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South Kesteven District Council  
Land Use Planning  
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**Our ref:** AN/2020/130860/PO-02/SB1-L01

**Date:** 25 April 2024

Dear Planning Policy Team

### **South Kesteven Local Plan Review - Draft Local Plan (Regulation 18)**

Thank you for consulting us on the South Kesteven Draft Local Plan (2021-2041). We have reviewed your Plan and the sections relevant to our remit. Accordingly, we have the following comments:

#### **Chapter 5: Climate Change and Energy**

##### Renewable Energy

We support the production of a new Climate Change Study to inform Policy RE1 ahead of it being finalised.

In regards of flood risk, renewable energy developments can be located in areas of flood risk due to the ability to raise the infrastructure out of the flood zone, however, early consultation with the Environment Agency is recommended to ensure appropriate flood risk mitigation is considered.

#### **Chapter 6: Spatial Strategy**

The Plan addresses the need for infrastructure to accommodate growth in Paragraph 6.11, which identifies that there are infrastructure capacity issues in some settlements and it is expected that planning applications will address the impact of development on infrastructure. This is necessary to ensure that there is no deterioration in the quality of the watercourses receiving the extra volume of treated effluent.

We recommend that Policy SP3 is strengthened by referring to the protection of the water environment to ensure further development in areas with infrastructure capacity issues do not harm the environment. Therefore, we suggest the following is added to Policy SP3;

“In all settlements defined in Policy SP2, residential development, which is in accordance with all other relevant Local Plan policies, will be supported provided that: **it does not cause harm to the water environment.**”

We identified settlements with Water Recycling Centre (WRC) capacity issues in response to the Regulation 18 Issues and Options consultation 2020; Marston, Deepings and Little Bytham. In Chapter 6, Little Bytham and Marston have been

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identified in Policy SP2 as Smaller Villages where small scale development will be supported. As these settlements continue to have WRC capacity issues we have provided additional comments below:

#### Little Bytham

The evidence available to us shows that Little Bytham WRC has a headroom of 403 which is equivalent to an estimated capacity of 1252 dwellings and the dry weather flow limits for the past 5 years is below Q80. However, the data from the event duration monitoring (EDM) installed in 2022 has shown that 90 spills from the Storm tank at Wastewater Treatment Works (WwTW). Additional flows could cause pollution to the West Glen (GB105031050650). We encourage the council to liaise with Anglian Water Services (AWS) and ensure that acceptable plans are in place for the management of foul water, in advance of planning permission being determined. We also encourage the council to be aware of the measures that would be required to be taken by AWS, to ensure that the additional flows from the development would be accommodated.

#### Marston

The evidence available to us shows that the Marston WRC has a headroom of 1904 which is equivalent to an estimated capacity of 5913 dwellings and the dry weather flow limits for the past 5 years is below Q90. However, the data from the EDM installed in 2022 has shown that 58 spills from the Storm tank at WwTW. Additional flows could cause pollution to the River Witham (GB105030056780). We encourage the council to liaise with AWS and ensure that acceptable plans are in place for the management of foul water, in advance of planning permission being determined. We also encourage the council to be aware of the measures that would be required to be taken by AWS, to ensure that the additional flows from the development would be accommodated.

Water Companies have a statutory duty to assess the impact of planned development on water resources and supply in their areas. AWS would therefore need to be consulted on any proposed housing and development. The Plan should ensure that there is appropriate liaison with AWS to ensure that sufficient measures are in place to meet water demand for new development.

### **Chapter 7: Meeting Housing Needs**

#### Policy H1: Housing Allocations

Policy H1 outlines a list of proposed site allocations for residential development. These site allocations will need to have passed the sequential test. An assessment of the site's constraints along with rankings and recommendations should also be included.

Paragraph 10.26 states "South Kesteven has commissioned a new Strategic Flood Risk Assessment (SFRA) in line with the NPPF requirements and in consultation with the Environment Agency and this will be the starting point for consideration of the sequential and the exception tests". The site allocations outlined in Policy H1 should be included in this.

Site allocation SKPR-281 (Stamford North) is in Flood Zone 2 and 3. The indicative number of units for this housing allocation is 1350. We expect that some of these houses would be located within Flood Zone 2. We would not support site allocation SKPR-281 without further evidence to demonstrate that properties would be sequentially located and that climate change allowances would be considered for any development that comes forward as a result of the allocation.

#### Policy H5: Gypsies and travellers

We are satisfied that reference to flood risk can be removed from Policy H5 and H6 as

Policy EN5 adequately covers flood risk and can be applied to all development types.

The NPPG requires that proposals for holiday or short-let caravans and camping sites are accompanied by a Flood Warning and Evacuation Plan, undertaken and agreed in consultation with the Local Planning Authority's Emergency Planning Officer. We would recommend an overarching Flood Warning and Evacuation Plan for South Kesteven District Council that can be applied to these sites.

## **Chapter 10: Protecting and Enhancing the Natural and Built Environment**

### New Policy 4: Biodiversity Opportunity and Delivering Measurable Net Gains

Whilst we support the inclusion of new Policy EN4 it could be made clearer that going above the minimum measurable target of 10% would be preferable, the wording of paragraph 3 could suggest that major development would be the best place to aim for higher BNG more in the region of 20%.

### Section 10.34

Section 10.34 states that the Environment Agency are responsible for the management of groundwater resources, however it is the local authority that would be responsible for managing the risk of flooding to groundwater. We have a strategic overview for all sources of flooding. Further guidance on our responsibility on groundwater resource can be found [here](#).

### Policy EN5: Water Environment and Flood Risk Management

Proposed revised wording of Policy EN5 for greater clarity:

A Flood Risk Assessment (FRA) will be required for all development in Flood Zones 2 and 3 and for sites greater than 1 hectare in Flood Zone 1, ~~and where a development site is located in an area known to have experienced flood problems from any flood source, including critical drainage.~~ **An FRA is also required for sites less than 1 hectare and where a development site is located in an area known to have experienced flood problems from any flood source, including critical drainage.**

Proposed revised wording of Policy EN5 for greater clarity:

~~Where development takes place in Flood Zones 2 and 3, opportunities should be sought to:~~

- ~~a. Reduce flooding by considering the layout and form of the development and the appropriate application of sustainable drainage techniques;~~
- ~~b. Relocate existing development to land in zones with a lower probability of flooding; and~~
- ~~c. Create space for flooding to occur by restoring functional floodplains and flood flow pathways and by identifying, allocating and safeguarding open space for storage.~~

**Where development takes place in Flood Zones 2 and 3, it should:**

- a. Ensure occupants of the development will be safe for its lifetime by considering the layout and form of the development. This includes setting finished floor levels above design flood levels\* with an allowance for freeboard and climate change allowances, also applicable to householder and minor extensions.**
- b. Ensure appropriate application of sustainable drainage techniques;**
- c. Relocate existing development to land in zones with a lower probability of flooding where possible; and**
- d. Create space for flooding to occur by restoring functional floodplains and flood flow pathways and by identifying, allocating and safeguarding open space for storage.**

\*Recommendation for design floor levels is to consider the 1% AEP including climate change for 2 storey buildings and the 0.1% AEP including climate change for single storey buildings.

Whilst we are waiting for the SFRA to be completed, development in areas of flood risk must be designed to ensure they are safe for their lifetime (this is mentioned in supporting text, but not in Policy EN5).

Development should be steered away from Flood Zones 2 and 3 where possible and maintain access to 'main river' water courses. Good, sustainable design which can adapt to climate change must consider flood risk and ensuring development will stay safe for its lifetime and not increase flood risk elsewhere.

Any development taking place with 8 metres of the bank of a main river, or 16 metres if it is a tidal main river may require a permit under the Environmental Permitting Regulations 2016. Further information can be found at [Flood risk activities: environmental permits - GOV.UK \(www.gov.uk\)](http://www.gov.uk).

## **Chapter 11: The Built Environment**

### New Policy 5: Householder development

Development should aim to identify flood risk mitigation measures in line with those required for new build development of the same type, as far as this is practicable and should be in accordance with national flood risk standing advice if the development falls within Flood Zone 2 or 3.

We advise against the use of flood doors or demountables unless development can be restricted to replace these/the mechanisms with like for like. This is to ensure that flood doors are not replaced with standard doors.

### Policy SB1: Sustainable Building

We support the adoption of the Buildings Regulations optional higher water efficiency standard of 110 litres per person per day to ensure water efficiency.

## **Chapter 12: South Kesteven's Communities:**

The Deepings have housing allocations and as mentioned previously under Chapter 6, The Deepings WRC has been identified as having capacity issues. The plan proposes new Policies for housing allocations SKPR-144 (200 dwellings) and SKPR-26 (18 dwellings).

We have no concerns about the development at the Deepings due to it's a small development. However, the data from the EDM installed in 2020 shows 103 spills from Storm tank at WwTW. The Deepings has a headroom of 453 which is equivalent to an estimated capacity of 1407 dwellings and the dry weather flow limits is approaching its limit with 4 out of 5 years above Q90. Additional flows could cause pollution to the River Welland (GB205031050685). We encourage the council to liaise with AWS and ensure that acceptable plans are in place for the management of foul water, in advance of planning permission being determined. We also encourage the council to be aware of the measures that would be required to be taken by AWS, to ensure that the additional flows from the development would be accommodated.

## **Chapter 13: Infrastructure and Developer Contributions**

We would like to add that the Environment Agency will continue to support and liaise with all risk management authorities on flood risk matters.

The Infrastructure Delivery Plan (IDP) will be key to this section and Policy ID1. We are supportive that water and drainage of the IDP will include flood risk management.

We expect the developer to work with AWS to contribute to any developments if needed for proper discharge of sewage and wastewater.

**Summary**

We welcome the overall content of the Plan however, we strongly recommend the points raised on each Chapter are carefully considered and appropriately incorporated into the relevant sections of the Plan.

Please do not hesitate to contact me if you have any questions or queries on our response.

Yours sincerely

Amelia Crawford  
Sustainable Places Planning Advisor

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