

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

Our ref: HA/2020/122401/01-L01
Your ref: APP/20/00533
Date: 05 August 2020

Dear Sir/Madam

PROPOSED DEMOLITION OF EXISTING INDUSTRIAL UNIT IN FAVOUR OF A NEW REPLACEMENT UNIT FOR B1, B2 AND B8 USE B.M. SCAFFOLDING, BROCKHAMPTON ROAD, HAVANT, PO9 1JU

Thank you for the 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

In the absence of an acceptable flood risk assessment (FRA) we **object** to the proposed development as submitted and recommend that planning permission is refused.

Reason(s)

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- consider how people will be kept safe from the identified flood hazards
- consider how a range of flooding events (including extreme events) will affect people and property

Overcoming our Objection

We note that the FRA used in this application is the same as that used in the 2018 application for the 'proposed extension to existing industrial unit and creation of first

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

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floor level; change of use of site from B2 (general industrial) to B8 (storage and distribution)' (EA Ref: HA/2018/120896/01 Your ref: APP/18/01024). This 2018 application was for a substantially different proposal to that within the current application. This application is for the removal and construction of a new building as such the provided FRA is not acceptable. Although related to the same site, the FRA is required to be site specific and applicable to the current planning application, therefore the flood risk measures outlined in the FRA are deemed inadequate.

It appears that the development could contribute towards a loss of floodplain storage, which could mean that the development displaces floodwater into adjacent areas, increasing flood risk to others. The submitted FRA suggests mitigating this by the installation of under floor voids. Should we find this proposal acceptable, we would need to see evidence that the proposed use of under-floor voids provides adequate and like for like, pre and post construction volumetric flood plain storage before being accepted as an adequate form of compensation. Additionally, for this method of compensation to be deemed acceptable, details of a maintenance plan to ensure that the void is kept clear should be included within the revised FRA.

If voids are proposed as an alternative form of mitigation these will need to be floodable, with the underside of the void above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change. The LPA must also be satisfied that they can enforce a condition to maintain the voids as designed and that an adequate maintenance plan is in place to ensure the voids remain open for the life time of the development.

Likewise, the submitted FRA references the setting of the finished floor levels at 500mm above the 1% AEP flood extent. We recommend that the FFLs of any development are set at a minimum of 600mm above the expected flood height for the design life of the development including climate change adjustments. Where this cannot be achieved we would expect a FFL no lower than 300mm above the expected flood height and would recommend the use of flood resilience and resistance measures up to 600mm above the expected flood height. If recommended FFLs are not able to be achieved we would expect to see this justified within the revised FRA and site specific Flood Resilience and Resistance measures given.

To overcome our objection, the applicant should submit a revised FRA which addresses the points above and demonstrates that the development currently seeking planning permission is safe without increasing risk elsewhere. Where possible, it should reduce flood risk overall.

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.

If you are minded to approve the application contrary to our objection, we would be grateful if you could re-notify us to explain why material considerations outweigh our objection, and to give us the opportunity to make further representations. Should our objection detailed above be removed, it is likely we will recommend planning conditions to be included on any subsequent approval.

In accordance with the Planning Practice Guidance (Ref. ID: 20150415), please notify us by email within 2 weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Advice to LPA/Applicant

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. In the meantime, 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. The following documents may also be useful:

Department for Communities and Local Government: Preparing for floods

<http://www.planningportal.gov.uk/uploads/odpm/400000009282.pdf>

Department for Communities and Local Government: Improving the flood performance of new buildings: <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

Advice to Applicant

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption 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 culverted main river (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 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

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 the Applicant would like any further detailed advice we would be happy to provide this subject to a charge.

As part of this service you would have a dedicated project manager to coordinate the advice from different teams within the Environment Agency. It would also include bespoke technical and planning advice if you request this. This will allow you to have greater clarity about the assessments you need to accompany your planning application and certainty about whether the development is acceptable to us before you resubmit.

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 02030 257250

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