

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

Our ref: HA/2020/122296/01
Your ref: APP/20/00376
Date: 23 June 2020

Dear Sir or Madam,

RETAIN THE EXISTING 'FOWLEY COTTAGE' DWELLING AND TENNIS COURT AND CONSTRUCT NINE NEW DWELLINGS AND 1NO. GARDEN STUDIO (REVISED).

FOWLEY COTTAGE, 46 WARBLINGTON ROAD, EMSWORTH, PO10 7HH.

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

In the absence of an acceptable Flood Risk Assessment (FRA) we **object** to this application and recommend that planning permission is refused.

Reasons

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to consider the flood risk mitigation measure of an additional appropriate freeboard to the design flood levels for 2115 of 4.5m AOD to achieve Finished Floor Levels (FFLs) that will make the development flood resilient for its lifetime. Consequently, the development proposes inadequate raised FFLs.

Paragraph 1.13 of the submitted FRA "*FLOOD_RISK_ASSESSMENT-1391668*" states "*In this regard, it will be ensured that the Finished Floor Level (FFL) of these properties will be a minimum of 4.5m AOD, and therefore above the 2115 estimated flood level*", but it does not specify what they will be and whether freeboard has been included.

Overcoming our objection

Environment Agency
Oving Road, Chichester, West Sussex, PO20 2AG
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

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 will 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, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations. Should our objection be removed, it is likely we will recommend the inclusion of condition(s) 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 the Applicant

Finished Floor Levels (FFLs)

For the built development proposal to be acceptable, an appropriate freeboard needs to be added to the design flood level for 2115 of 4.5mAOD. The following government website will assist the Applicant in determining the adequate freeboard for the development (this includes coastal, estuarine and tidal):

<https://www.gov.uk/government/publications/accounting-for-residual-uncertainty-an-update-to-the-fluvial-freeboard-guide>

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 requires a permit (called a 'Flood Risk Activity 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; and/or
- 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 do not 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 note that a permit is separate to and in addition to any planning permission granted. The granting of planning permission does not necessarily lead to

the granting of a permit.

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 Advisor

Direct dial: 02030 257250

Direct e-mail: sophie.brown@environment-agency.gov.uk