

Cumberland Council
Development Control
The Copeland Centre Catherine Street
Whitehaven
Cumbria
CA28 7SJ

Our ref: NO/2023/115373/02-L01
Your ref: 4/23/2166/0F1
Date: 22 August 2023

Dear Ms Unsworth

**ERECT GRANNY FLAT ANNEX AND GARAGE EXTENSION
HERONS REACH, THE GREEN, LA18 5JA**

Thank you for re-consulting us on the above planning application.

Environment Agency position

In our letter referenced NO/2023/115373/01-L01 and dated 10 July 2023, we objected to the development as proposed due to the absence of an acceptable Flood Risk Assessment.

The planning application is now accompanied by a revised Flood Risk Assessment (FRA), author unknown, referenced; Granny Flat Annex and Garage Extension and dated 29/07/2023. We have reviewed the FRA in so far as it relates to our remit, and we are not able to remove our objection to the development as proposed. Our previous letter included FRA guidance and sources of information – advice to applicant.

The FRA although revised in some areas has not followed the advice provided in our previous letter. No design flood level is referred to in the FRA. The potential depth of flooding in the design flood event compared the proposed Finished Habitable Floor levels remain unknown, therefore the safety of the proposed development over its lifetime is also unknown.

As a result, we remain unsatisfied that the development would be safe without exacerbating flood risk elsewhere. We therefore maintain our objection as set out in our response dated 10 July 2023 (ref. NO/2023/115373/01-L01). And we wish to make the following informative comments:-

Flood risk

As the FRA and supporting plans are handwritten, it may be that the applicant / agent are not users of digital technology and are not able to follow the hyperlinks in our letter. We have therefore taken the step of requesting Product 4 Flood Risk Information data relevant to the site from our Data, Mapping, Modelling and Information team on behalf of the customer. We will provide this information to the applicant/ agent for their

Environment Agency
Lutra House Walton Summit, Bamber Bridge, Preston, PR5 8BX.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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information in order to derive the Design Flood Event, which is needed to be considered in the FRA.

What is meant by a “design flood”?

This is a flood event of a given annual flood probability, which is generally taken as:

- river flooding likely to occur with a 1% annual probability (a 1 in 100 chance each year); or
- tidal flooding with a 0.5% annual probability (1 in 200 chance each year); or
- surface water flooding likely to occur with a 1% annual probability (a 1 in 100 chance each year), plus an [appropriate allowance for climate change](#).

It will be necessary to obtain levels in m AOD for the site and the proposed Finished Habitable Floor Levels. Currently the FRA refers to the existing property as '0' datum.

Environmental permit - advice to applicant

The FRA refers to various construction activities that have taken place in proximity of Black Beck. We would remind the applicant that Black Beck is a designated statutory Main River.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Yours Sincerely

Hui Zhang

Planning Advisor

e-mail clplanning@environment-agency.gov.uk