

Ms Katie Moriarty
South Derbyshire District Council
Development Control
Civic Offices Civic Way
Swadlincote
Derbyshire
DE11 0AH

Our ref: LT/2019/124599/01-L01
Your ref: DMPA/2019/0903
Date: 25 September 2019

Dear Ms Moriarty

**CONVERSION OF A DETACHED DOUBLE GARAGE INTO A SELF CONTAINED DWELLING WITH PARKING AND ASSOCIATED EXTENSIONS, ALTERATIONS AND WORKS
MEADOW FARM, WOODSHOP LANE, SWARKESTONE, DERBY.**

Thank you for referring the above application which was received on 22 August 2019. We are also in receipt of amended plans (received on 12 September 2019).

Environment Agency position

As this development poses an unacceptable risk to life from flooding, we **object** to this application and recommend that planning permission is refused.

Reason

The site lies within flood zone **3a**, which is land defined by the planning practice guidance as having a **high** probability of flooding. Notwithstanding the mitigation measures proposed, the risk to life and/or property, from **fluvial** inundation would be unacceptable if the development were to be permitted.

The application does not demonstrate that occupants can remain safe for the development's lifetime when allowances for climate change are taken into consideration. There is insufficient flood risk mitigation up to the design flood level and/or no specified arrangements for safe access and egress.

Overcoming our objection

Although the FRA does detail numerous flood resistance and resilience measures (section 6), the planned bedroom on the ground floor is unacceptable with a flood depth of 1.43m.

Flood resistance measures are not a replacement for raising the finished floor levels and protection cannot be guaranteed beyond a flood depth of 0.6m (in line with

“Improving the Flood Performance of New Buildings – flood resilient construction” dated May 2007). Under prolonged flood conditions this can cause damage to the structural integrity of the building.

To proceed with this development we would require the internal floor level to be raised to a minimum of 40m AOD. If there were to be no sleeping accommodation placed on the ground floor flood resilience measures that allow flooding but minimise the damage and risk to the structure may be permitted depending on the flood evacuation plan for the property.

To overcome our objection, please submit evidence to demonstrate that the proposal will not pose a risk to life as highlighted above. We will respond within 21 days of receiving this evidence.

Flood warning and emergency response - advice to LPA

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.

The [planning practice guidance](#) to the National Planning Policy Framework 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 decisions. As such, we recommend you consult with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with the guiding principles of the Planning Practice Guidance (PPG).

Exception test - advice to LPA

In accordance with the National Planning Policy Framework, the proposed development is appropriate provided that the site meets the requirements of the exception test. Our comments on the proposals relate to the part of the exception test that demonstrates the development is safe. The local planning authority must decide whether or not the proposal provides wider sustainability benefits to the community that outweigh flood risk.

I have sent a copy of this letter to the agent.

Yours sincerely

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Planning Specialist

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cc NJW Design