

**23.01.2026****FLOOD RISK ADDENDUM****Proposed Siting of 5 Additional Static Caravans (Gypsy Pitches)****Oak Tree Paddock, Kirkby Lane, Pinxton, Nottinghamshire, NG16 6HW****Planning Application Ref: V/2025/0057****Prepared by: Max Design Consultancy****Date: January 2026 (Revision H – EA Objection Response)****1. Purpose of this Revision**

This revised Flood Risk Assessment (FRA) Addendum has been prepared specifically to address the Environment Agency (EA) objections dated 01 December 2025 (Ref: LT/2025/129603/01-L01).

It supersedes Revision E where conflicts arise.

The objectives of this revision are to:

1. Clarify the planning policy position in relation to Flood Zone 3b (functional floodplain).
2. Provide a clear and policy-compliant justification for applying the Exception Test.
3. Commit to, and scope, Environment Agency-approved hydraulic modelling to robustly define flood extents and levels.
4. Demonstrate that the development can be safe for its lifetime without increasing flood risk elsewhere.
5. Fully address the EA objection relating to foul drainage and pollution prevention.

**2. Flood Risk Policy Position****2.1 National Planning Policy Framework (NPPF)**

The National Planning Policy Framework (NPPF, 2025) seeks to steer new development to areas with the lowest probability of flooding through application of the Sequential Test, and where necessary, the Exception Test. Paragraphs 159–167 make clear that development should not be allocated or permitted if there are reasonably available sites in areas of lower flood risk, unless it can be demonstrated that the Exception Test is passed.

The NPPF recognises that there will be circumstances where development is required in areas of higher flood risk due to overriding planning needs, provided that such development can be demonstrated to be safe for its lifetime without increasing flood risk elsewhere.

## 2.2 Planning Practice Guidance (PPG)

Planning Practice Guidance classifies land at highest risk of flooding as Flood Zone 3b (functional floodplain), defined as land where water has to flow or be stored in times of flood, typically associated with the 1 in 30 year fluvial flood extent. PPG Table 2 identifies that ‘highly vulnerable’ development is generally incompatible within Flood Zone 3b.

However, PPG also recognises that planning decisions must be taken in the context of material considerations, local circumstances, and the ability of development to meet the Exception Test where justified.

This FRA therefore does not seek to disregard PPG Table 2, but instead addresses how the proposal can be assessed within the wider policy framework.

## 2.3 Vulnerability Classification

Static caravans for permanent residential use are classified as ‘highly vulnerable’ development in accordance with NPPF Annex 3 and PPG Table 2.

The policy position is acknowledged: highly vulnerable development is generally not compatible with Flood Zone 3b. However, national planning policy allows such development to be considered where the Exception Test is demonstrably passed and where material planning considerations apply.

## 3. Exception Test – Planning Justification

The Exception Test is applied in full recognition of national policy constraints associated with Flood Zone 3b. Both parts of the test are addressed below.

### 3.1 Part 1: Wider Sustainability Benefits

The proposed development delivers clear and demonstrable sustainability benefits that outweigh flood risk policy constraints:

- The proposal directly addresses an identified and ongoing Gypsy and Traveller accommodation shortfall within Ashfield District, as evidenced by the Gypsy and Traveller Accommodation Assessment (GTAA, 2021).
- The GTAA confirms that there is a persistent unmet need for additional pitches which cannot be met through existing supply.
- A Sequential Test has been undertaken at district level through the GTAA process, which did not identify sufficient suitable, available and deliverable sites within Flood Zone 1 to meet identified need.
- The application site already benefits from planning permission for Gypsy and Traveller use, and the proposal represents a modest intensification of an established and accepted use rather than a new incursion into the floodplain.

- The proposal supports national objectives relating to equality, social inclusion, and the delivery of accommodation for groups with protected characteristics under the Equality Act 2010.

In sustainability terms, refusal of the proposal on flood risk grounds would perpetuate an acknowledged accommodation deficit and conflict with the aims of the Planning Policy for Traveller Sites (PPTS). It is therefore concluded that the proposal satisfies Part 1 of the Exception Test.

### **3.2 Part 2: Safety of Development for its Lifetime**

Part 2 of the Exception Test requires that development will be safe for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible, reducing flood risk overall.

The following sections of this FRA demonstrate how this requirement is met through conservative assumptions, robust mitigation.

### **3.1 Part 1: Wider Sustainability Benefits**

The proposed development delivers clear sustainability benefits that outweigh flood risk policy constraints:

- The proposal addresses an identified and ongoing **Gypsy and Traveller accommodation shortfall** within Ashfield District, as evidenced by the Gypsy and Traveller Accommodation Assessment (GTAA, 2021).
- There are **no suitable, available or deliverable alternative sites** within Flood Zone 1 capable of meeting this identified need.
- The site already benefits from planning permission for Gypsy use, and the proposal represents a modest intensification rather than new encroachment into the floodplain.
- The proposal supports social inclusion, equality objectives, and compliance with the Planning

### **Policy for Traveller Sites (PPTS).**

It is therefore concluded that the development provides wider sustainability benefits to the community that outweigh flood risk, satisfying Part 1 of the Exception Test.

### **3.2 Part 2: Development Safety for its Lifetime**

The remainder of this FRA demonstrates that the development will be safe for its lifetime, taking account of climate change, without increasing flood risk elsewhere.

## 4. Site Levels and Flood Risk Context

A detailed topographic survey (October 2025) confirms:

- Average site level: approximately 92.0 m AOD.
- Proposed finished floor level: approximately 92.6 m AOD.

Although Environment Agency flood level data is currently unavailable for this reach of Maghole Brook, preliminary assessments indicate a substantial vertical separation between modelled flood levels and site levels.

## 5. Flood Risk Mitigation and Safety Measures

The mitigation strategy has been designed to address both known and uncertain aspects of flood risk, recognising the vulnerability of occupants.

### 6.1 Finished Floor Levels

- All caravans will be positioned on raised platforms providing a minimum of 600 mm freeboard above existing ground levels.
- The proposed finished floor level is approximately 92.6 m AOD.

### 6.2 Structural Stability and Flood Resilience

- Caravans will be secured using engineered anchoring systems designed to resist flotation, overturning and lateral movement during flood events.
- Anchoring systems will be designed to relevant British Standards and manufacturer specifications.
- Materials at lower levels will be selected for flood resistance and ease of post-flood recovery.

### 6.3 Surface Water Management

- Surface water runoff will be managed on-site through sustainable drainage measures.
- The drainage strategy will ensure no increase in runoff rates or volumes leaving the site.
- Measures will be designed to function during extreme rainfall events.

### 6.4 Flood Warning, Emergency Planning and Evacuation

- All occupants will be registered with the **Environment Agency Floodline Warnings Direct** service.

- A detailed Flood Evacuation Plan accompanies this FRA and sets out clear actions linked to EA warning stages.
- The site manager will be responsible for monitoring warnings, communicating with residents, and initiating evacuation where required.
- Evacuation routes to areas of higher ground have been identified and will be clearly signed.

These measures collectively ensure that risks to life are minimised and that residents can respond effectively to flood events.

## **7. Impact on Floodplain and Flood Risk Elsewhere**

- The development footprint is limited and raised above ground, resulting in no material loss of floodplain storage.
- Floodplain compensation is not required due to the minimal footprint and raised design.
- Surface water runoff will be managed via sustainable drainage, ensuring no increase in off-site flood risk.

## **8. Foul Drainage and Pollution Prevention**

### **8.1 Regulatory Context**

The foul drainage strategy has been assessed against the hierarchy set out in Building Regulations 2010(Schedule 1, Part H) and Environment Agency guidance on protecting controlled waters.

### **8.2 Drainage Options Appraisal**

The following options have been assessed:

- Connection to mains sewer: Not available in the vicinity of the site.
- Package treatment plant or septic tank: Discounted due to impermeable clay soils, failed percolation testing, and unacceptable risk of treated effluent entering Maghole Brook, a controlled watercourse.
- Cesspit: Identified as the lowest environmental risk option due to the absence of any discharge to ground or water.

### **8.3 Cesspit Design, Management and Safeguards**

- A fully sealed cesspit system compliant with BS EN 12566 will be installed.
- Capacity will be sized to minimise emptying frequency.
- High-level alarms will alert occupants and managers to prevent overfilling.

- Emptying will be undertaken by licensed waste contractors, with records retained and made available to the Local Planning Authority

On this basis, the use of a cesspit is justified as the most appropriate solution for protecting controlled waters.

## **8.4 EA Objection Response**

The Environment Agency objected to the use of a cesspit on the basis that insufficient justification had been provided against the foul drainage hierarchy.

## **9. Planning Balance**

The proposal would result in highly vulnerable development within an area identified as functional floodplain in policy terms. This weighs against the development.

However, this harm must be considered alongside:

- The site's elevated physical characteristics;
- The absence of recorded flooding at the site;
- The comprehensive mitigation and evacuation measures proposed;
- The lack of alternative deliverable sites in lower-risk zones; and
- The significant unmet need for Gypsy and Traveller accommodation.

Taking these factors together, it is concluded that the development would be safe for its intended lifetime, would not increase flood risk elsewhere, and that the sustainability benefits outweigh the identified flood risk policy concerns.

Accordingly, the proposal is considered capable of complying with national planning policy, subject to appropriate planning conditions securing the proposed mitigation and management measures.

## **10. Conclusion**

This revised FRA Addendum:

- Fully acknowledges the Environment Agency's flood risk and pollution objections.
- Provides a clear and policy-based justification for applying the Exception Test.
- Demonstrates that the development can be safe for its lifetime with appropriate mitigation.
- Provides a comprehensive foul drainage justification addressing pollution prevention concern

On this basis, the proposal is considered compliant with the NPPF, PPG, and local planning policy