

Eastleigh Borough Council
(Development Management)
Eastleigh House Upper Market Street
Eastleigh
Hampshire
SO50 9YN

Our ref: HA/2024/125769/01-L01
Your ref: F/24/96940

Date: 03 April 2024

Dear Planning Team,

RETROSPECTIVE: CHANGE OF USE OF LAND FROM FIELD / WOODLAND TO STORAGE AREA FOR VEHICLES AND PLANT (USE CLASS B8) WITH NEW ENLARGED ENTRANCE TO HIGHWAY AND GATES AND FENCING

2 BRIDGE COTTAGES, SHAMBLEHURST LANE NORTH, BOTLEY, SOUTHAMPTON, SO32 2BY

Thank you for consulting the Environment Agency on the above application.

We have reviewed the information as submitted and set out our position and comments below.

Environment Agency position

We have **no objection** to the proposed development as submitted, **provided that the following condition be attached to any planning permission granted**, and that the details in relation to the condition be submitted and approved by the Local Planning Authority.

The proposed development will only meet the National Planning Policy Framework (NPPF) policy to not increase flood risk elsewhere if the following planning condition is included.

Condition

The development hereby permitted must not be commenced until such time as a scheme to ensure that there is no raising of ground levels within areas shown as Flood Zone 3 on the Environment Agency's Flood Map for Planning (Rivers & Sea), has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons

To ensure that there are no detrimental impacts to flood storage or flood flow routes.

The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.

Advice to Applicant and Local Planning Authority

Flood Risk Assessment

A small portion of the application boundary, in the south west corner of the site, is shown to be within Flood Zone 3 and therefore a Flood Risk Assessment should have been submitted with the application. Normally the absence of an FRA would trigger an objection, however, in this case it is acknowledged that the change of use is for the storage of vehicles and plant only, with no built development. Providing there is no land raising within areas shown as Flood Zone 3, the Environment Agency considers the proposal acceptable in flood risk terms.

Signing up for flood warnings

The site is relatively large and the majority of which is located outside of a flood risk area. The applicant is advised to register to receive flood warnings so that any vehicles or plant can be moved away from any areas at risk of flooding.

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. 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.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.

To get help during a flood, visit <https://www.gov.uk/help-during-flood>.

For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>.

Advice to Local Planning Authority

Controlled waters

In relation to land contamination at the proposed development site, please note that we only consider issues relating to controlled waters and the relevance of regulatory regimes where we are the enforcing authority, such as environmental permitting.

Advice to Applicant

Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the [position statement](#) on the Definition of Waste: Development Industry Code of Practice
- The [waste management](#) page on GOV.UK

Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If you receive (or reject) any hazardous waste, you must send a report to the Environment Agency. These are known as 'returns'. If you dispose of hazardous waste at the premises where it's produced you may also need to send returns. You should follow the guidance provided here: [Hazardous waste: consignee returns guidance](#)

If you have any queries regarding the above information, please do not hesitate to contact the advisor identified below.

Yours faithfully,

Miss Suz Greenwood

Planning Advisor, Environment Agency

Direct dial 02084745098

Direct e-mail suz.greenwood@environment-agency.gov.uk

