

## When to consult the Environment Agency

This guidance lists the types of planning applications where we should be consulted. It describes the categories of development that could affect the environment and includes those for which we are listed as a statutory consultee in the [Development Management Procedure Order 2015](#).

If you're unsure whether you should consult us, please contact us [swx.sp@environment-agency.gov.uk](mailto:swx.sp@environment-agency.gov.uk) or phone 02030 259358

In addition to this consultation list, local Flood Risk Standing Advice has been developed for BOROUGH OF POOLE with specific local flood risk issues in mind. The recommendations, mitigation and advice suggested in this document are applicable to BOROUGH OF POOLE only. Local flood risk standing advice may exist for other Local Planning Authorities (LPA) or Areas. Please discuss this with the LPA or Environment Agency area office relevant to that area.

### Pre-application and planning application consultation

<b>Cemeteries</b>	Development relating to using land as a cemetery, including extensions
<b>Coastal erosion</b>	Development (excluding <a href="#">minor</a> development) located within Coastal Change Management Areas, as defined by the LPA
<b>Environmental Impact Assessment (EIA)</b>	Development requiring an EIA, including scoping opinions and the environmental statement
<b>Flood risk</b>	See <a href="#">Local Flood Risk Standing Advice</a> below
<b>Groundwater protection</b>	Potentially contaminating development (as defined in <a href="#">land contamination DoE industry profiles</a> ) located in Source Protection Zones. This type of development also includes the storage of potentially contaminating substances as defined in DoE industry profiles.
<b>Hazardous Waste/Control of Major Accident Hazard Regulations (COMAH) Sites</b>	<ul style="list-style-type: none"> <li>• Development of new establishment</li> <li>• Modifications to existing establishments which could have significant repercussions on major accident hazard</li> <li>• Development within 250 metres, where the siting or development would increase the risk or consequences of a major accident.</li> </ul>
<b>Intensive farming</b>	Intensive animal farming (such as pig or poultry) that may require an environmental permit. An environmental permit is required for the development or expanding of a facility with more than 750 sows or 2,000 production pigs over 30kg or 40,000 poultry.
<b>Pollution from land contamination</b>	Development on land where a previous use (as defined in <a href="#">land contamination DoE industry profiles</a> ) may have caused contamination
<b>Mineral extraction</b>	Development involving or including mineral and mining operations and restoration schemes relating to such development
<b>Oil and fuels</b>	Development for the purpose of refining or storing non-domestic oils and their by-products
<b>Refuse or waste</b>	<ul style="list-style-type: none"> <li>• Development that includes the storage or spreading of sludge or slurry</li> <li>• Development that includes the storage, transfer, process, treatment and / or use of refuse or waste</li> </ul>
<b>Non-mains drainage</b>	<a href="#">Major</a> development proposing to use non-mains foul drainage
<b>Works affecting a watercourse</b>	Development involving works or operations in the bed of or within 20 metres of the top of the bank of a 'main river' as notified by the Environment Agency

<b>Discharge/variations of conditions</b>	Only consultations where the Environment Agency has requested the condition be attached to the planning permission
<b>Planning appeals</b>	Only appeals related to an Environment Agency objection or recommended condition
<b>Strategic consultations</b>	
<b>Local Plans</b>	Development plan documents, including documents prepared individually or in co-operation with other LPAs
<b>Environmental evidence documents</b>	Including, but not limited to, water cycle strategies, strategic flood risk assessments, surface water management plans, strategic infrastructure plans, green infrastructure studies, strategic housing land availability assessments
<b>Strategic Environmental Assessment (SEA)/Sustainability Assessment (SA) of local plans</b>	SEA/SA of local plan documents, including screening, scoping, draft and final report and post adoption statement
<b>Other strategic planning allocations</b>	Including, but should not be limited to enterprise zones, garden cities and other strategic growth proposals such as urban expansions

[Skip to the Standing Advice Matrix](#)

## Environment Agency: BOROUGH OF POOLE Local Flood Risk Standing Advice

### FLOOD ZONE 3b:

- **Consult the EA on all water compatible and essential infrastructure developments in Flood Zone 3b (Functional Floodplain) apart from change of use applications**
- **Use [Advice FZ3b](#) for less vulnerable, more vulnerable or highly vulnerable developments within Flood Zone 3b (Functional Floodplain).** In such cases, this development **should not be permitted and the LPA should not grant permission.**

**Consult the EA on all development lying within 8m of the bank top of a Main River, and some development with 20m in the LFRSA**(Main River line showed on the Environment Agency's [Flood Map for Planning](#))

**Do not consult EA** on any development lying solely within Flood Zone 1, unless any other consultation trigger is met on our [Consultation Checklist](#) or the development is within an area with critical drainage problems

**[Consult the LLFA on all major developments](#)**

Where relevant, the LPA must satisfy itself that the requirements of the [Sequential Test](#) and [Exception Test](#), have been met.

Development type		Flood Zone 3a	Flood Zone 2
<b>National Flood Risk Standing Advice arrangements</b>			
1	Minor extension (householder extensions or non-domestic extensions less than 250sqm)	No consultation – see <a href="#">national flood risk standing advice</a>	No consultation – see <a href="#">national flood risk standing advice</a>
2	'More vulnerable' development (except for landfill or waste facility sites, caravan or camping sites)	<b>Check whether LFRSA arrangements apply first, before consulting EA</b>	No consultation – see <a href="#">national flood risk standing advice</a>
3	'Less vulnerable' development (except for agriculture and forestry, waste treatment, and water and sewage treatment)	<b>Check whether LFRSA arrangements apply first, before consulting EA</b>	No consultation – see <a href="#">national flood risk standing advice</a>
<b>Geographically Specific Local Flood Risk Standing Advice (e.g. for development proposals in local centres and/or unique flood risk characteristics)</b>			
4	<b>Residential and non-residential development in current and future tidal floodplains</b>	<a href="#">Advice Note 1</a> (Residential 1A and Non-residential 1B)	<a href="#">Advice Note 1</a> (Residential 1A and Non-residential 1B)
<b>General Local Flood Risk Standing Advice arrangements</b>			
5	Larger non-domestic extensions	<a href="#">Advice Note 2</a>	No consultation – see <a href="#">national flood risk standing advice</a>
6	Non-habitable beach huts	<a href="#">Advice Note 3</a>	<a href="#">Advice Note 3</a>
7	Non-habitable agricultural development	<a href="#">Advice Note 4</a>	<a href="#">Advice Note 4</a>
8	'Water compatible' development	<a href="#">Advice Note 5</a>	No consultation – see <a href="#">national flood risk standing advice</a>
9	Change of use to 'Less vulnerable' or 'Water Compatible' use	<a href="#">Advice Note 6</a>	No consultation – see <a href="#">national flood risk standing advice</a>
10	Replacement dwellings that do not increase the risk to occupants or third parties	<a href="#">Advice Note 7</a>	No consultation – see <a href="#">national flood risk standing advice</a>
11	Upper floor conversions and/ or extensions	<a href="#">Advice Note 8</a>	No consultation – see <a href="#">national flood risk standing advice</a>
12	Built footprint located in Flood Zone 1 but site boundary located in Flood Zone 2 or 3	<a href="#">Advice Note 9</a>	<a href="#">Advice Note 9</a>
12	Short let caravan	<a href="#">Advice Note 10</a>	<a href="#">Advice Note 10</a>
13	Other development types not listed above	<b>Consult EA/ Development should not be permitted</b>	

# Appendix 1 – Advice Notes

## Advice Note 1

### Borough of Poole specific Local Flood Risk Standing Advice

#### INTRODUCTORY NOTES

##### Sequential Test requirements

The Sequential Test is applied by the Local Planning Authority (LPA) to planning applications within this category. Details of the sequential test are set out in paragraph 101 of the NPPF and you have a published position which can be found at:

<http://www.boroughofpoole.com/planning-and-buildings/planning/ldp/flood-risk-management/strategic-flood-risk-assessment-for-poole/> .

##### FRA requirements

Planning applications must be accompanied by a Flood Risk Assessment (FRA). We recommend the FRA meets the requirements set out in the table below. All flood management measures will need to be supported by plans and drawings that form part of the FRA. The requirement for a FRA is set out in the NPPF in paragraphs 103 and 104 and footnote 20.

The standing advice help pages provide guidance to help the LPA through this process. Plans may need to be amended and/or application withdrawn if the detail provided in the table does not meet the requirements as set out.

The boundary for the geographical areas is based upon the cost / benefit analysis undertaken in the Borough of Poole Flood Risk Management Strategy (\*see notes and extract below for further information)

#### Residential development in current and future tidal Flood Zone 2 and 3

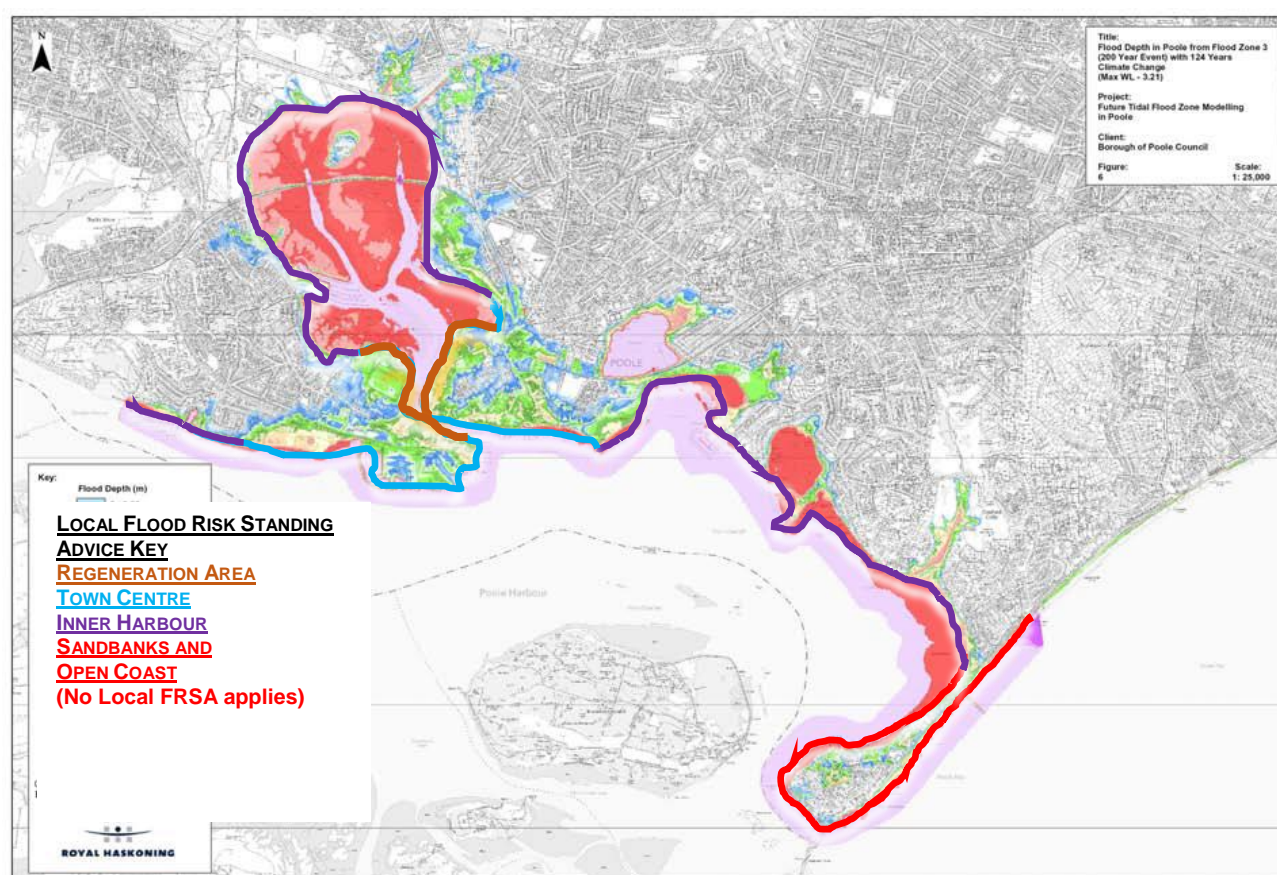
- [Town Centre Regeneration Area](#) (Cells 4B, 2D & part 2C on Figure 5.1 below)
- [Town Centre and Hamworthy](#) (Cells 2B, part 2C, 4C and 4D on Figure 5.1 below – note part of this area benefits from tidal defences)
- [Poole Inner Harbour](#) (Cells 1A-D, 2A, 3A-C,4A, 4E, 5A-B, 6A and part of 6B)

NOTE: No standing advice applies around Sandbanks and the Open Coast as a bespoke FRA and consultation required (Cells part of 6B, and 6C-F)

#### Non-Residential / Commercial in current and future tidal Flood Zone 2 and 3

- [Town Centre Regeneration Area](#) (Cells 4B, 2D & part 2C on Figure 5.1 below)
- [Town Centre and Hamworthy](#) (Cells 2B, part 2C, 4C and 4D on Figure 5.1 below – note part of this area benefits from tidal defences)
- [Poole Inner Harbour](#) (Cells 1A-D, 2A, 3A-C,4A, 4E, 5A-B, 6A and part of 6B)

NOTE: No standing advice applies around Sandbanks and the Open Coast as a bespoke FRA and consultation required (Cells part of 6B, and 6C-F)



## Extracts from Borough of Poole Flood Risk Management Strategy (January 2011)

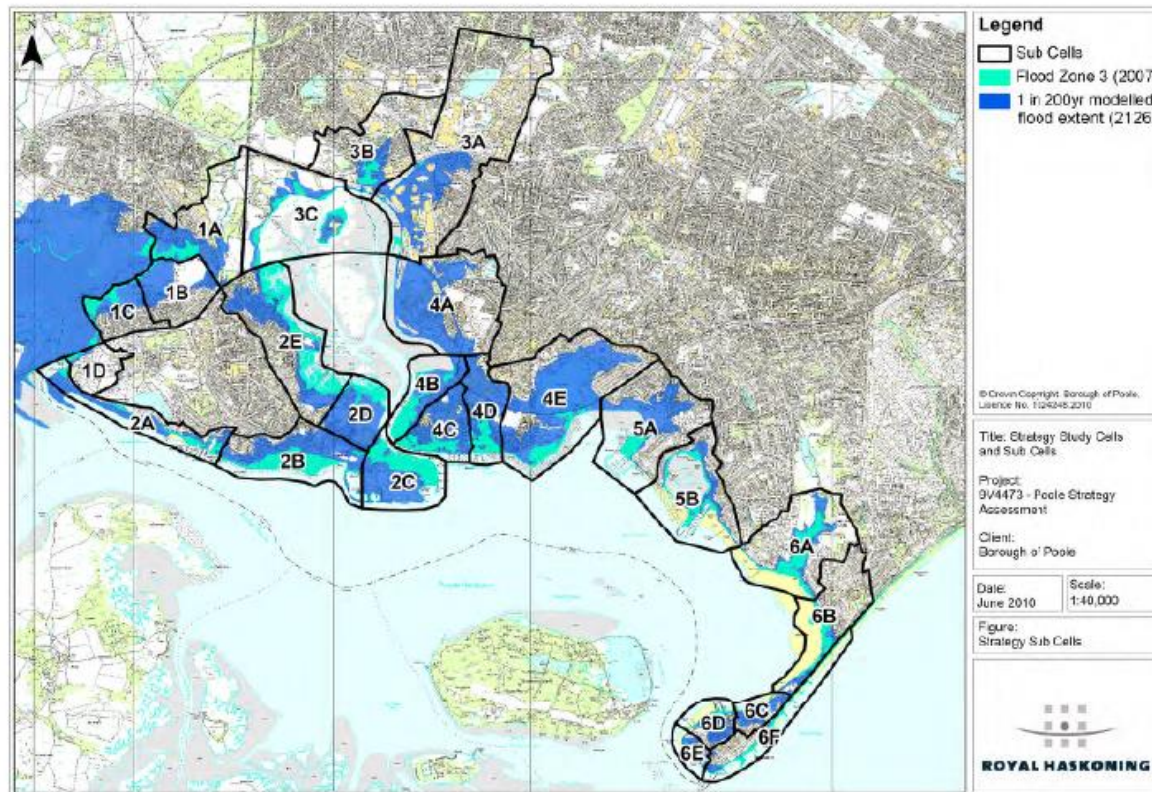


Figure 5.1: Strategy Study Cells and Sub Cells

0V4473/R/303581/Exet  
January 2011

- 30 -

Borough of Poole SFRM  
Final Report

### **Benefit / Cost Assessment**

Section 9.4 of the Borough of Poole Flood Risk Management strategy details the Benefit / Cost Assessment for delivering the necessary defence for each cell (as a whole). Table 9.3 in this section provides a summary of when cells benefit /cost ration may be viable.

Cell	Year the scheme is undertaken				
	2010	2035	2060	2086	2126
1	0.3	0.8	1.8	3.4	5.4
2	1.5	2.5	4.0	6.0	7.9
3	2.1	4.6	10.6	20.1	30.0
4	1.0	1.9	3.7	6.1	8.7
5	0.8	1.5	3.0	5.0	6.9
6	0.3	0.5	0.9	1.5	2.1
<b>All cells</b>	<b>1.0</b>	<b>1.8</b>	<b>3.2</b>	<b>5.2</b>	<b>7.2</b>

Table 9.3: Benefit / cost ratio summary

**Red Cells** – financially unviable

**Orange Cells** – financially viable but unlikely to attract DEFRA grant aid (based on a ratio between 1 and 6)

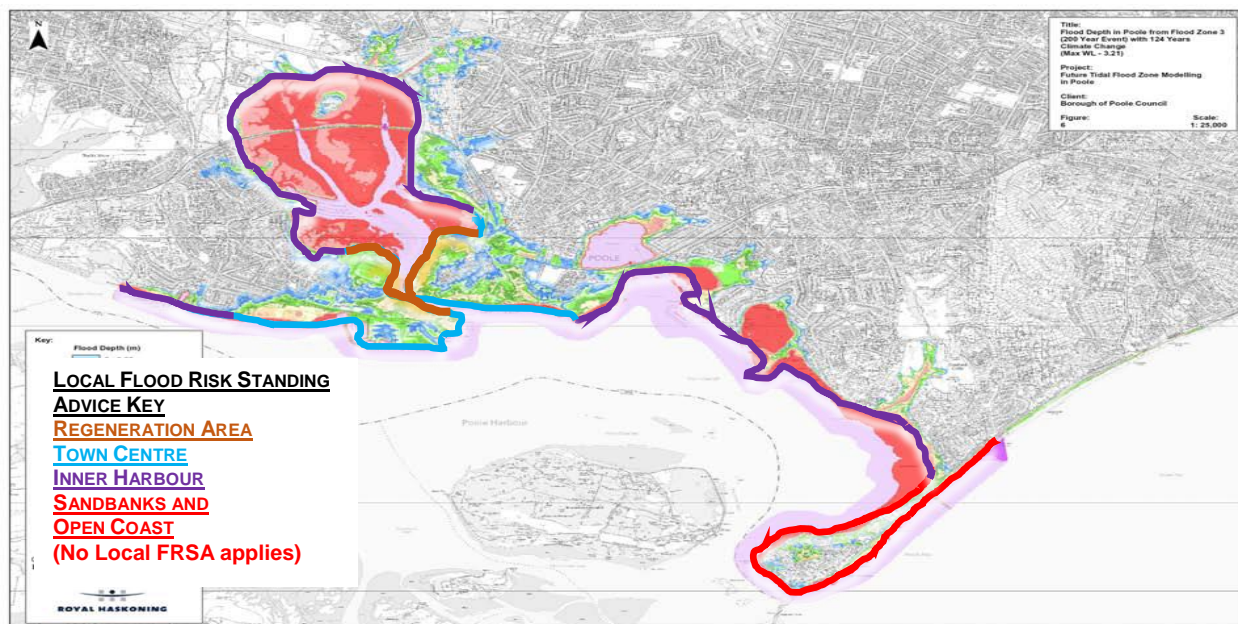
**Green Cells** – where the benefit significantly outweighs the cost; therefore the cell is considered financially viable with a good chance of attracting DEFRA grant aid (where the ratio of benefit is greater than 6.0).

The cells were based on a funding ratio of 6, however the report highlighted that at its time of publication the benefit ratio was approximately 8.0 (January 2011). The report acknowledges that if alternative funding / developer contributions are secured this could improve the ratio and bring forward the potential delivery of the schemes.

*NOTE: Since the publication of this document the national DEFRA funding allowance process has changed which has a greater emphasises on partnership funding. Therefore, for the purpose of this planning related document and consistency of approach we have used the figures in the Borough of Poole Flood Risk Management strategy for benefit/ cost assessment.*

## Advice Note 1A

### Residential Development In Current And Future Tidal Flood Zone 2 And 3



### Residential development Town Centre Regeneration areas as identified in Borough of Poole's local plan

#### Criteria to be used by LPA in assessing the Flood Risk Assessment

In order to deliver safe development, and to ensure that the level information has been provided and the standards set out below have been met in accordance with BoP Flood Risk Management Strategy (Chapter 6). The following should be demonstrated in the FRA.

- Ground levels to be set at a minimum of 3.21mAOD, which is the 2126 predicted 1 in 200 year flood level.
- Ground floor finished floor levels shall be set at or above 3.51 mAOD.
- Sites which have quay frontage will have continuous defence crest at 3.51 mAOD

#### The LPA should also check

The LPA should ensure that the applicant has covered the following matters within any FRA to ensure a safe development:

**Flood resilience and resistance** (in consultation with building regulations)

**Emergency Planning** (in consultation with LPA Emergency Planners)

**Management of surface water** (with Lead Local Flood Authority if Major development)

Return to Key - [Residential](#)

### Residential development Town Centre shown to be currently defended by raised flood defences (excluding regeneration as shown in core strategy map)

#### Criteria to be used by LPA in assessing the Flood Risk Assessment

In order to deliver safe development, and to ensure that the level information has been provided and the standards set out below have been met in accordance with BoP Flood Risk Management Strategy (Chapter 6). The following should be demonstrated in the FRA.

- Ground floor finished floor levels shall be set no lower than 2.9m (AOD) and
- Flood Resiliency up to 3.51mAOD

#### The LPA should also check

The LPA should ensure that the applicant has covered the following matters within any FRA to ensure a safe development:

**Flood resilience and resistance** (in consultation with building regulations)

**Emergency Planning** (in consultation with LPA Emergency Planners)

**Management of surface water** (with Lead Local Flood Authority if Major development)

Return to Key - [Residential](#)

### Residential development fronting Poole Inner Harbour (excludes open coastal frontage around Sandbanks and town centre)

#### Criteria to be used by LPA in assessing the Flood Risk Assessment

In order to deliver safe development, and to ensure that the level information has been provided and the standards set out below have been met in accordance with BoP Flood Risk Management Strategy (Chapter 6). The following should be demonstrated in the FRA.

- Ground floor finished floor levels shall be set no lower than 3.6m AOD

#### The LPA should also check

The LPA should ensure that the applicant has covered the following matters within any FRA to ensure a safe development:

**Flood resilience and resistance** (in consultation with building regulations)

**Emergency Planning** (in consultation with LPA Emergency Planners)

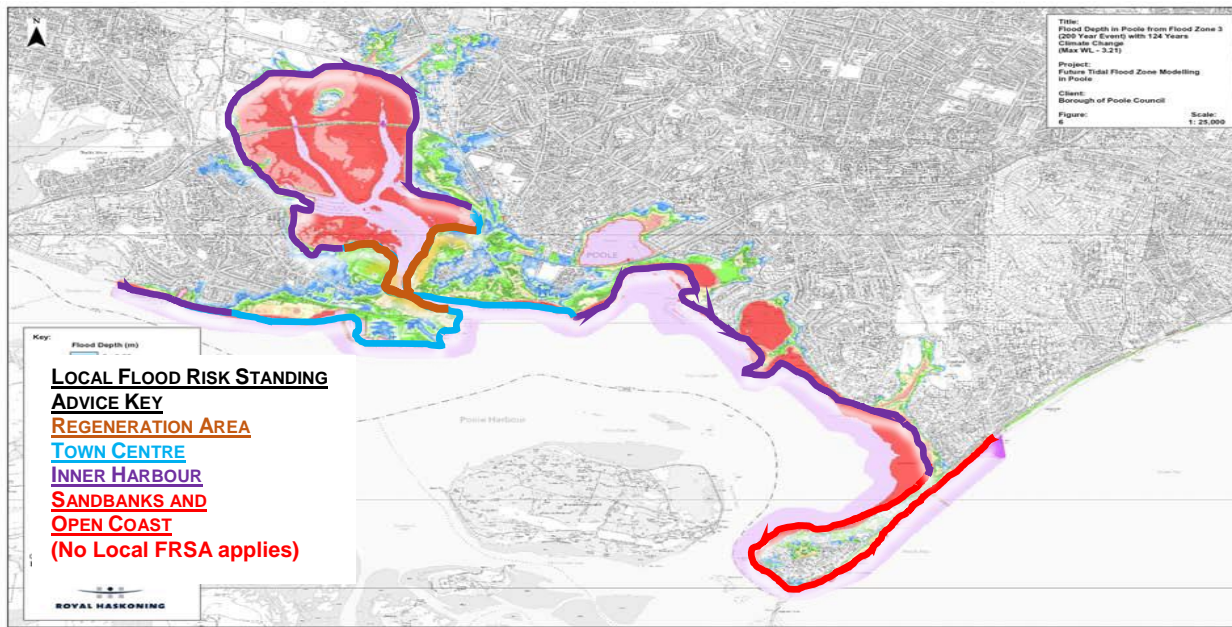
**Management of surface water** (with Lead Local Flood Authority if Major development)

**NOTE: No standing advice applies around Sandbanks and the Open Coast as a bespoke FRA and consultation required (Cells part of 6B, and 6C-F)**

Return to Key - [Residential](#)

## Advice Note 1B

### Non-Residential / Commercial In Current And Future Tidal Flood Zone 2 And 3



### Commercial development in the Town Centre regeneration areas as identified in Borough of Poole local plan

#### Criteria to be used by LPA in assessing the Flood Risk Assessment

In order to deliver safe development, and to ensure that the level information has been provided and the standards set out below have been met in accordance with BoP Flood Risk Management Strategy (Chapter 6). The following should be demonstrated in the FRA.

- Ground levels to be set at a minimum of 3.21mAOD, which is the 2126 predicted 1 in 200 year flood level.
- Ground floor finished floor levels shall be set at or above 3.51 mAOD.
- Sites which have quay frontage will have continuous defence crest at 3.51 mAOD

#### The LPA should also check

The LPA should ensure that the applicant has covered the following matters within any FRA to ensure a safe development:

**Flood resilience and resistance** (in consultation with building regulations)

**Emergency Planning** (in consultation with LPA Emergency Planners)

**Management of surface water** (with Lead Local Flood Authority if Major development)

Return to Key – [Non Residential](#)

### Commercial development in the Town Centre shown to be currently defended by raised flood defences (excluding regeneration as shown in Core Strategy map)

#### Criteria to be used by LPA in assessing the Flood Risk Assessment

In order to deliver safe development, and to ensure that the level information has been provided and the standards set out below have been met in accordance with BoP Flood Risk Management Strategy (Chapter 6). The following should be demonstrated in the FRA.

- Ground floor finished floor levels shall be set no lower than 2.6m (AOD)
- Flood Resiliency up to 2.9mAOD

#### The LPA should also check

The LPA should ensure that the applicant has covered the following matters within any FRA to ensure a safe development:

**Flood resilience and resistance** (in consultation with building regulations)

**Emergency Planning** (in consultation with LPA Emergency Planners)

**Management of surface water** (with Lead Local Flood Authority if Major development)

Return to Key – [Non Residential](#)

### Commercial development fronting Poole Inner Harbour (excludes open coastal frontage and Town Centre)

#### Criteria to be used by LPA in assessing the Flood Risk Assessment

In order to deliver safe development, and to ensure that the level information has been provided and the standards set out **above** have been met in accordance with BoP Flood Risk Management Strategy (Chapter 6). The following should be demonstrated in the FRA.

- Ground floor finished floor levels shall be set no lower than 2.9m (AOD)
- Flood Resiliency up to 3.2mAOD

#### The LPA should also check

The LPA should ensure that the applicant has covered the following matters within any FRA to ensure a safe development:

**Flood resilience and resistance** (in consultation with building regulations)

**Emergency Planning** (in consultation with LPA Emergency Planners)

**Management of surface water** (with Lead Local Flood Authority if Major development)

Return to Key – [Non Residential](#)

## **Advice FZ3b – Development in Flood Zone 3b**

This advice note applies to less vulnerable, more vulnerable and highly vulnerable development in the functional floodplain

### **Considerations for the LPA**

- Confirm that the development is located within Flood Zone 3b, as defined by your Strategic Flood Risk Assessment.
- Footnote to Table 3 of the PPG confirms that some developments may contain different elements of vulnerability and the highest vulnerability category should be used, unless the development is considered in its component parts.
- If considered in its component parts, only water compatible and essential infrastructure (if it passes the Exception Test) should be deemed appropriate in Flood Zone 3b.

If less vulnerable, more vulnerable or highly vulnerable development is proposed in Flood Zone 3b (functional floodplain), please use the following as response to aid your decision making process:

#### **Local Flood Risk Standing Advice**

The proposed development falls into a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. We recommend that the application should be refused planning permission on this basis.

#### **Reasons**

Planning Practice Guidance to the National Planning Policy Framework classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each Flood Zone. In this case the application falls with Flood Zone 3b functional floodplain as defined by Borough of Poole Strategic Flood Risk Assessment (SFRA) as having a high probability of flooding.

The development type in the proposed application is classified as either less vulnerable, more vulnerable and/or highly vulnerable in accordance with table 2 of the Planning Practice Guidance to the NPPF. Tables 1 and 3 of the Planning Practice Guidance to the NPPF make clear that this type of development is not compatible with this Flood Zone and should not therefore be permitted.

#### **Comments to the LPA**

Please consult the Environment Agency if you are minded to approve the application contrary to the above advice and we can provide a technical review of the application to ensure the development is safe without increasing risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain the objection to the application.

We will provide you with bespoke comments within 21 days of receiving formal reconsultation.

[Skip to the Standing Advice Matrix](#)



## **Advice Note 2 – Large Non-Domestic Extensions**

This advice applies to large non domestic extensions below 1000 sq m

### **Requirements to comply with LFRSA**

- Floor levels should be set no lower than the existing building, however where technically feasible finished floor levels should be raised to reduce the risk of flooding.
- Flood resistance and/or resilience measures should be incorporated within the development proposals. Guidance on flood resilience in new buildings is available here: [Improving Flood Performance in New Buildings](#). Where possible flood resilience and resistance to be extended around existing building to reduce the impact of flooding.
- The development should be supported by a robust [flood warning and evacuation plan](#). The safety of the flood evacuation plan should be considered in discussion with the emergency planning department. The site may benefit from the EA's Flood Warnings service, more information is available here: [Sign up for flood warnings](#)

### **Evidence/Justification required to be submitted by the applicant to support the planning application**

- Confirmation that there is no habitable use within the development.
- Confirmation of proposed finished floor levels (e.g. 600mm above design flood level, 300mm above ground or no lower than existing).
- Confirmation of proposed flood resistant and resilience techniques proposed.
- A [flood warning and evacuation plan](#) that enables the users of the development to remain safe before or during a flood should be provided.

### **Conditions**

It may be necessary for the LPA to condition elements of the scheme\*:

- Condition a minimum finished floor level for the building (e.g. 300mm above ground or no lower than existing).
- Condition a [flood warning and evacuation plans](#) to ensure that owners and occupiers of the property are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood event.
- Condition the implementation of the flood resistance and/or resilience measures.
- Condition details to ensure the building would remain structurally sound if subjected to flood depths of a certain level (600mm or greater is generally accepted to cause potential issues and should not be permitted without sign off from your building control).

\*Please note the Environment Agency should not be consulted, and would not be providing comments, if the above are conditioned by your Authority

**[Skip to the Standing Advice Matrix](#)**

### **Advice Note 3 – Non-habitable beach huts**

This advice is for non-habitable beach huts only. Please consult the Environment Agency if there is any habitable use proposed.

#### **Requirements to comply with LFRSA**

- The LPA must ensure there will be no-habitable use of the beach hut. There should be no gas, electricity and water supply connections proposed for beach huts.
- The development should be supported by a robust [flood warning and evacuation plan](#). The measures of the flood evacuation plan should be considered in discussion with the emergency planning department. The site may benefit from the EA's Flood Warnings service, more information is available here: [Sign up for flood warnings](#)
- The siting of the beach hut should not be within 16m of a tidal river, tidal flood defence and/or sea defence.

#### **Evidence/Justification required to be submitted by the applicant to support the planning application**

- The application should confirm that there will be no habitable use.
- A robust [flood warning and evacuation plan](#) should be provided.
- Mitigation measures should be confirmed, e.g. removal of the beach hut on receipt of a flood warning or out of season (in winter)
- Confirm the absence/presence of flood defences and that the siting of the beach hut is not within 8m of a tidal river, tidal flood defence and/or sea defence.

#### **Conditions**

It may be necessary for the LPA to condition elements of the scheme\*:

- Condition non-habitable use of the development.
- Condition a Flood Warning and Evacuation Plan to ensure that owners and occupiers of the property are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood.
- Beach huts to be temporarily moved outside of the flood zone seasonally if the flood risks in winter are frequent or in the available lead time following receipt of a flood warning. Condition limiting the use to a specific time period (e.g. only permitted between Mid-March to 30<sup>th</sup> September).

\*Please note the Environment Agency should not be consulted, and would not be providing comments, if the above are conditioned by your Authority

[Skip to the Standing Advice Matrix](#)

## **Advice Note 4 – Non-habitable agricultural development**

This advice is restricted to agricultural development less than 1000m<sup>2</sup> in Flood Zones 2 and 3. The following agricultural buildings are excluded:

- Agriculturally tied dwellings (these should be treated as [More Vulnerable](#) to flooding– please consult with Environment Agency).
- New / amended slurry lagoons and silage clamps (due to pollution risks – please consult with Environment Agency).

### **Evidence/Justification required to be submitted by the applicant to support the planning application**

- No ground raising should be permitted above existing ground levels within fluvial (river) flood risk locations.
- Floor levels should be no higher than existing ground levels.
- In fluvial flood risk areas the building design must be floodable and resilient to flooding.
- A 20 metre buffer must be provided to main rivers [and where necessary or agreed with LLFA a buffer to any ordinary watercourses].
- Any materials excavated during construction must be removed and deposited outside of the floodplain.
- Consider need for an emergency plan and access/egress advice, especially if could be used for livestock

### **Evidence/Justification required from the applicant**

- An FRA should be provided that demonstrates to the LPA within their planning submission that the above criteria are met.
- Plans and drawings should confirm floodable nature of the structure and ensure no impedance to flood flows.

### **Conditions / advice**

It may be necessary for the LPA to condition elements of the scheme\*:

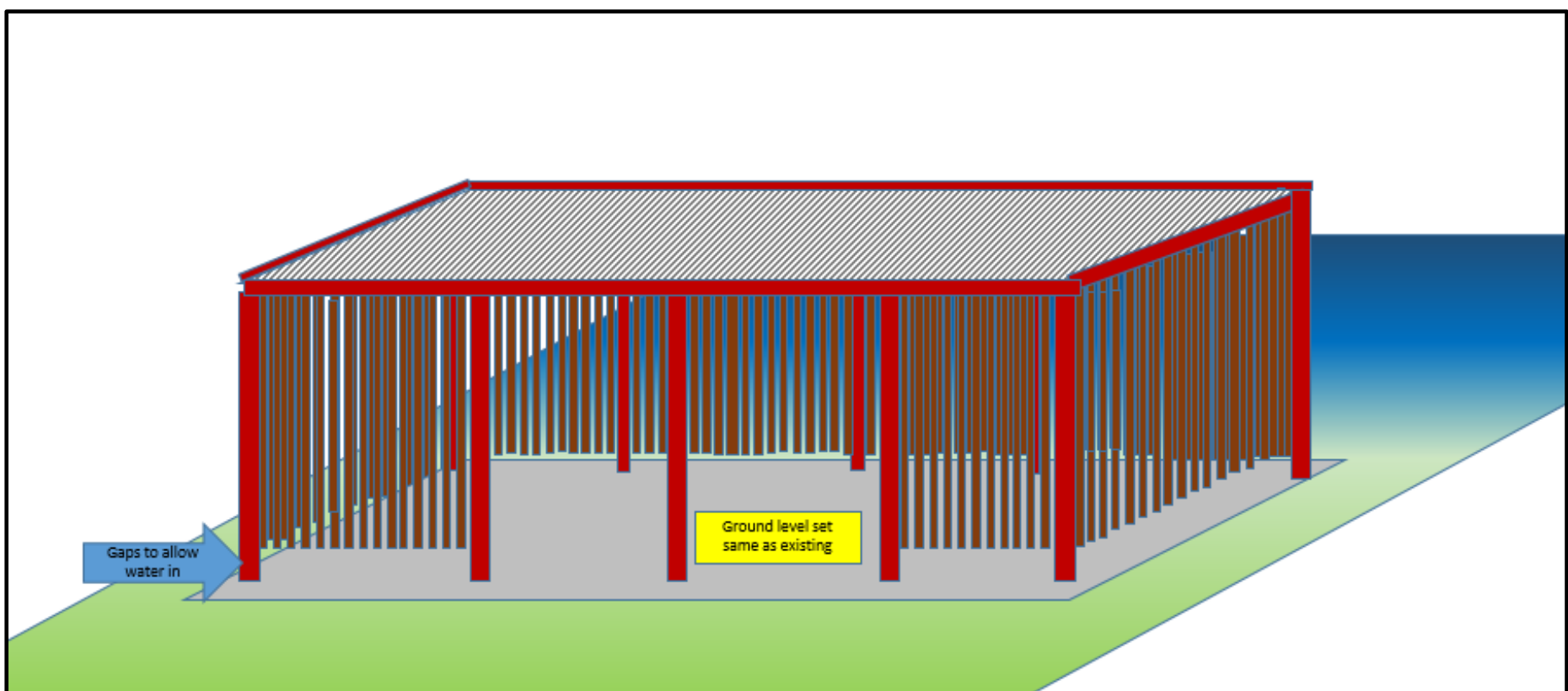
- Condition to ensure there is no raising of ground levels in fluvial (river) flood risk.
- Condition finished floor levels to be no higher than existing ground levels.
- Remove permitted development rights to prevent any potential change to the buildings or use, as well as tying building to the agricultural holding.
- Condition the removal of all excavated material to land outside of the floodplain for areas at fluvial (river) flood risk.

\*Please note the Environment Agency should not be consulted, and would not be providing comments, if the above are conditioned by your Authority

Informatives for the LPA to consider including

- Only clean uncontaminated water can be discharged to any watercourse or to ground; and
- Applicant must ensure no pollution occurs during construction and operations

An example of the design criteria in practical terms is below - with open access, gaps underneath and within both the side wall to allow water to move in and around the building.



[Skip to the Standing Advice Matrix](#)

## **Advice Note 5 – ‘Water Compatible’ development**

This advice note is for water compatible development in Flood Zone 3a. Water compatible development in Flood Zone 3b is excluded and the LPA should consult the Environment Agency.

### **Requirements to comply with LFRSA**

- The LPA to ensure that all components of the development is water compatible. Footnote to Table 3 of the PPG confirms that some developments may contain different elements of vulnerability and the highest vulnerability category should be used, unless the development is considered in its component parts.
- There should be no ground level raising in the floodplain.
- All structures proposed should be floodable and not impact on flood conveyance.
- The development should be supported by a robust [flood warning and evacuation plan](#). The actions in the flood evacuation plan should be considered in discussion with the emergency planning department. The site may benefit from the EA’s Flood Warnings service, more information is available here: [Sign up for flood warnings](#)
- Opportunities should be promoted to secure flood resistance and/or resilience measures within the development proposals. Guidance on flood resilience in new buildings is available here: [Improving Flood Performance in New Buildings](#)
- No development within 8m of a flood defence, 8m of a tidal river, 8m tidal flood defence and/or sea defence.

### **Evidence/Justification required to be submitted by the applicant to support the planning application**

- A FRA should be produced that confirms that there will be no raising of ground levels and all new structures are floodable.
- Flood resilient techniques should be confirmed.
- An appropriate [flood warning and evacuation plan](#) should be provided and reviewed by the emergency planning team.
- Confirm the absence/presence of flood defences and demonstrate there is no development within 8m of a flood defence, 8m of a tidal river, 8m of a tidal flood defence and/or sea defence.

### **Conditions**

It may be necessary for the LPA to condition elements of the scheme\*:

- Condition no raising of ground levels.
- Condition a Flood Warning and Evacuation Plan to ensure that owners and occupiers of the property are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood event.
- Condition the implementation of the flood resilience measures.

\*Please note the Environment Agency should not be consulted, and would not be providing comments, if the above are conditioned by your Authority

**[Skip to the Standing Advice Matrix](#)**

## **Advice Note 6 - Change of use to 'Less vulnerable' or 'Water Compatible' use**

This advice note is for changes of use to less vulnerable and water compatible only. Change of use to any other vulnerability (i.e. more vulnerable and highly vulnerable) are excluded and the LPA should consult the Environment Agency for these applications.

### **Requirements to comply with LFRSA**

- The LPA to confirm that all components of the change of use are less vulnerable and/or water compatible.
- The change of use should not result in any operational development (i.e. raising ground levels or increasing the size of the footprint of the building). Consult the Environment Agency if operational development is proposed unless the application falls within our [national flood risk standing advice](#) for minor extension (household extensions or non-domestic extensions less than 250 square metres) in flood zone 2 or 3.
- Flood resistance and/or resilience measures should be incorporated within the development proposals. Guidance on flood resilience in new buildings is available here: [Improving Flood Performance in New Buildings](#).
- The development should be supported by a robust [flood warning and evacuation plan](#). The actions in the flood evacuation plan should be considered in discussion with the emergency planning department. The site may benefit from the EA's Flood Warnings service, more information is available here: [Sign up for flood warnings](#)
- Structural integrity should be considered if flood depths are expected to exceed 600mm in the design flood.

### **Evidence/Justification required to be submitted by the applicant to support the planning application**

- Confirmation provided defining the use in accordance with [table 2](#) of the Planning Practice Guidance to NPPF.
- A FRA should confirm the flood depths expected during a design flood (internal and external flood depths).
- Flood resistance and resilience measures should be incorporated into the building so flood risk reduction is secured and flood damages avoided for the occupants.
- A [flood warning and evacuation plan](#) that enables the users and occupants of the development to remain safe before or during a flood should be provided.

### **Conditions**

It may be necessary for the LPA to condition elements of the scheme\*:

- Condition a Flood Warning and Evacuation Plan to ensure that owners and occupiers of the property are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood event.
- Condition the implementation of the flood resistance and/or resilience measures.
- Condition confirmation that the building would remain structurally sound if subjected to flood depths of a certain level (600mm or greater is generally accepted to cause potential issues and should not be permitted without consultation with your building control).

\*Please note the Environment Agency should not be consulted, and would not be providing comments, if the above are conditioned by your Authority

[Skip to the Standing Advice Matrix](#)

## **Advice Note 7 - Replacement dwellings**

This guidance is for replacement dwellings of 2 or more storeys only with a proposed footprint no more than 10% greater than the existing building. It should NOT be applied if a self-contained ground floor or basement dwelling is being proposed. In this instance consult the Environment Agency.

### **Requirements to comply with LFRSA**

- The existing building is a habitable dwelling.
- If the existing building is uninhabitable and could not realistically or economically be renovated/restored to its historic form without requiring planning permission then the LPA should consider the sequential test and consider whether an application to re-introduce a vulnerable land use that has been absent for many years is appropriate.
- Finished floor levels of the replacement dwelling should be greater than existing floor levels, and ideally raised 300mm above the 1 in 100 year with an allowance for climate change flood level.
- The proposal should offer a flood risk betterment over the lifetime of the development (i.e. raised finished floor levels of habitable accommodation above the design flood level), incorporation of flood resilient/resilience ([Improving Flood Performance in New Buildings](#))).
- The footprint of the replacement building must be no greater than 10% more than the existing building. If the footprint is increased beyond this please consult the Environment Agency
- The development should be supported by a robust [flood warning and evacuation plan](#). The safety of the flood evacuation plan should be considered in discussion with the emergency planning department. The site may benefit from the EA's Flood Warnings service, more information is available here: [Sign up for flood warnings](#)
- The development should not result in an intensification of use (i.e. a replacement of a dwelling with a building with 2 or more flats/apartments).
- Is greater than 8 metres from any main river or flood defence.

### **Evidence/Justification required to be submitted by the applicant to support the planning application**

- The FRA should confirm the design flood level and comparison to existing floor levels (to mAOD).
- Floor levels in the proposed dwelling should be set 300mm above the estimated river or sea design flood level (including an assessment of the impacts of climate change)
- The footprint of the replacement building must be no greater than 10% more than the existing building.
- Confirmation of flood depths surrounding the property and provision of an appropriate [flood warning and evacuation plans](#) designed to ensure occupant safety against the specific flood risks.

### **Conditions**

It may be necessary for the LPA to condition elements of the scheme\*:

- Condition finished floor levels for the building, or for habitable floors of a building to ensure that the habitable elements remain safe.
- Condition a Flood Warning and Evacuation Plan to ensure that owners and occupiers of the property are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood event
- Condition confirmation that the building would remain structurally sound if subjected to flood depths of a certain level (600mm or greater is generally accepted to cause potential issues)
- Condition flood resistance/resilience measures that could be utilised within the building to reduce the severity and impact of flooding if it were to occur.

\*Please note the Environment Agency should not be consulted, and would not be providing comments, if the above are conditioned by your Authority

[Skip to the Standing Advice Matrix](#)

## **Advice Note 8 - Upper floor conversions and/or upper floor extensions**

This advice note is for upper floor (1<sup>st</sup> floor and above) that have floor levels above the design climate change flood level only. For all more vulnerable and highly vulnerable ground floor or basement conversions and/or extensions please consult the Environment Agency.

### **Requirements to comply with LFRSA**

- The LPA should confirm that all habitable accommodation be above the estimated river or sea design flood level (including an assessment of the impacts of climate change).
- If the building will be flooded at lower levels, the building should remain structurally sound considering the forces of the water.
- The development should be supported by a robust [flood warning and evacuation plan](#). The safety of the flood evacuation plan should be considered in discussion with the emergency planning department. The site may benefit from the EA's Flood Warnings service, more information is available here: [Sign up for flood warnings](#)

### **Evidence/Justification required to be submitted by the applicant to support the planning application**

- The FRA should confirm the design flood level (including an assessment of the impacts of climate change) and comparison to existing floor levels (to mAOD), ensuring there is no flooding on floor levels where conversion and/or extension is proposed.
- Confirmation of flood depths surrounding the property and provision of an appropriate [flood warning and evacuation plans](#) designed to ensure occupant safety against the specific flood risks.
- Confirmation of proposed flood resistance and resilience if required.

### **Conditions**

It may be necessary for the LPA to condition elements of the scheme\*:

- Condition that a Flood Warning and Evacuation Plan to ensure that owners and occupiers of the property are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood event.
- Condition confirmation that the building would remain structurally sound if subjected to flood depths of a certain level (600mm or greater is generally accepted to cause potential issues).

\*Please note the Environment Agency should not be consulted, and would not be providing comments, if the above are conditioned by your Authority

[Skip to the Standing Advice Matrix](#)

## **Advice Note 9 - Built footprint located in Flood Zone 1 but site boundary located in Flood Zone 2 or 3**

This advice note is for developments with a red line boundary within the floodplain, however all built development is located in Flood Zone 1.

### **Requirements to comply with LFRSA**

- No operational development within Flood Zones 2 and 3, inclusive of ground level changes, roads, and drainage features.
- Access arrangements must not be impacted by flood waters. If impacted off-site then the development should ensure there is a robust [flood warning and evacuation plan](#). The site may benefit from the EA's Flood Warnings service, more information is available here: [Sign up for flood warnings](#)
- Check SFRA to assess the full impacts of climate change on the development and ensure there are no parts of the site affected.

### **Evidence/Justification required to be submitted by the applicant to support the planning application**

- The FRA should confirm the site is safe from all sources of flood risk.
- If the development is immediately adjacent to a Flood Zone then the design flood level (including an assessment of the impacts of climate change) and comparison to ground levels (to mAOD) should be provided, ensuring there is no flooding of the site.
- If Flood Zone is immediately adjacent to the site then finished floor levels should be set a minimum of 300mm above ground levels.
- The development should be supported by a robust [flood warning and evacuation plans](#). The action in the flood evacuation plan should be considered in discussion with the emergency planning department. The site may benefit from the EA's Flood Warnings service, more information is available here: [Sign up for flood warnings](#)
- Confirmation of proposed flood resistance and resilience if required. Guidance on flood resilience in new buildings is available here: [Improving Flood Performance in New Buildings](#).

### **Conditions**

It may be necessary for the LPA to condition elements of the scheme\*:

- Condition finished floor levels are set 300mm above ground level could be included if necessary or if floodplain is immediately adjacent to the site 600mm above the adjacent design flood level (including an appropriate allowance for climate change), whichever is greater.
- Condition that a Flood Warning and Evacuation Plan to ensure that owners and occupiers of the property are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood event.

\*Please note the Environment Agency should not be consulted, and would not be providing comments, if the above are conditioned by your Authority

[Skip to the Standing Advice Matrix](#)



## **Advice Note 10 – Short let caravan**

This advice note is for **short let caravan use only**. **Permanent use** of caravans and mobile homes are considered highly vulnerable and **not appropriate in Flood Zone 3** and require the Exception Test to be passed in Flood Zone 2.

### **Requirements to comply with LFRSA**

- The use is for short let caravan use only.
- The development should be supported by a robust [flood warning and evacuation plan](#). The actions in the flood evacuation plan should be considered in discussion with the emergency planning department. The site may benefit from the EA's Flood Warnings service, more information is available here: [Sign up for flood warnings](#)
- Check SFRA to assess the full impacts of climate change on the development and potential depths in times of flood. If significant depths are expected in times of overtopping and breach, only sites with the most robust flood warning and evacuation plans should be considered appropriate.
- Greater than 20 metres away from main river or flood defences

### **Evidence/Justification required to be submitted by the applicant to support the planning application**

- The FRA should confirm the flood hazards for design flood events, (including an assessment of the impacts of climate change).
- Confirmation of the proposed periods of use and adherence to the recommended restrictions.
- Detailed [flood warning and evacuation plan](#) for the proposed use designed to the specific flood hazards. The site may benefit from the EA's Flood Warnings service, more information is available here: [Sign up for flood warnings](#).
- Where flooding is expected on site, flood mitigation should be considered (e.g. raising finished floor levels for the caravans, anchoring arrangements, removing caravans from the floodplain).
- Development greater than 20 metres from main river or flood defences

### **Conditions**

It may be necessary for the LPA to condition elements of the scheme\*:

- Condition finished floor levels for the caravans, either above a flood level or an appropriate distance above local ground levels. This may include a freeboard if deemed appropriate.
- Condition that caravans are anchored down or fixed in place so that if a flood event were to occur, caravans could not move and cause increases in risk elsewhere.
- Condition that an occupancy restriction between the October and Mid-March is adhered to.
- Condition a Flood Warning and Evacuation Plan to be signed off by your Emergency Planners to ensure that owners and occupiers of the property are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood event.

\*Please note the Environment Agency should not be consulted, and would not be providing comments, if the above are conditioned by your Authority

[Skip to the Standing Advice Matrix](#)