

Tom Rea
North Hertfordshire District Council
Planning Control & Conservation
Council Offices Gernon Road
Letchworth Garden City
Hertfordshire
SG6 3JF

Our ref: NE/2025/138315/01
Your ref: 25/01361/FP

Date: 18 July 2025

Dear Tom,

Change of use and conversion of barn to provide one self-contained two-bed dwelling including single storey front and rear extensions, side porch extension and alterations to fenestration including parking and hardscaping.

White House, Ashwell Road, Newnham, Baldock, Hertfordshire, SG7 5JU.

Thank you for consulting us on the above application on 1 July 2025.

Environment Agency Position

We **object** to this application and recommend that planning permission is refused. This objection is in line with Paragraph 181 of the National Planning Policy Framework and Policy NE7: Reducing flood risk, of the North Herts Local Plan (2011-2031).

Reasons for objection

The most recent North Herts Strategic Flood Risk Assessment (SFRA) says that where information on Flood Zone 3b does not exist, Flood Zone 3a should be taken to illustrate floodplain in the first instance, as was set out in the original SFRA. This means that according to the North Herts SFRA, this site is designated as **Flood Zone 3b**. It's also designated as Flood Zone 3a. These designations are land defined by the planning practice guidance as having a high probability of flooding.

The proposal is for a dwelling, which is classified as 'more vulnerable' development, as defined in [Annex 3: Flood Vulnerability classification](#) of the National Planning Policy Framework. At present, the application consists of a conversion to a dwelling **with** additional built footprint (by way of extensions) within Flood Zone 3b. This additional built footprint within the functional floodplain is unacceptable.

Therefore as submitted (i.e. with the additional built footprint), we wish to **object in principle** to this application.

Overcoming our objection

Please note that we do not hold any modelled flood risk data for the ordinary watercourse adjacent to the site. The current submitted flood risk assessment (FRA) has used our 'Risk of Flooding from Rivers and the Sea' depth data to estimate a flood level at the site. This data is not suitable for use in site-specific FRAs for this purpose. In circumstances such as these we usually require site specific flood risk modelling to be provided.

The applicant has two ways to proceed:

1. If the applicant wishes to retain their site plans as is, then the applicant will need to prove firstly that the site is in Flood Zone 3a and not Flood Zone 3b. This will require the submission of detailed flood modelling to support the application, which will need to be reviewed and accepted by ourselves. The applicant will then need to use this data to put together a robust FRA which demonstrates/provides finished floor levels (FFLs), floodplain compensation, flood resilience/resistance measures, and procedures in place for safe site access/egress.
2. If the applicant chooses to alter their plans so that the application consists of a conversion only (i.e. no additional built footprint within the floodplain), then we may be able to be more pragmatic. The main issue to overcome in this instance will be setting the FFLs, as part of the FRA. We may be able to accept FFLs being set using the nearest high/dry ground outside of the flood extent, instead of requiring detailed flood modelling. In addition, we will need to see flood resilience/resistance measures, and procedures in place for safe site access/egress within the submitted FRA.

Further advice re modelling

If the applicant wishes to retain their current plans, then they will need to do flood risk modelling to prove the site is not in flood zone 3b first. This data can be used to establish accurate FFLs for the house and provide adequate floodplain compensation.

Fluvial flood levels will need to be determined for the Cat Ditch adjacent to the site. It may be appropriate to undertake some flow analysis such as FEH and 1D modelling to establish the flood levels.

Modelling of the adjacent ordinary watercourse should be undertaken as part of the FRA to accurately establish the flood risk to the proposed development in terms of flood extents and depths of flooding. The watercourse should be modelled for a range of return period events, including the 3.3% Annual Exceedance Probability (AEP), 1% AEP, 1% AEP including an appropriate allowance for climate change, and 0.1% AEP flood events. The flood levels on the development site should be determined and compared to a topographic site survey to determine the flood extents and depths across the site.

Please refer to this [guidance](#) for river modelling for using modelling for FRAs. For further information on what is required for review please refer to this [guidance](#). We recommend that FRAs at all levels should be undertaken under the supervision of an experienced flood risk management specialist (who would normally be expected to have achieved chartered status with a relevant professional body such as the Institution of Civil Engineers (ICE) or the Chartered Institution of Water and Environmental Management (CIWEM)).

Advice to Local Planning Authority

Sequential Test

What is the sequential test, and does it [apply](#) to this application?

In accordance with the National Planning Policy Framework (paragraph 174), development in flood risk areas should not be permitted if there are reasonably available alternative sites, appropriate for the proposed development, in areas with a lower risk of flooding. The sequential test establishes if this is the case.

Development is in a flood risk area if it is in Flood Zone 2 or 3, or it is within Flood Zone 1 and your SFRA shows it to be at future flood risk or at risk from other sources of flooding such as surface water or groundwater.

The only developments exempt from the sequential test in flood risk areas are:

- Householder developments such as residential extensions, conservatories, or loft conversions
- Small non-residential extensions with a footprint of less than 250sqm
- Changes of use (except changes of use to a caravan, camping or chalet site, or to a mobile home or park home site)
- Applications for development on sites allocated in the development plan through the sequential test and:
 - the proposed development is consistent with the use for which the site was allocated; and
 - there have been no significant changes to the known level of flood risk to the site, now or in the future, which would have affected the outcome of the test

Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures such as flood defences, flood warnings and property level resilience.

Who undertakes the sequential test?

It is for you, as the Local Planning Authority, to determine an appropriate area of search and to decide whether the sequential test has been passed, with reference to the information you hold on land availability. You may also ask the applicant to identify any other 'reasonably available' sites which are on the open market and to check on the current status of identified sites to determine if they can be considered 'reasonably available'. Further guidance on the area of search can be found in paragraphs 027-030 of the Planning Practice Guidance [here](#).

What is our role in the sequential test?

We can advise on the relative flood risk between the proposed site and any alternative sites identified - although your SFRA should allow you to do this yourself in most cases. We won't advise on whether alternative sites are reasonably available or whether they would be suitable for the proposed development. We also won't advise on whether there are sustainable development objectives that mean steering the development to any alternative sites would be inappropriate. Further guidance on

how to apply the sequential test to site specific applications can be found in the planning practice guidance [here](#).

Insurance eligibility

New homes built in flood risk areas after 1 January 2009 are not covered by the Flood Re-insurance scheme and may not be eligible for home insurance. We advise contacting an insurance provider to discuss whether your development would qualify for insurance.

Flood Risk Management Scheme Funding eligibility

New properties and buildings converted to housings within areas of flood risk after 1 January 2012 will not be counted towards the outcome measures of any proposed future flood alleviation scheme. This is to avoid inappropriate development in flood risk areas. Further information can be found [here](#).

Exception test

In accordance with the National Planning Policy Framework (paragraphs 178 and 179), the proposed development is appropriate provided that the site meets the requirements of the exception test. Our comments on the proposals relate to the part of the exception test that demonstrates the development is safe. The local planning authority must decide whether or not the proposal provides wider sustainability benefits to the community that outweigh flood risk.

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings, and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in:

- [Government guidance on flood resilient construction](#)
- [CIRIA Code of Practice for property flood resilience](#)
- [British Standard 85500 - Flood resistant and resilient construction](#)

Flood risk issues not within our direct remit

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. Prior to deciding this application, we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- Adequacy of rescue or evacuation arrangements
- Details and adequacy of an emergency plan
- Provision of and adequacy of a temporary refuge
- Details and adequacy of flood proofing and other building level resistance and resilience measures
- Details/calculations relating to the structural stability of buildings during a flood

- Whether insurance can be gained or not
- Provision of an adequate means of surface water disposal such that flood risk on and off-site isn't increased

Flood warning and emergency response.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network. Planning Practice Guidance (PPG) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to '[Flood risk emergency plans for new development](#)' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with the National Planning Policy Framework and PPG.

Advice to applicant

Water resources

Increased water efficiency in new developments potentially enables more growth to be realised without an increased availability of water resources. Developers can highlight responsible water use as a positive corporate social responsibility message that will boost the commercial appeal of the development. For the homeowner/tenant, lower water usage also reduces water and energy bills.

We endorse the use of water efficiency measures in all developments, particularly in those that are new. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be all considered as an integral part of new developments and/or refurbishments. The technology used to achieve improved water efficiency (e.g. efficient fittings, greywater recycling, etc) is also an attractive feature for many prospective building owners and tenants.

Residential developments

The supply of water in the area is under serious water stress (as identified in our report: [Water stressed areas – 2021 classification](#)). All residential developments must therefore achieve the higher water consumption efficiency standard of 110 litres per person per day, as set out within [the Building Regulations &c. \(Amendment\) Regulations 2015](#). This standard or higher may already be a requirement of the local planning authority.

Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit [here](#). It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families, and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. Please also see the following links:

- [For practical advice on preparing for a flood](#)
- [To get help during a flood](#)
- [For advice on what do after a flood](#)

Pre-Application Advice

We strongly encourage applicants to seek our pre-application advice to ensure environmental opportunities are maximised and to avoid any formal objections from us. If the applicant had come to us, we could have worked with them to resolve these issues prior to submitting their planning application. The applicant is welcome to seek our advice now to help them overcome our objection via HNL.SustainablePlaces@environment-agency.gov.uk.

Final comments

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence.

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations.

In accordance with the planning practice guidance (determining a planning application, paragraph 038), please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Should you have any queries regarding this response, please contact me.

Yours sincerely,

Becki Ingram
Planning Specialist

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