

From: LN Planning <LNplanning@environment-agency.gov.uk>
Sent: 02 April 2024 17:08
To: Marwood, Abbie <Abbie.Marwood@boston.gov.uk>
Subject: EA response- enquiry: B/24/0040 Land off Fellands Gate, Old Leake, Boston

Dear Abbie Marwood,

Thank you for your enquiry regarding the application B/24/0040.

As outlined in our response dated 28 February 2024 (AN/2024/135302/01-L01), the seasonal occupancy restriction is required by Policy 4 in the South East Lincolnshire Local Plan and it is the primary tool for managing residual flood risk, based on flood risk data and balanced alongside local economic drivers.

Policy 4 states- *'Occupancy of caravan, chalet, log cabin, camping and touring sites at risk of tidal flooding will not be permitted to open between 1 st November in any one year and the 14th March in the succeeding year.'*

In our response we referred to the '2049 condition'. When agreed with the Local Planning Authority, we have on occasions allowed year round occupation until the year 2049, secured by a planning condition. However, we only consider this to be acceptable on flood risk grounds where there is no present-day flood hazard, i.e. outside of the tidal hazard classification of 'danger to all', 'danger to most' and 'danger for some' on the 2006 breach maps from a flood that has a 0.1% chance of occurring in any one year.



However, as stated in our response to the planning application, our tidal hazard mapping shows the site to have present day flood risk, based on the 2006 0.1% tidal breach maps and therefore year round occupancy until 2049 is not considered appropriate for this site.

Due to the seasonal occupancy restriction being the primary tool for managing the residual flood risk, we do not consider that any other mitigation measures would be adequate in mitigating the flood risk at the site. Based on the present day flood risk data, we do not consider that there are any other mitigation measures that could be proposed in order to alleviate the requirement of the seasonal occupancy restriction.

Also, you may not be aware that the issue of seasonal holiday occupancy was the subject of a Public Inquiry in 2021 in relation to 3 sites in East Lindsey District Council's jurisdiction. The site operators made a similar request in order to maximise revenue during the winter/Christmas/New Year period. However, the Secretary of State refused the applications and his detailed reasons for doing this are recorded in the decision notice for APP/D2510/V/20/3262525, which can be found on the [Appeals Casework Portal here](#). We are not aware of any new information that would indicate these reasons for refusal are not still valid.

I hope the above provides clarification. If you have any questions, please do not hesitate to contact us.

Kind regards,
Danielle Maclean-Spencer

Planning Advisor | Environment Agency | Sustainable Places | Lincolnshire and Northamptonshire Area
 danielle.maclean-spencer@environment-agency.gov.uk
 07826875888

Working days: Monday to Friday
(Please note I will be out of the office on Tuesdays)