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Architectural & Planning Consultants

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Ref: 3146-17

**RESIDENTIAL DEVELOPMENT
OFF HIGHSTOCK LANE
GEDNEY HILL
SPALDING
LINCS
PE12 0QG**

FOR

D BROWN (BUILDING CONTRACTORS) LTD



PLANNING, DESIGN & ACCESS STATEMENT

**RESIDENTIAL DEVELOPMENT
OFF HIGHSTOCK LANE
GEDNEY HILL
SPALDING
LINCS
PE12 0QG**

The application is to acquire Town and Country Planning Permission (Outline) off Highstock Lane, Gedney Hill for the benefit of D Brown (Building Contractors) Ltd.

Planning history of the site is:-

H07-0729-16 – Residential Development (Outline) indicative 23 No plots - refused 29th November 2017

APP/A2525/W/17/3172839 – Appeal dismissed 7th August 2017

(See appendix for decision notices)

The Planning refusal cites flood risk issues and character.

The appeal dismissal also is specific on flood risk and also cites character.

Since the refusal of H07-0729-16 and appeal dismissal of APP/A2525/W/17/3172839 dramatic issues have been raised by The Environment Agency and Anglian Water regarding the delivery of housing allocated land under the South East Lincolnshire Local Plan (SELLP) within the 5 year period. See appendix email dated 28th July which suggests that the majority of allocated housing in the centre of Gedney Hill is unlikely to be developed in the plan period.

Gedney Hill is classified in the SELLP as a “Minor Service Centre” and therefore a sustainable village with all facilities including a regular bus service, shop, primary school, church etc. The bus service runs twice daily (Monday – Saturday) between Wisbech and Spalding (see appendix)

The current South Holland District Council Local Plan is out of date and the Council does not have a 5 year supply of housing even so the proposed Local Plan is being considered by The Planning Inspectorate.

Gedney Hill allocations of new housing is 112 No properties in the following areas:-

Geh003 – 67 properties

Geh015 – 29 properties

Geh004 – 16 properties

The sites that The Environment Agency and Anglian Water are inferring are un-developable are Geh003 and Geh015 which amounts to 96 properties out of a total allocation of 112 properties, therefore, the Planning Inspectorate will have concerns about the longevity of the future of Gedney Hill and its current facilities!!

In the absence of a 5 year supply of housing land, Paragraph 14 of the NPPF applies and Local Planning Authorities should grant Planning Permission unless:-

"Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole"

This application demonstrates that the site is capable of being developed without detrimental impact on the character of the surrounding area, a frontage development indicatively mirrors the properties on the opposite side of Highstock Lane and in the absence of any adverse impacts, Paragraph 14 of the NPPF indicates that Planning Permission should be granted.

Any adverse impacts can be addressed, the site specific Flood Risk Assessment states:-
"Floor level of the residential dwellings will be raised 300mm above existing ground level"
this requirement can be easily achieved.

The sites in the centre of the village Geh003 and Geh015 have problems which are not easily solved in the short term:-

- There is no facility for disposal of foul water, particularly for the suggested number of 96 properties
- There is no easy solution to surface water disposal
- Access to the site opposite the village Church restricts access and layout design of the whole site

In the short term the application site is deliverable as all infrastructure issues have been addressed:-

- Foul water sewage disposal to adjacent drains, which are controlled by the South Holland Internal Drainage Board
- Surface water discharge will either be as above or soakaways subject to percolation tests
- Frontage access will be off Highstock Lane

Since refusal of H07-0729-16 and dismissal of APP/A2525/W/17/3172839 further pre-application enquiries have been made which seem to ignore the suggestions and solutions put forward in this statement (see appendix).

APPLICATION PLAN

3146-17-01 Location & Indicative site layout Plan

G R Merchant

October 2017

APPENDIX

LOCATION PLAN 1/2500

INDICATIVE SITE LAYOUT PLAN 1/1250

H07-0729-16 REFUSAL NOTICE
APP/A2525/W/17/3172839 DISMISSAL NOTICE

SOUTH EAST LINCOLNSHIRE LOCAL PLAN PROPOSED DEVELOPMENT
BOUNDARY – MARCH 2017
(CURRENTLY BEING CONSIDERED BY THE PLANNING INSPECTORATE)

“GOOGLE” PLANS & PHOTOGRAPHS

PRE-APPLICATION ENQUIRY/ADVICE SINCE DISMISSAL OF
APP/A2525/W/17/3172839

EMAIL FROM SELLP DATED 28th JULY 2017 TITLED “GEDNEY HILL ALLOCATIONS”
(ENVIRONMENT AGENCY & ANGLIAN WATER CONCERNS)

FLOOD RISK ISSUES

- ENVIRONMENT AGENCY FLOOD MAP
- SOUTH HOLLAND DISTRICT COUNCIL STRATEGIC FLOOD RISK
ASSESSMENT MAP
- GENERIC FLOOD RESILIENT CONSTRUCTION

LOCATION PLAN 1/2500



Drainage Survey 63 Drawn Copyright 2012. All rights reserved. Licence number 100820449

LOCATION PLAN.
1/2500.

INDICATIVE SITE LAYOUT PLAN 1/1250



SITE LAYOUT PLAN,
1/1250.

H07-0729-16 REFUSAL NOTICE
APP/A2525/W/17/3172839 DISMISSAL NOTICE

G R Merchant Ltd
Unit 4 Wrights Mews
12a Park Road
Holbeach
Spalding Lincs
PE12 7EE

Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE
Admin 01775 764723
DC Officers 01775 764703
facsimile 01775 762937
planningadvice@sholland.gov.uk
www.sholland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990 OUTLINE

Reference: H07-0729-16 **Date of Decision:** 29th November 2016
Applicant: D Brown (Building Contractors) Ltd
Seas End Road
Moulton Seas End
Spalding
Lincs
PE12 6LD
Location: Off Highstock Lane Gedney Hill Spalding
Description: Residential development (23 dwellings)

South Holland District Council hereby give notice that this application has been REFUSED for the above proposal for the following reason(s):

- 1 There are sequentially preferable sites in flood risk terms within Gedney Hill, as identified in the emerging South East Lincolnshire Local Plan (Public Consultation on Preferred Sites for Development, July 2016). Notwithstanding the fact that the emerging Local Plan is yet to be adopted and that the Council cannot demonstrate a 5-year supply of deliverable housing sites, the presumption in favour of sustainable development is not considered to apply in this instance because there are sequentially preferable sites from a flood risk point of view available in Gedney Hill. As such, the application is considered to be contrary to national guidance on flood risk, as contained in Section 10 of the National Planning Policy Framework, 2012, in particular paragraphs 101-103. They state that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.
- 2 Existing development on the rural fringe of the village is predominantly frontage. The proposal, on the other hand, constitutes a form of depth development that extends out into open countryside at odds with existing development nearby. It does not respect the historic pattern of development in the immediate locality. It is therefore considered that the

proposal would have a harmful effect upon the character and appearance of the rural location. Consequently, the proposal is contrary to Policy SG14 of the South Holland Local Plan, 2006. This policy is in accordance with Section 7 of the National Planning Policy Framework, 2012. Paragraph 58, for example, indicates that new development should respond to local character.

Notes:

The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise. However, the issues are so fundamental to the proposal, due to the harm which has been clearly identified within the reasons for the refusal, that approval has not been possible.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

The determined plans are:

Dwg. no. 2461-12-21F;

Heritage Statement (ref. APS HS Report No. HS/046) dated August 2016;

Flood Risk Assessment (ref. GCB/Merchant) dated August 2016.



Paul Jackson
Place Manager
South Holland District Council

BUILDING REGULATIONS:

This decision refers only to planning permission as granted under the Town and Country Planning Act 1990. The works that you are proposing may also require Building Regulations and this planning permission does not give authority under Building Regulations to commence work. Please contact the Building Control section for further information on 01775 764557 or bcadmin@sholland.gov.uk



Appeal Decision

Site visit made on 27 June 2017

by Andrew McCormack BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7 August 2017

Appeal Ref: APP/A2525/W/17/3172839

Land off Highstock Lane, Gedney Hill, Spalding PE12 0QG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by D Brown (Building Contractors) Ltd against the decision of South Holland District Council.
 - The application Ref H07-0729-16, dated 20 July 2016, was refused by notice dated 29 November 2016.
 - The development proposed is residential development.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline, with all detailed matters reserved. I have dealt with the appeal on that basis, treating relevant plans as illustrative.
3. The Council does not currently have a five-year supply of deliverable housing sites. As such, relevant housing supply policies are considered to be out of date and the presumption in favour of sustainable development, as set out in Paragraph 14 of the National Planning Policy Framework (the Framework), must be considered. Accordingly, I have assessed the appeal in this context and on that basis.

Main Issues

4. The main issues are whether the proposed development would:
 - constitute sustainable development, with particular regard to its effect on the character and appearance of the open countryside; and
 - comply with national planning policy which seeks to steer new development away from areas at the highest risk of flooding.

Reasons

Sustainable development: character and appearance

5. The appeal site is in agricultural use and located to the south of Highstock Lane. Residential development lies to the north and west of the site with properties running along and facing road frontages. There is a single dwelling to the east of the site which is adjacent to Highstock Drain. Notwithstanding its proximity to existing development, the site is outside the settlement development boundary, as defined in the South Holland Local Plan 2006 (SHLP) and is therefore considered to be in the open countryside. Policy HS7 of the SHLP states that new housing is

normally only granted in such locations if it is essential to meet the needs of rural workers or if it was for small scale rural exception affordable housing. I note that neither is applicable in this case. However, as the Council is unable to demonstrate a five year supply of housing land, Policy HS7 is considered to be out of date and therefore has reduced weight in the determination of this appeal.

6. Notwithstanding this, from what I have seen and read, the proposal would constitute a form of development that extends out into the open countryside. Although in outline, with all matters reserved, given the size, shape and extent of the appeal site and the illustrative plans submitted, I find that the proposed development would be incongruous with the prevailing ribbon development nearby and would be at odds with the existing historic pattern of development in its immediate vicinity. As a result, it would have a harmful effect upon the character and appearance of the rural location.
7. Consequently, I conclude that the proposed development would have a significantly adverse impact on the character and appearance of the surrounding area. Therefore, it would be contrary to Policy SG14 of the SHLP and the relevant guidance in the Framework, such as Paragraph 58. Amongst other matters, this policy and guidance seeks to ensure that development respects and responds to the character and appearance of its surroundings.

Flood risk

8. As the Council does not currently have a five-year supply of deliverable housing sites, relevant policies for the supply of housing should not be considered up to date. Furthermore, Paragraph 14 of the National Planning Policy Framework (the Framework) states that, in the absence of a five year supply, housing proposals should be considered in the context of a presumption in favour of sustainable development. Accordingly, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.
9. With regard to flood risk, Paragraphs 101-103 of the Framework state that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. As such, development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.
10. Furthermore, I note that The South East Lincolnshire Local Plan 2011-2036 (SELLP) is currently in production. The Council has stated that the SELLP aims to provide a five year supply of deliverable housing sites, once adopted. However, at the time of this decision, the SELLP is not adopted. As a result, having regard to its stage of production, I have given it moderate weight in determining this appeal.
11. Notwithstanding this, the Council argues that as there are sequentially preferential sites available in Gedney Hill in terms of flood risk, the presumption in favour of sustainable development should not apply in this case.
12. The majority of the appeal site lies within Flood Zone 3a of the Environment Agency's Flood Maps. As a result, the site should only be considered for development where there are no reasonable alternative sites in areas of a lower flood risk available. I acknowledge that much of the local authority area falls within Flood Zones 2 and 3 and note the guidance provided by the Environment Agency (EA) that, as such, the Sequential Test for site selection should be applied by settlement area. Accordingly, this is the approach taken by the local planning authority in identifying suitable sites in Gedney Hill.

13. I note the EA has confirmed that, taking account of sustainability matters and the agreed approach set out in the Strategic Flood Risk Assessment (SFRA), the local planning authority has identified the most sequentially preferable sites in terms of flood risk predicted on site. I have had regard to Appendix D of the Council's appeal statement which sets out the assessed sites in Gedney Hill against flood risk, with regard to the preferred SELLP Site Allocations. Furthermore, I note that even where sequentially preferable sites became unavailable for development, several of the reasonable alternatives identified could still be considered for allocation in the emerging SELLP or development before the appeal site on flood risk grounds. I note that of the sites identified, the appeal site has one of the highest percentages of its area, 81.5%, within Flood Zone 3.
14. The Framework identifies that if, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in areas with a lower risk of flooding, the Exception Test can be applied, if appropriate.
15. I acknowledge that the appellant's Flood Risk Assessment states that the appeal site is within Flood Zone 1 according to the Framework classification. Notwithstanding this, having regard to the evidence before me, I find that the appeal site is not sequentially preferable in flood risk terms and that there are several other developable sites within Gedney Hill which could provide the development identified. Furthermore, the Framework and Planning Practice Guidance clearly indicate that the Exception Test should not be applied unless the Sequential Test is passed. Accordingly, as the appeal site has not passed the Sequential Test, the Exception Test does not apply in this case.
16. The appellant has directed me to an email, dated 28 July 2017, which was received from the SELLP planning team and refers to EA objections to preferred site allocations at Gedney Hill regarding drainage and sewage matters. Based on the email submitted, I note that whilst there appears to be insufficient mains capacity to accommodate the identified level of development in Gedney Hill, alternative solutions have been identified for investigation. Therefore, in my view, although the EA objections are of some significance, I find that the matters identified do not prevent the preferred sites from being developed and serve to raise awareness of the EAs concerns and undertake further investigation of identified options.
17. I note that the appeal site has access to the South Holland Internal Drainage Board main drain and could therefore be deliverable in the short term. Notwithstanding this, it remains a less preferential site in terms of flood risk to several other alternative sites identified by the Council. Moreover, I note that the site allocations process with regard to the SELLP is ongoing and at a well-advanced stage with an examination in public anticipated in a matter of weeks.
18. I have had regard to the appellant's points regarding the suitability and deliverability of other more preferable sites and given due weight to them in determining this appeal. However, I do not have full details of each of these sites before me. In any event, I must assess the proposal before me on its own merits and within its own circumstances. Therefore, having had due regard to recent matters raised by the appellant, I find that my overall assessment of the appeal proposal with regard to flood risk remains unchanged.
19. The issues surrounding flood risk on the appeal site could be addressed through suitably worded planning conditions. Notwithstanding this, given that there are other nearby sites identified as more preferable, reasonable alternatives in terms of flood risk, I find that development on the appeal site would be inappropriate and would not constitute sustainable development.

20. Consequently, I conclude that the proposed development would not comply with national planning policy which seeks to steer new development away from areas at the highest risk of flooding. Therefore, the proposal would be contrary to the relevant policy and guidance on flood risk set out within the Framework. Amongst other matters, the Framework states that development should not be permitted if there are reasonably available and appropriate alternate sites for the proposed development in areas with a lower probability of flooding.

Conclusion

21. I acknowledge that Gedney Hill is identified as a 'Minor Service Centre' within the SHLP with access to a range of services and facilities and development in this settlement would contribute to the Council's supply of housing. However, given the impact of the proposed development on the character and appearance of the locality and the demonstration that other, more preferable sites exist nearby in terms of flood risk, I conclude that the proposal would not be sustainable development and would not comply with national planning policy relating to new development in high flood risk areas. Furthermore, whilst the proposed development would make a contribution to the local economy in terms of construction jobs and assist in the supply of housing required to meet local needs, I find that these benefits would not outweigh the significant harm I have identified.
22. Therefore, for the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Andrew McCormack

INSPECTOR

**SOUTH EAST LINCOLNSHIRE LOCAL PLAN PROPOSED DEVELOPMENT
BOUNDARY – MARCH 2017
(CURRENTLY BEING CONSIDERED BY THE PLANNING INSPECTORATE)**

South East Lincolnshire
Local Plan 2011-2036
Publication Version
March 2017

Inset Map No 17

Gedney Hill

Minor Service Centre

Scale 1:5,000 @A3



South East Lincolnshire
Joint Strategic Planning Committee
College
Heading House



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"GOOGLE" PLANS & PHOTOGRAPHS



Gedney Hill

Google earth

Google earth

feet
meters

3000
900



Image © 2016 Getmapping plc
© 2016 Google



North View Fishing Lakes

Gedney Hill

Gedney Hill

Image © 2016 Gdmapping plc

© 2016 Google

Google earth

miles
km

1

1

Google earth





Google earth

Image © 2016 Geimpping plc
© 2016 Google

Google earth

feet
meters

1000
300





Google earth

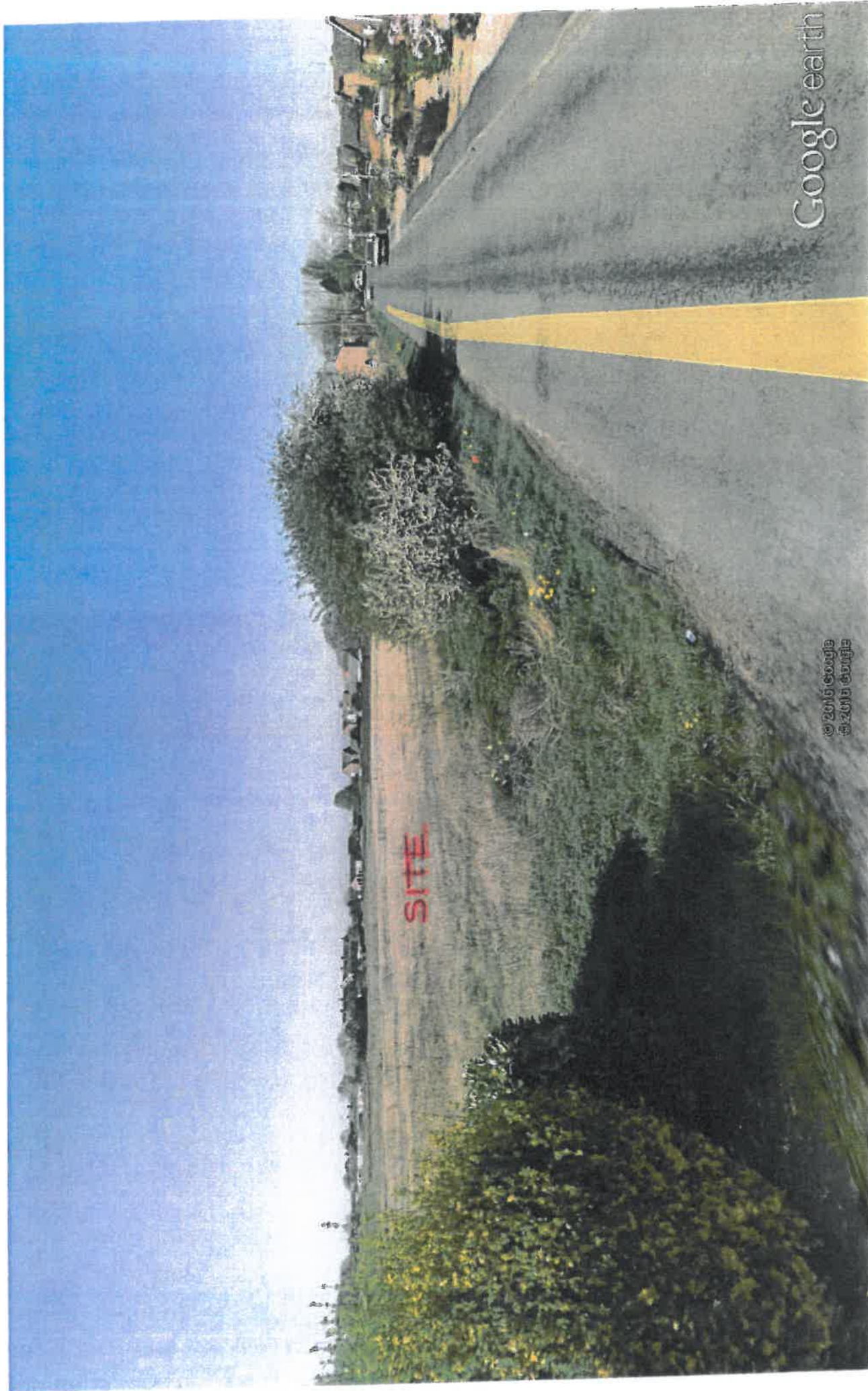
feet
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5

Google earth

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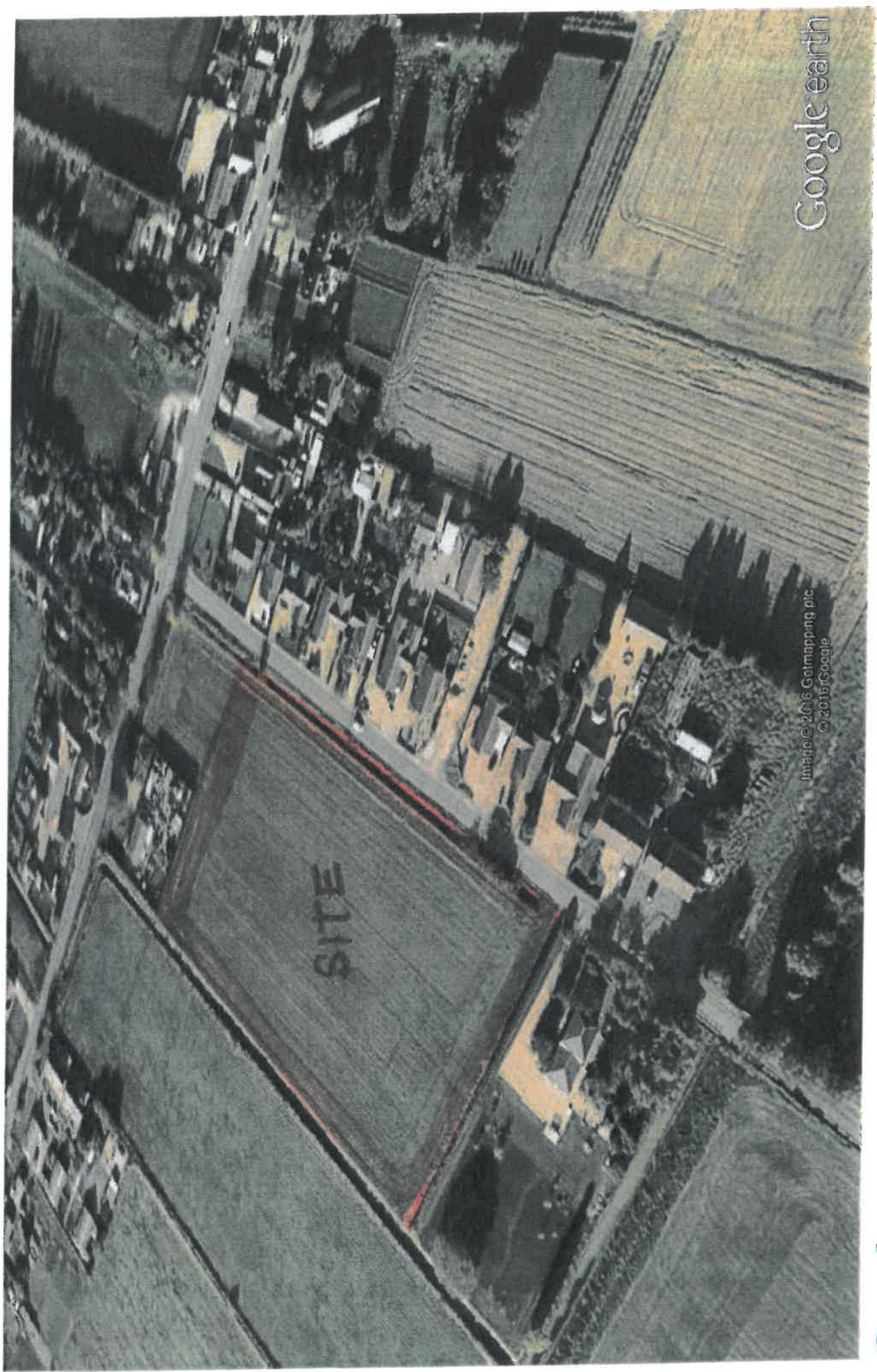
Google earth

feet
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Google earth

Google earth

feet
meters

100

500



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**PRE-APPLICATION ENQUIRY/ADVICE SINCE DISMISSAL OF
APP/A2525/W/17/3172839**



G R MERCHANT <grmerchant.arch.cons@gmail.com>

PE-00080-17

1 message

G R MERCHANT <gr.merchant@btconnect.com>
To: "Gedney, David" <dgedney@sholland.gov.uk>

4 April 2017 at 10:46

Dear David

**RESIDENTIAL DEVELOPMENT
OFF HIGHSTOCK LANE, GEDNEY HILL
D BROWN BUILDING CONTRACTORS LTD**

Further to your most recent email dated 21st February with respect to the above site please find attached amended layout which to some extent satisfies your previous suggestions of frontage development on the fringes of rural villages, which appears to be your only real concern. The flood risk issues seem to have been addressed by the **site specific** Flood Risk Assessment.

Having made attempts to develop the site over several years the proposal is to create a semi-frontage development which will avoid the need for affordable housing and could be offered for self-build clients, D Brown Building Contractors Ltd will provide the road and services to each plot, then the client can choose to build their own properties or the builders will design and build for them.

In an effort to enable Gedney Hill to develop and sustain its current facilities, particularly as this site is **deliverable in the short term**, your further informal opinion would be appreciated, if you require any further information or clarification of my clients proposal please do not hesitate to contact me.

Regards
Bob Merchant

G R Merchant Ltd
01406 490800

 **3146-17-01(D.BROWN).pdf**
919K



G R MERCHANT <grmerchant.arch.cons@gmail.com>

PE-00080-17

Gedney, David <DGedney@sholland.gov.uk>
To: G R MERCHANT <gr.merchant@btconnect.com>

28 April 2017 at 16:26

Bob,

In our opinion the reason for refusal on flood risk grounds still applies as per the previous application (ref. H07-0729-16). This will no doubt be tested on appeal.

If the Planning Inspectorate allow the appeal on flood risk grounds we could explore whether frontage development could be accommodated,

I hope this helps.

Regards.

David Gedney

David Gedney | Senior Planning Officer | **South Holland District Council**

dgedney@sholland.gov.uk

DDI: 01775 764468 |

www.sholland.gov.uk

From: grmerchant.arch.cons@gmail.com [<mailto:grmerchant.arch.cons@gmail.com>] **On Behalf Of** G R MERCHANT

Sent: 27 April 2017 16:28

To: Gedney, David

Subject: Fwd: PE-00080-17

Mimecast Attachment Protection has created safe copies of your attachments.

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[Quoted text hidden]



G R MERCHANT <grmerchant.arch.cons@gmail.com>

Highstock Lane, Gedney Hill

1 message

G R MERCHANT <gr.merchant@btconnect.com>
To: "Gedney, David" <dgedney@sholland.gov.uk>

1 September 2017 at 15:42

Dear David

**RESIDENTIAL DEVELOPMENT
OFF HIGHSTOCK LANE, GEDNEY HILL
D BROWN BUILDING CONTRACTORS LTD**

Further to our previous discussions, Planning Refusal and Appeal Dismissal our clients wish to pursue the proposal further.

Please find attached letter from Peter Udy regarding the SELLP which infers that the main residential expansion of Gedney Hill within the centre of the village is undevelopable in the short term due to infra-structure problems associated with foul and surface water disposal.

Our proposed site which is predominately frontage development does not suffer from any of these problems as the South Holland IDB main drain is adjacent and could be developed in the short term.

As the attached letter suggests the proposed 120 dwellings are unlikely to be developed.

The main reason for the LPA refusal and Planning Inspectors dismissal is Flood Risk, our site specific Flood Risk Assessment is accepted by the EA and is referred to in the Peter Udy letter.

Your further informal opinion would be appreciated.

Regards
Bob Merchant

G R Merchant Ltd
01406 490800

2 attachments **S25C-917090114380.pdf**
108K **3146-17-01(D.BROWN).pdf**
919K



G R MERCHANT <grmerchant.arch.cons@gmail.com>

Highstock Lane, Gedney Hill

Gedney, David <DGedney@sholland.gov.uk>
To: G R MERCHANT <gr.merchant@btconnect.com>

20 September 2017 at 10:31

Dear Bob,

I write in reply to your email received 1 September 2017 and apologise for the delay in responding.

I have discussed the matter with Richard Fidler (Development Manager) and also Peter Udy and there is not a great deal that we can add to the Inspector's appeal decision.

There are sequentially preferable sites within Gedney Hill on flood risk grounds. Both the National Planning Policy Framework and Planning Practice Guidance indicate that the exception test specifying mitigation measures should only be applied if the sequential test is passed, which is not the case in this instance.

It has been indicated that the sites allocated within the emerging South East Local Plan are not deliverable. This would need to be proven. It is noted that paragraph 16 of the Inspector's report states that "the matters identified do not prevent the preferred sites from being developed".

In terms of character/appearance, paragraph 6 of the Inspector's report indicates that any development would need to be in character with the historic pattern of development. Existing development opposite consists of frontage dwellings positioned closer to Highstock Lane.

I trust the above is of assistance.

Regards.

David Gedney

David Gedney | Senior Planning Officer | **South Holland District Council**

dgedney@sholland.gov.uk

DDI: 01775 764468 |

www.sholland.gov.uk

**EMAIL FROM SELLP DATED 28th JULY 2017 TITLED "GEDNEY HILL
ALLOCATIONS"
(ENVIRONMENT AGENCY & ANGLIAN WATER CONCERNS)**



G R MERCHANT <gmerchantlarch.cons@gmail.com>

Gedney Hill Allocations - notification to the land owner and agents of the three allocated sites.

1 message

Peter Udy <Peter.Udy@boston.gov.uk>

28 July 2017 at 15:56

To: Christopher Holliday <Christopher.Holliday@boston.gov.uk>, Gary Alexander <Gary.Alexander@boston.gov.uk>

Cc: Simon Eldred <Simon.Eldred@boston.gov.uk>

This email has been sent to Gary and Chris because I am away from work for three weeks from this evening, in case conversations are had during that time. It is blind copied to the land owner and 2 agents representing land owners for the 3 sites that have been put forward as allocated housing sites in the emerging SE Lincolnshire Local Plan.

The land owner and agents may have received a letter from my colleague, Simon Eldred, in relation to your site.

Before the three of you reply you need to know that the Environment Agency have objected to allocations in Gedney Hill. The comments will be available on the web site but to save you looking they are as follows:

The Environment Agency has concerns regarding the proposal to allocate 120 houses to the settlement of Gedney Hill as there is currently no mains system for the treatment/disposal of foul sewage under the jurisdiction of Anglian Water Services (AWS).

The District Council is the permit holder for 4 permitted discharges in the settlement. Based on the limited information we have available regarding these permit discharges, we believe that there is not sufficient capacity available to accommodate effluent from an additional 120 dwellings. This issue has been discussed with the Council and AWS during recent months and two alternatives have been mooted as possible solutions to this issue.

The first was for an application under Section 101A of the Water Industry Act (1991) to be submitted to AWS for the provision of a first time sewage system. The purpose of such an application would be primarily to rectify issues with an existing drainage system, which was giving rise to adverse effects on the environment. However, were such an application to be successful and infrastructure provided, subsequent new development would have a right to connect to this infrastructure. Subsequently, an application for this was made to AWS but was not accepted. It was deemed there was insufficient evidence that the existing system was giving or is likely to give rise to adverse effects on the environment to justify the application.

The second proposed solution is for the landowner/developer to provide a private network and treatment facility that AWS is then prepared to adopt. At the current time we are not aware of how the landowners/developers propose to deal with the issue of foul water disposal. If neither of the above options prove to be feasible we would not wish to see the proliferation of further private treatment plants in the area to serve new development as we do not consider these to be environmentally sustainable solutions.

Discharges from wastewater treatment plants owned and operated by sewerage undertakers are significantly less likely to cause pollution than discharges from private plants treating domestic sewage. This is because discharges from public sewerage systems are much more likely to meet the standards set in their environmental permit as a result of effluent receiving more comprehensive and reliable treatment.

The Environment Agency cannot provide any assurance that applications to permit/operate privately owned treatment plants to serve new development will be granted. As recommended in the Infrastructure Delivery Plan 2016 (paragraph 12.7.5), further information from developers should be sought in order to fully understand how sewage infrastructure will be provided before these sites are allocated.

This is an important objection from an organisation that the Inspector will take notice of. There is a risk that your sites could be not allocated if the Inspector is not satisfied with this issue. I therefore, advise you all to work together to look into resolving the EA's concerns. Saying that you are aware of the issue and it will be resolved at application stage is not likely to be sufficient in my view.

The examination is likely to commence in October and it is possible that the examination of sites will follow more strategic and legal issues. You do therefore have some time to prepare a fuller answer to Simon's letter.

I look forward to your responses to Simons letter.

Peter Udy MSc, BA (Hons), BTP, MRTPI
Forward Planning Officer
Planning Services
Boston Borough Council
Tel: 01205 314327


Boston - A Great Past and a Bright Future

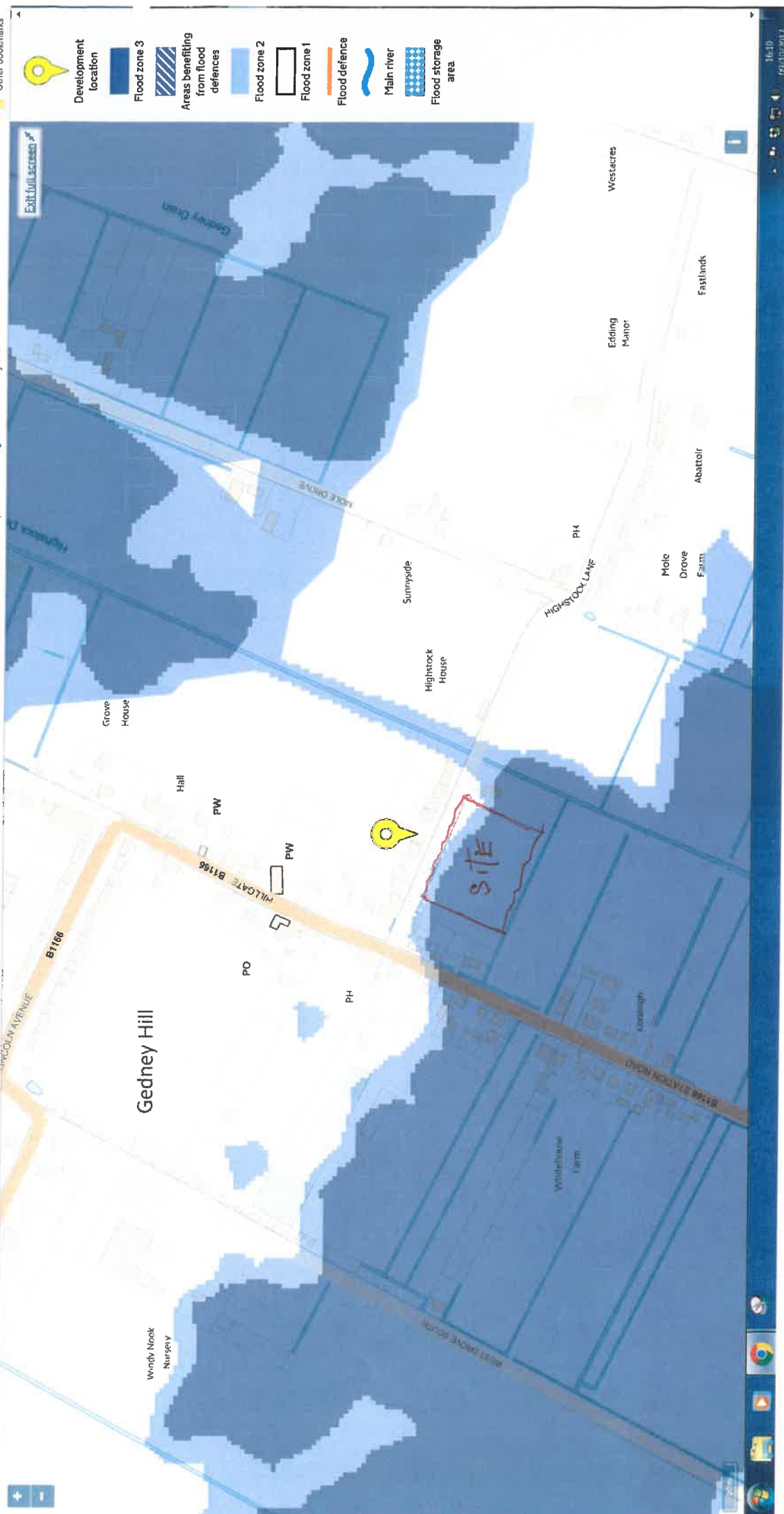
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FLOOD RISK ISSUES

- **ENVIRONMENT AGENCY FLOOD MAP**
- **SOUTH HOLLAND DISTRICT COUNCIL STRATEGIC FLOOD RISK
ASSESSMENT MAP**
- **GENERIC FLOOD RESILIENT CONSTRUCTION**



$\mathbf{z} \rightarrow$

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Peak Depth	Functional Floodplain	South Holland District Boundary
0m - 0.5m		
0.5m - 1m		
1m - 1.5m		
>1.5m		

REV	DATE	REMARKS
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ROYAL HASKINING

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FAX +44 (0)1753 282243

S O U T H

H O L L A N D

**UPDATE OF STRATEGIC
FLOOD RISK ASSESSMENT**
Actual Peak Depth
District - Year 2115
1% Fluvial / 0.5% Tidal Event Probability

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SCALE: MAP NO:
1 : 60,000 @ A1

FLOOD RESILIENT CONSTRUCTION

The following measures are to be taken in an attempt to satisfy this condition as suggested in the Communities and Local Government document “Improving the Flood Performance of New Buildings” – May 2007.

- Any flood waters to be diverted around the building, where possible, to where the gardens are lower.
- Ground floors to be constructed with ground bearing type concrete slab (at least 100mm thick) on well consolidated hard-core, the DPM is to be sealed with the DPC, the insulation is to be Celotex, or similar approved, closed cell type and be positioned over the ground floor bearing slab with sand and cement render topping.
- All sub-structure walling to be constructed from red engineering bricks, up to DPC level, the remainder of the external facing bricks up to 300mm above DPC to be either red engineering or pressed, not handmade bricks. The cavity insulation up to 300mm above DPC is to be partial fill Celotex, or similar closed cell type insulation secured to the internal wall.
- Avoid the use of plasterboard and gypsum plaster to lower part of internal walls and use water resistant lime and cement render or painted blockwork.
- All external doors to be of a good quality not susceptible to moisture and have good seals for water tightness.
- Treated and sealed timber or UPVC skirting's and architraves.
- Ensure all kitchen areas, particularly behind units, to be sealed to prevent passage of water.
- Arrange for all service circuits to be routed at a first floor level if practical and sockets, boilers and cookers to be a minimum 300mm above floor level.
- Occupants of the property to register with the Environment Agency automated early warning system of potential flood events.