

**CIRCULATED  
BEFORE THE  
MEETING**



**REPORT of  
CHEIF EXECUTIVE**

**to  
SOUTH EASTERN AREA PLANNING COMMITTEE  
11 SEPTEMBER 2017**

**MEMBERS' UPDATE**

**AGENDA ITEM NO. 12**

<b>Application Number</b>	<b>FUL/MAL/17/00761</b>
<b>Location</b>	Land Adjacent Theedhams Farm Steeple Road Southminster
<b>Proposal</b>	Erection of agricultural building to store agricultural equipment.
<b>Applicant</b>	Mr Bradley Faulkner
<b>Agent</b>	Mr Mike Otter - GPO Designs Ltd
<b>Target Decision Date</b>	12 September 2017
<b>Case Officer</b>	Hannah Bowles TEL: 01621 875733
<b>Parish</b>	<b>SOUTHMINSTER</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In

**7.2 Statutory Consultees and Other Organisations**

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
<b>Environment Agency</b>	We object to this application in principle because the proposed development falls into a flood risk vulnerability category that is inappropriate to the flood zone in which the site is located. We therefore recommend that the application is refused planning permission on this basis.	Noted. Updated reasons for refusal below.

**5.5 Flood Risk**

The Environment agency response has been received and they raised an objection to the principle of the development. 'The proposed development falls into a flood risk vulnerability category that is inappropriate to the flood zone in which the site is located. We therefore recommend that the application is refused planning permission on this basis.'

A Flood Risk Assessment (FRA) supporting statement has been prepared for the site by GPO Designs, issue 1.1, dated 6 July 2017. The FRA confirms that the site lies within flood zone 3a, but as the Environment Agency have confirmed that it does not identify that the site is also in flood zone 3b; which is defined as a functional floodplain where water has to flow or be stored in times of flood. A comparison of Environment Agency flood outlines against

the site show the barn to be proposed within flood zone 3b, although it may be that a more detailed topographical survey for the site, may show that the functional floodplain extent is not as great as currently shown. This should be considered further in any FRA update.

The Environment Agency has confirmed that it may be possible to sequentially site the proposed barn outside of the functional floodplain, to the west of the site. If the barn can be located outside of flood zone 3b, then the Environment Agency would be able to remove their objection in principle. A topographical survey should be completed for the site (to metres above ordnance datum), which can be used to compare to modelled flood levels, to detail the extent of functional floodplain (flood zone 3b).

The building should be located outside of flood zone 3b. Ideally the barn would be located in flood zones 1 or 2. However, if this is not possible, then development in flood zone 3a may be possible if it can be demonstrated within the FRA that the flood risk on and off site would not be increased as a result of building within the floodplain. The building should not take up floodplain storage. One way of ensuring floodplain storage is not lost is to ensure that the flood waters can enter the building if required, so that the floodwaters are not directed elsewhere on or off site.

## **8. REASONS FOR REFUSAL**

1. The proposed development as a result of its scale, bulk and siting within this open and prominent location and in close proximity to residential development, would materially harm the the landscape and character of the locality. The proposal is therefore contrary to policies S1, S8 and D1 of the Maldon District Local Development Plan and the guidance contained within the NPPF.
2. The application site lies within tidal Flood Zone 3b which is a defined as a functional floodplain where water has to flow or be stored in times of flood; development should be directed to areas of low risk of flooding. Furthermore, it has not been recognised or addressed within the submitted Flood Risk Assessment that the site lies within flood zone 3b. The development would therefore be contrary to core planning principles and guidance contained in the National Planning Policy Framework, the National Planning Practice Guidance and policy D5 of the Maldon District Local Development Plan.