** 11 February 2025

Dear Maxine Simmons

**Rural exception site of affordable housing comprising 24 dwellings**
**Land off Littleworth Drove, Deeping St Nicholas, Spalding**

Thank you for consulting us on the above application, on 23 January 2025.

**Environment Agency position**
The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

**Condition**
The development shall be carried out in accordance with the submitted flood risk assessment dated 09 July 2024, ref: 'Proposed Residential Development North-West Of Littleworth Drove, Deeping St Nicholas, Spalding PE11 3HA', prepared by S M Hemmings and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 2.25 metres above Ordnance Datum
- Flood resilient construction shall be provided to 0.3 metre above finished floor levels
- Plots 7-24 (as shown on drawing reference '615.PD.SL.01') shall have demountable defences to a height of 0.6 metre above the finished floor level

These mitigation measures shall be fully implemented prior to occupation and subsequently shall be retained and maintained thereafter throughout the lifetime of the development.

**Reason**
To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 4 of the South East Lincolnshire Local Plan.

**Informatives**

Sequential Test

As you will be aware, in accordance with Paragraph 173-175 of the National Planning Policy Framework, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding and the sequential test establishes if this is the case.
Where the sequential test has to be applied, it is for you as Local Planning Authority to determine an appropriate area of search and whether the test is passed.

Further advice on how to do this is found in Paragraphs 27 to 30 of the Government's Planning Practice Guidance on Flood Risk and Coastal Change **here.**

Exception test

In accordance with the National Planning Policy Framework (paragraphs 178 and 179), the proposed development is appropriate provided that the site meets the requirements of the exception test. Our comments on the proposals relate to part b) of the exception test which requires demonstration that the development will be safe for its lifetime, without increasing flood risk elsewhere. Your Authority must decide whether or not the proposal provides wider sustainability benefits to the community that outweigh flood risk.

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

Government guidance on flood resilient construction
https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings
CIRIA Code of Practice for property flood resilience
https://www.ciria.org/CIRIA/Resources/Free_publications/CoP_for_PFR_resource.aspx
British Standard 85500 – Flood resistant and resilient construction
https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686

Flood warning and emergency response

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/ users covered by our flood warning network.

Planning practice guidance (PPG) to the National Planning Policy Framework (NPPF) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their

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decisions. As such, we recommend you refer to 'Flood risk emergency plans for new development' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 181 of the NPPF and the guiding principles of the PPG.

We have considered the findings of the flood risk assessment in relation to the likely duration, depths, velocities and flood hazard rating against the design flood for the proposal. We *agree* that this indicates that there will be a danger to most people (e.g. there will be danger of loss of life for the general public).

This does not mean we consider that the access is safe, or the proposals acceptable in this regard. We remind you to consult with your emergency planners and the emergency services to confirm the adequacy of the evacuation proposals.

Flood warnings
We support the recommendation in the submitted FRA that occupants should register for flood warnings.
The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit https://www.gov.uk/sign-up-for-flood-warnings. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.
Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.
For practical advice on preparing for a flood, visit https://www.gov.uk/prepare-for-flooding.
To get help during a flood, visit https://www.gov.uk/help-during-flood.
For advice on what do after a flood, visit https://www.gov.uk/after-flood.

Foul drainage
In addition to planning permission you may also require an Environmental Permit from the Environment Agency. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

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Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at: Septic tanks and treatment plants: permits and general binding rules

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours sincerely

**Danielle Maclean-Spencer**
**Sustainable Places Planning Advisor**

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