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Environment
Agency

North East Lincolnshire Council
Development Control
Civic Offices Knoll Street
Cleethorpes
South Humberside
DN35 8LN

Our ref: AN/2006/100664/02-L01
Your ref: DC/1224/06/HEN

Date: 03 April 2007

ENVIRONMENT AGENCY
DATE RECEIVED
25 APR 2007
PLANNING
PLANNING UNIT
ACTION D.

Dear Sir/Madam

**REDEVELOPMENT OF BIRDS EYE FACTORY SITE INTO DEVELOPMENT FOR
177 MIXED DWELLINGS
LADYSMITH ROAD, GRIMSBY**

I refer to my previous letter dated 10th January 2007 relating to our objection to the above application as the Flood Risk Assessment (FRA) submitted was not considered Planning Policy Guidance note 25 (PPG25) compliant.

I can confirm that we have since received an amended FRA to support the application. We consider that the details in the amended FRA have been undertaken in line with the tidal and fluvial aspect of flood risk guidance contained in Appendix F of PPG25, and these are considered appropriate for the scale and nature of the proposed development.

Please note that our advice has not considered the risk of flooding from ground water, drainage systems, reservoirs, canals or ordinary watercourses. The Local Planning Authority will therefore need to be satisfied that the proposed development is also in accordance with other requirements of PPG25 'Development and Flood Risk'.

Accordingly, the Environment Agency is prepared to **WITHDRAW** its previous objection, subject to the actions/mitigation measures identified in the approved FRA being secured by a planning condition to ensure that flood risk is adequately mitigated for the lifetime of the development.

CONDITION Development shall proceed fully in accordance with the mitigation measures (e.g. finished floor levels no lower than 3.8m AOD for all apartments and 3.5m AOD for all other dwellings) set out in the approved Flood Risk Assessment and

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subsequent amendments, and the applicant shall confirm completion of the approved scheme in writing within one month thereafter.

REASON To reduce the risk and impact of flooding.

As you are aware the discharge of planning conditions rests with the Local Planning Authority. It is, therefore, essential that you are satisfied that the proposed draft condition meets the requirements of Circular 11/95 'Use of Conditions in Planning Permission'.

It should be noted that this site may have a residual risk of flooding from flood events exceeding the mitigated design standards used.

Contaminated Land

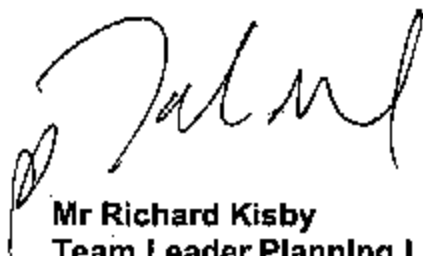
Since our previous response was submitted it has been drawn to our attention that there are bore holes located within the site which provide a direct pathway to the underlying aquifer. We also understand that the exact location of these bore holes is currently unknown, and that some demolition works have already started on the site.

This is a source of some concern to us. Accordingly we request that the condition requested in our previous letter be amended to stipulate that the location of the bore holes and a desk top study be carried out and approved prior to any further demolition works taking place.

Please could you forward a copy of the Decision Notice to the Environment Agency for the purpose of monitoring in line with Defra High Level Targets.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact Jacob Newby on the number below.

Yours faithfully



Mr Richard Kisby
Team Leader Planning Liaison

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