

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

Our ref: HA/2019/121520/02-L01

Your ref: APP/19/00738

Date: 11 September 2019

Dear Sir/Madam

**ADDITIONAL DOCS: 'FLOOD RISK SEARCH SUBMITTED' -
VARIATION/REMOVAL OF CONDITION 3 OF PLANNING PERMISSION 22492/3 TO
ALLOW OCCUPANCY OF CARAVANS ALL YEAR ROUND 106 EASTOKE
AVENUE, HAYLING ISLAND, PO11 9QR**

Thank you for the consultation on the above application, please quote our reference on all correspondence.

We have reviewed the information as submitted and have the following comments.

Environment Agency Position

In accordance the National Planning Policy Framework (NPPF), we object to the proposed development. We recommend that planning permission is refused for the following 2 reasons:

Objection 1:

We object to the variation/removal of this condition as submitted as it could result in a change of classification from holiday or short-let caravans defined by the flood risk tables of the planning practice guidance to the National Planning Policy Framework as 'More Vulnerable' to caravans intended for permanent residential use defined as 'Highly Vulnerable', due to the proposed year round use of the site.

This would fall within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. The application is therefore contrary to the National Planning Policy Framework and its associated planning practice guidance. We recommend that planning permission is refused on this basis.

Reason

The PPG classifies development types according to their vulnerability to flood risk and provides guidance on which developments are appropriate within each Flood Zone. This site lies within Flood Zone 3, which is land defined by the PPG as having a high

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

Cont/d..

probability of flooding.

The information submitted with the application provides no clarification of the intended use of the caravans. Where there is potential for caravans to be used for permanent residential use we would consider the development is classed as highly vulnerable in accordance with table 2 of the Flood Zones and flood risk tables of the PPG. Tables 1 and 3 make it clear that this type of development is not compatible with this Flood Zone and therefore should not be permitted.

Only upon successful demonstration of the development adhering to the National Planning Policy Framework should considerations including our comments noted below be applied.

Notwithstanding the above policy objection; in reviewing the submitted documentation we would have the following insufficient information objection.

Objection 2

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

Reason

The FRA submitted with this application does not comply with the requirements set out in paragraph 157 of the National Planning Policy Framework which states that for areas at risk of flooding a site-specific flood risk assessment must be undertaken which demonstrates that the development will be safe for its lifetime. It does not comply with paragraph 94 of the National Planning Policy Framework which requires local planning authorities to adopt proactive strategies to adapt to climate change, taking full account of flood risk and coastal change.

The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the submitted 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
- There is no assessment of the impact of climate change using appropriate climate change allowances
- Flood risk mitigation measures to address flood risk for the lifetime of the development included in the design are inadequate because they will not make the development resilient to the flood levels for the 1 in 100 plus appropriate Climate Change flood level. Consequently the development proposes inadequate:
 - Raised finished floor levels
 - Resistance and resilience measures
 - Safe access and egress routes

Overcoming our objection

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.

The Environment Agency will always support and substantiate its objections to major development proposals at appeal wherever a refusal is lodged in line with its advice. If you are minded to grant permission against the Environment Agency's advice, please contact the Planning Liaison Officer named below before making a formal decision to discuss the conditions and informatives that the Environment Agency would wish to apply to this proposal.

If you are minded to approve the application contrary to our objection, we would be grateful if you could re-notify the Environment Agency 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.

The FRA fails to consider the impacts of climate change allowances, as required by the NPPF, as a result of which the development will be at an increased risk of flooding in the future.

The flood report provided cannot be used to assess the risk of flooding from a range of flood events at this site. Whilst this highlights the risk of flooding from a number of sources, it does not contain detailed information on flood depths, ground levels, climate change allowances or other mitigation measures such as flood resilience and resistance. The flood report fails to also state what these increased flood levels could be and therefore we cannot accurately assess the impact of climate change.

The lifetime of the proposed development should be agreed with the LPA and indicated within the revised FRA. This should then be used to assess the appropriate climate change allowances for the development in order to ensure that the discharge of conditions makes the development safe for its lifetime.

The submitted flood report does not contain mention of flood resilience or resistance measures, such as the finished floor levels of the caravan. Whilst we acknowledge this is to discharge the conditions, these should be provided so an assessment of the flood risk can be made to ensure the property remains safe for its lifetime.

The revised FRA should detail in depth the flood risk, and associated levels the development would be subjected to. Further to this, mitigation measures should be outlined to manage and reduce the risk of flooding at the site in order to ensure the discharge of conditions means that the development will still remain safe for its inhabitants.

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 consult us on any revised FRA and we will respond within 21 days of receiving it.

Advice to Applicant

We do not prepare or provide FRAs. However, our Customers and Engagement teams can provide any relevant flood risk information that we have available. Please contact SSD Enquiries at SSDEnquiries@environment-agency.gov.uk. Your local planning authority should have undertaken a Strategic Flood Risk Assessment (SFRA) which will also include local flood risk information to inform your FRA. Please contact your local planning authority to determine what information is available. Further advice on what to include in an FRA can be found at <https://www.gov.uk/guidance/flood-risk-and-coastal->

[change#site-specific-flood-risk-assessment-all](#)

Refer to '[Flood risk assessments: climate change allowances](#)' to determine which allowances should be used to assess future flood risk for your development and location. For some development types and locations, it is important to assess a range of risk using more than one allowance. The extent, speed and depth of flooding shown in the assessment should be used to determine the flood level for flood risk mitigation measures. Where assessment shows flood risk increases steadily and to shallow depths, it is likely to be more appropriate to choose a flood level lower in the range. Where assessment shows flood risk increases sharply due to a 'cliff edge' effect caused by, for example, sudden changes in topography or defences failing or overtopping, it is likely to be more appropriate to choose a flood level higher in the range.

Please do not hesitate to contact me on the number below should you have any queries on the above information.

Yours faithfully

Mrs Sophie Brown
Sustainable Places Planning Advisor

Direct dial 02030 257250

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