

Reference number: 15/503223

**Amended condition 10 (additional text in italics)**

Prior to first occupation of the development hereby approved or construction of the flood attenuation bund including on site routing of HGV's to construct the bund, the proposed mitigation measures relating to great crested newts and reptiles set out in extended phase 1 ecology report and method statement for vegetation removal and management for reptiles by Hone Ecology dated the 29th September 2015 shall be implemented and maintained in accordance with the submitted details. *In the event that the commencement of development does not occur within 2 years of the date of the approval of planning permission a further ecological survey and method statement shall be submitted to and approved in writing by the local planning authority before work commences with works proceeding in accordance with the method statement and any recommendations that are made.*

Reason: In the interests of wildlife.

**Amended condition 13 (additional text in italics)**

Prior to first occupation of the development hereby approved the flood risk management methods shall be implemented in accordance with the details set out in paragraphs 7.01-7.16 (inc) of the flood risk assessment carried out by Monson dated the 5<sup>th</sup> November 2015, with these measures maintained as such at all times thereafter. In addition the building shall only be occupied in accordance with the flood warning and evacuation plan received on the 6th July 2016 *or any other plan subsequently agreed in writing by the local planning authority.*

Reason: In the interests of flood protection.

**Amended condition 20**

Prior to first occupation of the development hereby approved a new flood attenuation bund shall be in place that is in full accordance with details that have previously been submitted to and approved in writing by the local planning authority with the bund retained as such at all times thereafter. The submitted details shall include information on the embankment material (including evidence to confirm that material does not fall within the CL:AIRE (Contaminated land: Applications in Real Environments) definition of waste), the bund crest height, and drainage arrangements for the land within the bunded area.

Reason: In the interests of flood protection, wildlife and environmental protection.

Response from the Environment Agency to a query from nearby resident Miss Sue Lee

**From:** Mitri, Ghada [mailto:ghada.mitri@environment-agency.gov.uk]

**Sent:** 15 September 2016 13:40

**To:** Ian & Sue

**Cc:** CE Chairman Correspondence; Tony Ryan; Graham Parkinson; Helen Whately

**Subject:** FW: Bletchenden Manor Farm, Headcorn - our reference: 119942/07-L01 - Application reference: 15/505223

Dear Sue

Thank you for your email on 16 August 2016 regarding the Bletchenden site. Please accept our apologies in the delay of the response. As this is a planning query, I am the lead on communication for this development. We have reviewed the site and have consulted our flood engineers and have the following advice to share. It is our professional judgement based on our flood knowledge that the new proposed bund will have negligible impact.

The applicant has proposed to construct a new bund just to protect his dwelling. The new bund will be within the larger bunded area and is required to protect the dwelling in the event of the larger bund being breached or overtopped. Should the larger bund be breached, all properties in the area will be at risk to internal flooding, regardless of whether the new bund is constructed or not. The applicant requested our view on the principle of constructing this new bund and we agreed a private bund could provide protection to the proposed dwelling but recommended full details be provided as a condition of planning if the local authority decide to grant permission. This would involve providing full details of the embankment material, crest height and drainage arrangements within the new bunded area.

You are correct that the precise impact in terms of changes to flood level have not been quantified at this stage. If and when more details are provided, we would ensure the line of flood protection is as close to the proposed dwelling as possible to minimise any impact elsewhere. We do not request hydraulic modelling to be carried out when we calculate the loss of flood storage volume to be negligible in comparison to the wider flood plain.

Our flood model shows flood levels based on the potential impact of 20% climate change increase and not the 35% peak flow increase. The estimated flood level based on a 1in100yr event plus 20% increase is 20.22mAOD. The current estimate based on a 1in1000yr event is 20.38mAOD. We know the 1000yr flow to be more than the 100yr plus 35% and so conclude that the 100yr plus 35% flood level will be no greater than the current 1000yr flood level of 20.38mAOD at this location.

The local authority will consult us once additional information is provided for this development.

If you would like to discuss this matter further I would be more than happy to answer your questions. Please contact me on 0208 474 6692.

Yours sincerely

**Ghada**

Miss Ghada Mitri  
Sustainable Places Planning Advisor  
Kent Sustainable Places Team  
South East  
Address: **Orchard House**, Endeavour Park, London Road, Addington, Kent ME19 5SH  
**Phone: 0208 474 6692**

Email from nearby resident Miss Sue Lee including the query sent to the Environment Agency

**From:** Ian & Sue [REDACTED]

**Sent:** 14 September 2016 13:03

**To:** Matt Boughton (Cllr); Brian Clark (Cllr); Martin Cox (Cllr); Clive English (Cllr); Tony Harwood (Cllr); Michelle Hastie (Cllr); Michael Hemsley (Cllr); Steve Munford (Cllr); John Perry (Cllr); Eddie Powell (Cllr); Shellina Prendergast (Cllr); Martin Round (Cllr); Paulina Stockell (Cllr); Fran Wilson (Cllr)  
**Cc:** Alison Broom; Helen Whately; Rob Jarman; James Bailey; [REDACTED]

**Subject:** Planning Committee 15th September 2016 - Agenda Item 13

Dear Councillors,

**RE - 15/503223/FULL - Part retrospective - Change of use and rebuilding of former cattle shed to provide tourist accommodation and construction of flood defence bund.**

Further to our previous correspondence we wish you to be advised of the following:-

Requested information for details of the Private Flood Defence System has not been provided. Neither has detailed plan or assessment of the new bund been submitted or consulted on.

The EA has been asked to provide further information on their assertion that the new proposed bund would not increase flood risk to our homes. Below are the specific questions we have asked of the EA, as yet we have received no response, but believe these questions should also be considered by the Committee.

- We are concerned that no quantitative investigation has been undertaken – by either the EA or the applicant – to demonstrate that the proposed application will not adversely effect flood risk elsewhere. The EA state in their email “we believe any flood displacement will have negligible impact on flood levels in this area”. We have asked if they can elaborate on what this belief is base on.

- The applicant has proposed a new flood defence that will protect a significant proportion of his land. Contrary to the EA's email, this is not being proposed to be constructed “very close to the property”, but instead protects an area of land over 600m<sup>2</sup> in size, (as indicated by the submitted plan). This has the potential to displace a significant volume of fluvial floodwater during a flood event. The topography of the area of land proposed to be defended varies between approximately 19.00mAOD and 19.50mAOD. The EA's new flood modelling for the area (undertaken in 2015) suggests a 1:100 year present day flood level of 20.05mAOD. Even if we assume all of the land proposed to be defended is at least 19.50mAOD, this would result in the displacement of over 300m<sup>3</sup>. No detailed investigation whatsoever has been undertake by the applicant or the EA to quantify this displacement, or more importantly demonstrate that the proposed development will not adversely impact flood risk elsewhere.

- No consideration has been made for the effects of climate change. When considering the impact of the 1:100 year plus allowance for climate change event (particularly with the new 35% flow allowances as opposed to the older 20% allowances) the potential impact of displaced flood water would be even greater. We have asked the EA if they can elaborate on why no consideration has been made for the effects of climate change, as required by policy.

- Ensuring that a proposed development does not adversely impact flood risk elsewhere is a fundamental requirement of flood risk planning policy, yet the EA appear to have entirely failed to consider this. The EA have repeatedly stated in their email that “we believe” the proposed development will have a negligible impact on flood levels elsewhere, yet they provide no evidence to support this assumption.

Further more regarding planning policies, the proposal is contrary to Policy ENV45 as it comprises the conversion of an unused rural building which has (for whatever reason) necessitated total, reconstruction (ENV45 (1)) - which the applicant now admits by the recent change of description for the application, and depending on the design of the proposed bund it will result in an adverse impact on the visual amenity of the surrounding area by defining a curtilage, contrary to Policy ENV45 (7).

The proposal doesn't appear to be a holiday let (provision of amenity space and studies etc indicates it would be a private dwelling), under the extant local plan the proposal must be considered as a new dwelling NOT a conversion.

Headcorn is a sustainable settlement and therefore minor housing development is acceptable within the settlement boundary; Bletchenden Manor Farm is outside of this boundary and therefore new housing development is unsustainable. The proposal would be contrary to Policies SP5 and SP7 of

the new plan. Furthermore, Policy DM35 carries over the same provision for conversion of rural buildings and the proposal would be contrary to this.

*This application is contradictory and factually incorrect, it flouts NPPF and MBC policies and as such the committee should vote to refuse.*

For and on behalf of the Bletchenden Residents

Miss Sue Lee

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**My recommendation remains unchanged.**