

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

Our ref: HA/2020/122284/01-L01
Your ref: APP/20/00363
Date: 16 June 2020

Dear Sir/Madam

DEMOLITION OF EXISTING SINGLE STOREY STRUCTURE AND CONSTRUCTION OF A 3 STOREY BUILDING HOUSING 20NO. 1 BEDROOM 1 PERSON APARTMENTS WITH INTEGRATED REFUSE AND CYCLE STORAGE FOR HAVANT HOUSING ASSOCIATION. THE COAL YARD, 178A WEST STREET, HAVANT, PO9 1LR

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 this application 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
- take the impacts of climate change into account
 - Different climate change allowances have been used to assess future flood risk than those advised in '[Flood risk assessments: climate change allowances](#)', without adequate justification.

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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Overcoming our Objection

The flood storage compensation as outlined in Flood Risk Assessment and Drainage Strategy Appendix C is not acceptable as it details compensation within current Flood Zones 2 and 3. We would expect to see any flood storage compensation to be adjacent to the Flood Zones with appropriate climate change allowances. We would like to see the amended flood storage compensation locations and volumes detailed within the amended FRA. Where possible, please detail these in relation to the Flood Zones with appropriate climate change allowances. Should the applicant choose to retain the proposed flood storage compensation then evidence should be presented detailing that this does not increase flood risk elsewhere.

The current application uses the higher central (45%) peak river flow allowances for the South East. Any development should assess a range of climate change allowances, in this case this should include the South East upper (105%) peak river flow allowances. This will ensure that flood risk is being adequately assessed for the lifetime of the development, by only assessing the higher central climate change allowances the current FRA inadequately assesses the future flood risk of the proposed development. We would expect to see this further assessment used to inform mitigation measures, including any flood resilience and resistance measures and flood storage compensation.

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 Local Planning Authority

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.

We will always support and substantiate our objections to major development proposals at appeal wherever a refusal is lodged in line with our advice. If you are minded to grant permission against our advice, please contact the Sustainable Places Advisor named below before making a formal decision to discuss the conditions and advice that we would wish to apply to this proposal.

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 Local Planning Authority/Applicant

Future Flood Risk

This development includes residential proposals within Flood Zone 3 with climate change allowances. Our assessment is that the development is 'more vulnerable'

however this is for the LPA to decide, where possible all developments should take place outside of Flood Zones 2 & 3 with climate change allowances. It should be noted that the applicant is using outdated climate change allowances and should use those advised in ['Flood risk assessments: climate change allowances'](#) in any future assessment.

Sequential test

In accordance with the National Planning Policy Framework (paragraph 158), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

It is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. Our flood risk standing advice reminds you of this and provides advice on how to apply the test.

Flood Storage Compensation

The flood storage compensation set out in the current application is not acceptable as it details compensation within current Flood Zones 2 & 3. This poses a risk that during flood events the extra storage may increase either flows, velocities or depths of the watercourse and as such increase flood risk downstream.

It will need to be shown that any increase in built footprint within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change can be directly compensated for. This is necessary to prevent the new development reducing flood plain storage and displacing flood waters, thereby increasing flood risk elsewhere.

Level for level compensation is the matching of volumes lost to the flood plain, through increases in built footprint, with new flood plain volume by reducing ground levels. Please note for this to be achievable it requires land on the edge of the floodplain and above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change to be available. A comparison of ground levels (topographical survey) with modelled flood plain levels will show land above the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change to be used as compensation.

Level for level flood plain compensation is the preferred method of mitigation because voids, stilts or undercroft parking tend to become blocked over time by debris or domestic effects leading to a gradual loss of the proposed mitigation. If it is not possible to provide level for level flood plain compensation then other forms of mitigation may be considered if agreed with the Local Planning Authority (LPA). The FRA must demonstrate that level for level compensation has been considered, explain why it was not possible to provide it and detail how any associated risks from the chosen form of mitigation can be minimised.

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.

Advice to Applicant

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