



North Lincolnshire Housing and Employment Land Allocations DPD

**Statement by the Environment Agency relating to Matter 2:
Conformity with Adopted Core Strategy and National Planning Policy**

Proposed Housing Allocations-site selection

Updated position - 3 December 2014

Submitted by:
Mr Richard Kisby
Principal Planning Adviser
Environment Agency
Waterside House
Waterside North
Lincoln
LN2 5HA

Statement:

In the period since we made our representations on the North Lincolnshire Housing and Employment Land Allocations we have been working with the council to address the matters we raised.

Sequential Test

Evidence of the Sequential Test process has now been prepared by North Lincolnshire Council and presented to us for consideration in a document titled “North Lincolnshire Council Flood Risk Sequential and Exception Test Paper”. We understand this will be presented as further evidence in support of the North Lincolnshire Housing and Employment Land Allocation Document.

It is our opinion that this document provides clarity on the process followed by North Lincolnshire in undertaking the Sequential Test as required in the National Planning Policy Framework.

Based on this evidence and subject to its inclusion as part of the North Lincolnshire Housing and Employment Land Allocations Document we withdraw our challenge to the soundness of the Plan in relation to the Sequential Test.

The Environment Agency takes the view that it is outside its remit to comment on the robustness of the evidence and outputs from this process.

Exception Test

If following application of the Sequential Test it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate.

Our role in providing advice on flood risk in relation to the Exception Test relates to the second element of the Test, we advise on whether or not we believe safe development can be achieved in relation to the risks presented by tidal and fluvial waters. We do not comment on the adequacy of flood warning and evacuation plans or matters of safe access and egress.

The National Planning Policy Framework (NPPF) and National Planning Policy Guidance set out the requirement that either a site specific flood risk assessment or detailed Strategic Flood Risk Assessment should be undertaken to support the Exception Test for sites proposed in areas at risk of flooding. North Lincolnshire Council had omitted to provide such evidence in relation to such sites at the time we submitted our representations.

In the period since we submitted our representations we have been working with North Lincolnshire Council to consider possible solutions to the gaps in its supporting evidence. In the absence of a site specific flood risk assessment we have discussed alternative evidence with NL which the Planning Inspector might accept in lieu of a detailed flood risk assessment to support the allocation of some sites. The detail of this is set out in our statements addressing the questions asked under Matter 3 of this examination.

In summary we have concluded, for the 13 sites listed below and the risks identified, that safe development can be achieved. For these sites we would expect a detailed and up to date flood risk assessment to be submitted at the planning application stage. This should demonstrate that the design can meet all the requirements of the NPPF to ensure flood risk from all sources is not increased by the proposal.

Accordingly we withdraw our challenge to the soundness of the Plan in relation to the Exception Test for the sites listed below.

Sites:

BRIH-1, BRIH-2, BRIH-5

BARH-1, BARH-3

SCUH-13, SCUH-6, SCUH-C8, SCUH-C1, SCUH-4, SCUH-C5, SCUH-16,

CROH-1

Our position with regards to sites SCUH-10 AND CROH-2 remains unchanged. We will continue to work with North Lincolnshire ahead of the Examination in an effort to resolve the outstanding matters, including a Statement of Common Ground.