Mr P C Boyle
Farebrother and Partners
The White House
93 Lichfield Street
Tamworth
Staffordshire
B79 7QF

Our ref: LT/2009/107716/01-L01
Your ref: PCB/JWH/11892/2.0

Date: 31 March 2009

Dear Mr Boyle

EXTENSION AND ALTERATION TO RESTAURANT
SAN GIOVANNI MILL LANE SHEEPY PARVA ATHERSTONE LEICESTERSHIRE.

Thank you for your letter which was received on the 12 March 2009 and the accompanying Flood Risk Assessment, reference PCB/JWH/11892/3.3 – issue 1, dated 11 February 2009.

The Environment Agency understands that the planning submission to which you refer in your covering letter (local authority reference 08/01175/FUL) has been refused. We have therefore treated this latest submission as a pre-planning consultation with the EA prior to the submission of a new application.

If the submitted FRA formed part of a formal planning application at the above site the Agency would make the following response:

Environment Agency position
In the absence of an acceptable Flood Risk Assessment (FRA) we OBJECT to the grant of planning permission and recommend refusal on this basis for the following reasons:

The FRA submitted with this application does not comply with the requirements set out in Annex E, paragraph E3 and Annex G of Planning Policy Statement 25 (PPS 25). The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks to people, and property arising from the proposed development.

In particular, the submitted FRA fails to: -

1. Establish the 20 year, 100 year and 100 year plus 20% (for climate change) and 1000 year flood levels at the site, and therefore fails to quantify the likely depths of flooding to

be experienced by people using the restaurant (including the car park) or to the building itself. The proposed kitchen extension is only up to 1.3 metres above the November 2000 flood level (which has not yet been given a probability of occurrence, e.g. 5% chance in any one year, or 1 in 20 year).

2. Describe how the flood water passes beneath the site, including its flow and contribution to flood risk during a range of flood events up to and including the extreme event.

3. Consider the effect of a range of flooding events including extreme events on staff, diners and their vehicles. In the autumn and winter when it gets dark at 4pm, and/or if occupants are working or dining late, they may fail to notice the first signs of flooding and therefore fail to evacuate the site when flooding is likely to be serious, or the car park is likely to become inundated.

4. Consider the effect of a range of flooding events including extreme events on the building and its contents. With the likely depth of flooding at this site currently unknown we are unable to recommend a safe finished floor level. In addition the FRA fails to mention the potential use of flood resilient construction, as detailed under Annex G of PPS25.

5. Satisfactorily consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event (as advised by PPS25, paragraph G12 and the PPS25 Practice Guide, paragraph 7.23).

6. Consider the risk of vehicles being washed off site during a range of flood events up to and including the extreme event.

7. Consider the potential for the entrance to the car park to become a flood flow route during a range of flood events up to and including the extreme event, and the impact of this on any evacuation plan. Section 4.3 of the FRA states that the entrance forms the lowest part of the highway in this area.

8. Provide sufficient site specific topographic survey to Ordnance Datum (adjusted to Ordnance Survey GPS).

Additional Information:
The Environment Agency's Flood Zone Maps do not show all minor watercourse flood plains as the maps outlines are based on a generalised river modelling and mapping method carried out nationally, to only provide an indication of flood risk. Because the flood zones outlines are not definitive, they should not be transposed onto Ordnance datum maps or site specific topographic survey in order to establish a flood level at the site.

Hydraulic modelling may be required to confirm actual flood zone/flood plain outlines at the site, including but not exclusive of 20 year, 100 year, 100 year plus 20% (for climate change) and 1000 year (5%, 1%, 1% plus 20% increase in flow, and 0.1%) flood event levels.

When established, a comparison of the watercourse, hydraulic and topographic information for the above flood levels will confirm the likely extent and depth of flooding and flood zone classification at the site.

Cont/d..

The topographic survey must be to GPS Ordnance Datum (adjusted to Ordnance Survey GPS, where traditional surveying methods are used). Any other topographic level information provided must also be corrected to OS GPS.

The fluvial flood risk at the site should be established, as detailed above and in paragraph 6.5 of the PPS25 Practice Guide, prior to suggesting any flood warning or evacuation plans.

Appropriate plans and cross-section(s) of the site must be provided, extending from the site, through the watercourse and beyond, detailing the site layout and levels and the predicted flood levels, with the above flood event outlines marked on the plan(s) as contour lines.

There should be no raising of ground levels, or storage of materials (including soil) within the 100 year (1%) flood plain, unless appropriate flood plain compensation proposals are provided. However, mitigating the impacts of development should only be applied as a last resort, and following the application of the Sequential Test.

No new buildings (including sheds, cycle storage or garages), structures (including gates, walls and fences) or raised ground levels within 8 metres of the top of any bank of any river/watercourse, inside or along the boundary of the site, unless otherwise agreed in writing.

The permanent retention of a continuous unobstructed area is an essential requirement for the preservation of the water course corridor, wildlife habitat, flood flow conveyance and future watercourse maintenance or improvement.

We recommend finished floor levels are set a minimum of 600mm above the 100 year plus 20% (for climate change) (1% plus 20% increase in flow) flood event level.

If the applicant or agent wishes to discuss any of the above points with the Environment Agency, they should contact Development Control Officer Sarah Mallett on 01543 405029.

I have sent a copy of this letter to the local planning authority.

Yours sincerely

Mr Nick Wakefield
Planning Liaison Officer

Direct dial 0115 846 3635
Direct fax 0115 846 2681
Direct e-mail nick.wakefield@environment-agency.gov.uk

cc Hinckley & Bosworth Borough Council

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