

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

12 May 2010

AUTHOR/S: Executive Director (Operational Services) / Corporate Manager – Planning and New Communities

**S/1608/09/F – FEN DRAYTON
Chang of Use from Offices (B1) to Children’s Day Nursery (D1)
At The Old School, High Street for the Whitfield Group
Recommendation: Delegated Approval**

Date for Determination: 4th March 2010

A. Update to the report

Further Information received after publication of the agenda report.

Comments have been received from the Environment Agency regarding the proposal. They state the Flood Risk Assessment is satisfactory and that development should only proceed in accordance with its recommendations. The applicant is reminded that culverting or works affecting the flow of a watercourse requires the written consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. A condition regarding the need for a Flood Contingency Plan is requested, which should use the guidance recommended in Appendix 4 of the submitted FRA MFT/1031/09 dated May 2009, and signed off by the Emergency Planner. The Flood Contingency Plan must be simple, viable, robust and sustainable for the lifetime of the proposed use of the development.

The need for a flood warning and flood contingency plan is critical to the suitability of the proposed use of the development. However, the Environment Agency would not normally comment on or approve the adequacy of flood evacuation and procedures accompanying development proposals, and they do not carry out these roles during a flood event. Their involvement during an emergency will be limited to delivering flood warnings to occupant/users. PPS25 and the associated Practice Guide (paragraphs 7.23 to 7.31) places responsibilities on LPAs to consult their Emergency Planners with regard to specific emergency planning issues relating to new development or a more vulnerable change of use of existing development.

In all circumstances, where flood warning and evacuation are significant measures in contributing to managing flood risk, in line with PPS25, the Environment Agency expect LPAs to formally consider emergency planning and rescue implications of new development in making their decisions.

Given the comments above from the Environment Agency, an additional informative regarding the need for written consent from the Environment Agency can be added. The recommendation remains that of delegated approval, subject to comments from English Heritage.

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