

Havant Borough Council
Development Control
Civic Offices
Civic Centre Road
Havant
Hampshire
PO9 2AX

Our ref: HA/2022/124420/02-L01

Your ref: APP/22/00669

Date: 05 September 2023

Dear Planning Team,

NEW DOCS SUBMITTED: OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED (EXCEPT FOR ACCESS) FOR THE DEVELOPMENT OF UP TO 140 RESIDENTIAL DWELLINGS (C3 USE), WITH ACCESS FROM MEYRICK ROAD, THE PROVISION OF OPEN SPACE, LANDSCAPING AND OTHER ASSOCIATED WORKS INCLUDING DEMOLITION OF EXISTING BUILDINGS ON SITE LAND AT KINGSCROFT FARM ADJACENT TO RIDGWAY AND, MARPLES WAY, HAVANT

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

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

Environment Agency Position

The submitted information does not satisfactorily address our earlier concerns. We therefore maintain our objection to this proposal as:

- The applicant has redesigned the proposed road and property layout that shows the entire length of the access and egress road now placed over the top of the Bellmouth Culvert which is unacceptable.
- The submitted FRA (FLOOD_RISK_ASSESSMENT_FRA-1827547) now states that Finished Floor Levels (FFL) above the design flood (1% AEP 45% CC event) level will not be required. This is unacceptable.
- The levels of the access and egress road above the design flood (1% AEP 45% CC event) that ensures safe access and egress is not provided.

As submitted, it is unlikely that we would grant a flood risk activity permit for this application.

Reason(s)

The entire length of the main access and egress road is now seen to be placed over the top of the Bellmouth Culvert which is a strategic main river flood relief channel.

Appendix A in the submitted FRA (*FLOOD_RISK_ASSESSMENT_FRA-1827547*) shows 2 drawings both of which show a change of road and property layout. The second drawing shows the entire length of the access and egress road (connected to Meyrick Road) placed over the top of the Bellmouth Culvert which is a strategic main river flood relief channel. As per the site visit and meeting minutes dated 21 October 2022, it was agreed in principle that the entrance to the site would require a portion of the access and egress road to be placed over the culvert, approx. 55m, not the entire length as now proposed. This change of alignment is also shown in the document "*AMENDED_ILLUSTRATIVE_SITE_PLAN-1827501*" which is a change to "*ILLUSTRATIVE_SITE_PLAN-1685782*" from the previous proposal.

As in our previous objection, this new proposal would significantly restrict essential maintenance and emergency access to the culvert. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/or improvement works.

To meet the meet the National Planning Policy Framework (NPPF) policy, the road should not be in the exact alignment of the culvert wherever possible so that in the event of maintenance or a collapse only a lane closure would be required or a pavement closure that would keep access and egress open.

Should the culvert collapse, it would restrict the watercourse's flow so that flood risk to the Havant community upstream is likely to increase.

The flood relief culvert is a strategic EA asset that does not have an indefinite lifespan and will need replacing at some point in the future at an undetermined cost.

Overcoming our Objection

Ideally there shouldn't be anything built on top of this strategic flood relief culvert (or within 8 metres) so that we have full access in the event of a blockage or collapse. However, the Flood Risk Assessment (FRA) and the indicative plan shows the proposal to build an undetermined length of access/egress road on top of the culvert.

At a previous pre application meeting in May 2022 we expressed our concerns over the alignment of the sites access roads over the culvert. Following this meeting, the applicant amended the road layout within the site to avoid the main length of the culvert.

However, where the sites main access/egress road joins Meyrick Road the proposed alignment still runs over the top of the culvert over an undetermined length.

- **Building over the culvert**

For the short road connection to Mayrick Road (approx. 55m), an acceptable approach in principle to raise the road slightly that increases cover over the culvert was agreed at the site meeting on 21 October 2022. Once into the site it is essential that the road does not remain on top of the culvert for its entire length. The portion of road built on top of the culvert would need to be

determined by further analysis by geotechnical and structural engineers and provided as evidence. This should include agreement of a culvert CCTV survey pre and post works, plus a third CCTV survey 12 months after completion of the works to ensure that the structural integrity of the culvert is not compromised.

The culvert is large at 1500mm diameter, and if maintenance or replacement was required it would be almost impossible to only close one lane of the access/egress road, leaving the site cut off. This would be unacceptable and would not meet the National Planning Policy Framework (NPPF) policy. The road should not be in the exact alignment of the culvert so that in the event of a collapse only a lane closure would be required or a pavement closure.

We understand the need for the culvert crossings required within the site road network, which may be acceptable in principle with further evidence and justification. This will need to include, but is not limited to, detailed calculations and drawings that demonstrate there will be no additional loading placed on the culvert as a result of the proposed works. It is of utmost importance that the structural integrity of the culvert is preserved during and after the development, and that maintenance and replacement is possible.

- **Maintenance Buffer**

A minimum maintenance buffer of 8m is required from the edge of the 1500mm culvert, this needs to be demonstrated in detail in the FRA and supporting drawings.

- **Finished Floor Levels (FFL)**

Even though the site is in Flood Zone 1, the previous FRA “*FLOOD_RISK_ASSESSMENT__FRA__AND_DRAINAGE_STRATEGY-1691576*” stated that there is still a risk of flooding at the site in extreme events. With a predicted flood level for the 1 in 100 year 45% Climate Change of 6.12m AOD it is clear from the topographical map that large portions of the site will be flooded. Therefore, an FFL is required above that level including a suitable freeboard. The previous FRA stated an FFL of 6.42m AOD which includes a freeboard of 300mm which we would deem acceptable.

- **Flood Plain Storage Compensation**

We agree that flood plain storage compensation is unlikely, however we would like to see a more detailed assessment that demonstrates this.

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above.

If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted and we'll respond within 21 days of receiving it. Advice to the applicant

We strongly suggest a re-alignment or change of the access/egress road that impacts the culvert to the absolute minimum with the required maintenance buffers taken from the outside of the culvert and not the central point. As a starting point we would expect the exact alignment of the culvert and its manholes to be surveyed and annotated accurately on all drawings.

Environmental Permit

Planning permission does not remove the requirement for an Environmental Permit. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

The proposed works are located within 8 metres of a main river designated by the Environment Agency. Under the terms of the Environmental Permitting (England and Wales) Regulations 2016, the proposed works will require the prior written permission of the Environment Agency in the form of a Flood Risk Activity Permit (FRAP).

Please do not hesitate to contact me using the contact details shown below should you have any queries regarding the above information.

Yours faithfully

Mrs Sophie Brown
Sustainable Places Planning Advisor

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