

Mr Peter Fear
Batheaston Parish Council
35 Albert Road
TROWBRIDGE
Wiltshire
BA14 7LP

Our ref: WX/2015/127628/01-L01

Your ref:

Date: 23 April 2015

Dear Mr Fear

**PRELIMINARY OPINION - DEVELOPMENT OF ENHANCED RECREATIONAL,
LEISURE FACILITIES AT VILLAGE CENTRE, STAMBRIDGE, LONDON ROAD,
BATHEASTON**

Thank you for your email, received 25 March 2015. We have reviewed your email and attachments and offer the following preliminary opinion on the proposal and environmental constraints at the site. The site is located within Flood Zone 3b (functional floodplain).

General recreational use/park lands

Tables 2 and 3 of the Technical Guidance to the National Planning Policy Framework (NPPF) states water-compatible development is permitted in this flood zone, including amenity open space, nature conservation and biodiversity, outdoor sports and recreation and essential facilities such as changing rooms as well as water based recreation. As such we have no in principle objections to these elements of the proposal.

Café/Retail Unit

We would suggest as part of any planning application, sufficient justification as to the necessity of the café and retail facility in this location is provided. This is classed as a less vulnerable use and would be contrary to the NPPF if situated in Flood Zone 3b. Ordinarily siting a less vulnerable use within flood zone 3b would result in an in principle objection to this element of the proposal from the Environment Agency.

River Crossing/Boat Jetty

In respect of the proposed river crossing and boating jetty, we have no objection in principle to these elements of the proposals. Please note further detailed design will be required to demonstrate that this will not increase flood risk elsewhere. These elements will also require Flood Defence Consent (FDC). This is over above

Flood Risk

The site is located in Flood Zone 3b (High Risk – functional flood plain) as defined under the National Planning Policy Framework Planning Practice Guidance therefore you are required to consider flood risk to, and from, the site. You will need to produce

a Flood Risk Assessment (FRA) to support the planning application. Further advice on the production of a FRA can be found on our website at:

<https://www.gov.uk/planning-applications-assessing-flood-risk>

The FRA should consider the following specific points:

- Demonstrate that the proposed development will not increase flood risk elsewhere.
- Details of flood resilience measures to be incorporated into the development.
- Consideration of the provision of flood storage compensation
- Access and egress including emergency planning.

In view of the potential flood risks in this locality, we would advise that any developer of this site gives consideration to the use of flood resilient construction practices and materials in the design and build phase. Choice of materials and simple design modifications can make the development more resistant to flooding in the first place, or limit the damage and reduce rehabilitation time in the event of future inundation. Detailed information on flood proofing and mitigation can be found by referring to the Communities and Local Government (CLG) free publication 'Improving the Flood Performance of New Buildings'. See the link below:

http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf

Safe Access / Egress

The National Planning Policy Framework Planning Practice Guidance states that Access considerations should include the voluntary and free movement of people during a 'design flood', as well as the potential for evacuation before a more extreme flood. Access and egress must be designed to be functional for changing circumstances over the lifetime of the development.

The Council's Emergency Planners should be consulted in relation to flood emergency response and evacuation arrangements for the site. We strongly recommend that you prepare a Flood Warning and Evacuation Plan for future occupants. We do not normally comment on or approve the adequacy of flood emergency response and evacuation 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.

Main River / Flood Defence Consent

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written Flood Defence Consent of the Environment Agency is required for any works on, or within 8 metres of the landward toe of any Environment Agency designated flood defence structure(s). It is common in larger river systems, or tidal areas, for Environment Agency flood defences to be located in excess of 8 metres from the main channel or coastline, and greater than 20 metres in some instances.

Flood Defence Consent will also be required should any site/site infrastructure works take place in, under, over or within 8 metres of the bank top of the River Avon, a designated main river.

The need for Flood Defence Consent is over and above the need for planning

permission. To discuss the scope of the controls and to obtain an application form please contact the local Environment Agency office on 03708 506 506.

Important information

Please note that the views expressed in this letter are the informal views of officers of the Environment Agency and are made in response to an enquiry only. This letter does not represent our final view in relation to any future planning application made in relation to this site. We reserve the right to review our position should new information, or updates to guidance occur, in relation to any such application.

As of March 2014, we now charge for further technical input in to areas of the planning process, beyond the environmental issues identified above. Our charged advice is provided through a formal agreement made up of an offer letter, a programme of advice and [standard terms and conditions](#). We will discuss the advice you need with you, and agree a programme to specify the tasks that will be carried out.

The programme will also give the approximate timetable and cost for the advice. The programme can be varied by written agreement for any changes that need to be made. Charges are based on cost recovery and have been set at £84 per hour, per officer.

You should seek your own expert advice in relation to technical matters relevant to any planning application before submission

Please do not hesitate to contact me should you have any queries.

Yours sincerely

Mark Willitts
Sustainable Places - Planning Advisor

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