

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

Our ref: HA/2019/121566/01-L01
Your ref: APP/19/00744
Date: 03 September 2019

Dear Sir/Madam

CHANGE OF USE FROM GRAZING LAND TO CAMPSITE WITH 28 FULLY SERVICED PITCHES, INCLUDING CONSTRUCTION OF TWO NEW SHOWER/TOILET BLOCKS, OFFICE BUILDING AND ANCILLARY STRUCTURES AND INSTALLATION OF CESS PIT. POUNDCROFT STABLES ADJACENT 175, HAVANT ROAD, HAYLING ISLAND

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

We object to the proposed development on two points, we recommend that planning permission is refused for the following reasons:

- 1) In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.

Reason

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:

- take the impacts of climate change into account. There is no assessment of the impact of climate change using appropriate climate change allowances.
- consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event
- consider how people will be kept safe from the identified flood hazards

- make it clear from whether this development will be classed as either Highly Vulnerable (*Caravans, mobile homes and park homes intended for permanent residential use*) or More Vulnerable (*Sites used for holiday or short-let caravans and camping, subject to a specific warning and evacuation plan*) in accordance with table 2 of the Flood Zones and flood risk tables of the PPG. It will be necessary to state the length of annual occupancy to determine whether the application is classified as Highly or More Vulnerable.

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

Overcoming our objection

Use this link for climate change assessment guidance - '[Flood risk assessments: climate change allowances](#)'. You can overcome our objection by submitting an FRA which covers the deficiencies highlighted above and demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall.

If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.

- 2) We also object to the proposed development as submitted because it involves the use of a non-mains foul drainage system in circumstances where it may be reasonable for the development to be connected to a public sewer and no justification has been provided for the use of a non-mains system. We recommend that the application should be refused on this basis.

Reasons

This objection is supported by planning practice guidance on non-mains drainage which advises that the first presumption must be to provide a system of foul drainage discharging into a public sewer (ref ID 34-020-20140306). Only where, having taken into account the cost and/or practicability, it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered. This objection is supported by the National Planning Policy Framework paragraph 170 and the planning practice guidance (PPG) (ref ID 34-020-20140306).

Overcoming our objection

To overcome our objection the applicant should thoroughly investigate the possibility of connecting to the public foul sewer, and either revise their application to propose a mains connection or submit evidence that demonstrates that this is not feasible. Lack of capacity or plans to improve capacity in the sewer is not a valid reason for a development to install a private sewerage system. In such cases the developer should explore how a lack of capacity may be overcome so that their development can be connected to a public foul sewer. In these cases, if an applicant decides to apply for a water discharge permit for private treatment facilities, we are likely to refuse to grant the permit.

Advice to LPA

Sequential and Exception tests

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. The Sequential and Exception Tests do not need to be applied to minor developments and changes of use, **except** for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site.

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.

The National Planning Policy Framework (paragraph 161) makes it clear that both elements of the exception test must be passed for development to be permitted. Part 2 of the test requires the applicant to demonstrate, via a site-specific flood risk assessment, that the development will be safe, without increasing flood risk elsewhere. Where possible, the development should reduce flood risk overall.

Access and Egress

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

Environmental Permitting Regulations

Planning permission does not remove the requirement for an 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.

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