

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

Our ref: HA/2023/125068/01-L01
Your ref: APP/23/00314
Date: 25 May 2023

Dear Planning Team,

DEMOLITION OF EXISTING STRUCTURES AND ERECTION OF REPLACEMENT KIOSK STORE INCLUDING INTEGRATED DRIVE THRU AND ASSOCIATED DEVELOPMENT. HAYLING ISLAND SERVICE STATION, 181-183 HAVANT ROAD, HAYLING ISLAND, PO11 0LG

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

We have no objection to the proposed development as submitted, provided that the following conditions in relation to flood risk and the protection of groundwater be attached to any planning permission granted, and that the details in relation to these conditions be submitted and approved by the Local Planning Authority.

Condition 1 of 4

The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (ref *FLOOD_RISK_ASSESSMENT-1742999* dated February 2023) and any supporting information, and in particular the following mitigation measures detailed in Section 2.4 Flood Risk Mitigation Measures of the FRA which includes:

- Flood Resilient Design – see below for Flood resistance and resilience measures advice
- Site Access and Evacuation
 - Sign up to the Environment Agency's free Flood Warning Service
 - Develop a Flood Warning and Evacuation Plan
- Surface Water Management

Reason

To reduce the risk of flooding to the proposed development and future occupants.

Environment Agency
Guildbourne House Chatsworth Road, Worthing, West Sussex, BN11 1LD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

Condition 2 of 4

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
1. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
2. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason(s)

Potentially contaminating activities have been identified on this site. In particular the use of the site as filling station with underground oil tanks and associated infrastructure. The site is above a secondary principal aquifer, groundwater was noted at shallow depth and marine water is located near the site. We would regard these as sensitive controlled water receptors. These receptor could be impacted by any contamination present on this site.

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Please note, in light of the information submitted to date, we would not expect much additional work is required on element 1 (preliminary risk assessment), of the site investigation condition.

Condition 3 of 4

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted and approved in writing by the Local Authority.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

Condition 4 of 4

Prior to occupation of any part of the site, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and verified in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

Advice to LPA

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
- Provision of an adequate means of surface water disposal such that flood risk on and off-site isn't increased
- Details and calculations relating to the structural stability of buildings during a flood
- Whether insurance can be gained or not

Advice to LPA/applicant

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

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

CIRIA Code of Practice for property flood resilience

https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience.aspx

British Standard 85500 – Flood resistant and resilient construction

<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

Signing up for flood warnings

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>.

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.

If any proposed works are located within 16 metres of a sea defence (as above) as designated by the Environment Agency, under the terms of the Environmental Permitting (England and Wales) Regulations 2016 the applicant would 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

Direct dial 0203 0257 250

Direct fax Direct e-mail planningSSD@environment-agency.gov.uk