

Olivia Rickman
Council of the Isles of Scilly
Planning & Development Department
Old Wesleyan Chapel Garrison Lane
St Mary's
Isles of Scilly
TR21 0JD

Our ref: DC/2022/122950/01-L01
Your ref: P/22/051/COU
Date: 20 December 2022

Dear Olivia Rickman

**TEMPORARY CHANGE OF USE OF LAND FROM SUI GENERIS (STONEYARD) TO CLASS C3 (DWELLINGS) FOR THE PROVISION OF 7 NO. PORTABLE SINGLE LIVING CONTAINERISED ACCOMMODATION UNITS FOR A PERIOD OF UP TO 2 YEARS TO ACCOMMODATE WORKERS DELIVERING THE COASTAL DEFENCES PROJECT.
STONEYARD, MOORWELL LANE, HUGH TOWN, ST MARY'S, ISLES OF SCILLY**

Environment Agency position

The Flood Risk Assessment (FRA) statement which has been submitted does not allow us to adequately assess the flood risk to the proposed development. Therefore, we have to object to the grant of planning permission and recommend refusal on that basis for the following reason:

The application site lies within Flood Zone 3 which is land defined by the planning practice guidance as having a high probability of flooding. The National Planning Policy Framework (paragraph 167, footnote 55) states that an FRA must be submitted when development is proposed in such locations.

An FRA is vital to making informed planning decisions. In its absence, the flood risks posed by the development flood are unknown. This is sufficient reason for refusing planning permission.

Overcoming our objection

The applicant can overcome our objection by undertaking an FRA which demonstrates that the development is safe from flooding over its lifetime without increasing risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.

Advice – Flood Risk

Further advice on FRAs can be viewed on our website:

Environment Agency
Sir John Moore House Victoria Square, Bodmin, Cornwall, PL31 1EB.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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

To inform the FRA and to obtain relevant data for the site it will be necessary to submit an Information Request to our communications team DCISEnquiries@environment-agency.gov.uk for an 'FRA Product 4'.

In view of the potential flood risks in this locality, we would also recommend that flood resilient construction practices and materials are incorporated 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 CLG free publication 'Improving the Flood Performance of New Buildings'. Please see the link below:

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

The applicant should also prepare a flood plan which outlines how they will respond to a flood. Further advice on this can be found in the following links:

<https://www.gov.uk/prepare-for-a-flood>

Advice to the LPA

We will maintain our objection until the applicant has supplied information to demonstrate that the flood risks posed by the development can be satisfactorily addressed. We would like to be re-consulted on any information submitted to address our concerns and we will provide you with bespoke comments within 21 days of receiving formal re-consultation.

If you are minded to approve the application at this stage contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Yours sincerely

Mark Williams
Planning Advisor

Direct e-mail spdc@environment-agency.gov.uk