

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

Our ref: HA/2019/121461/02-L01
Your ref: APP/19/00628
Date: 10 October 2019

Dear Sir or Madam,

VARIATION OF CONDITION 3 OF PLANNING PERMISSION 97/62730/000 TO EXTEND OCCUPANCY OF CARAVAN PARK FROM 10 MONTHS TO 11 MONTHS AND FOURTEEN DAYS, ALLOWING THE PARK TO BE USED BETWEEN 1ST MARCH AND 14TH FEBRUARY INCLUSIVE.

FISHERS CARAVAN PARK, 31 FISHERY LANE, HAYLING ISLAND, PO11 9NU.

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

We **object** to this application for removal or variation of condition 3 of planning permission 97/62730/000 for the following reasons:

Reasons

1. Inadequate Flood Risk Assessment

The absence of an adequate flood risk assessment (FRA) means this application does not comply with the requirements set out in paragraph Section 9 & 10 of the Planning Practice Guidance for Flood Risk and Coastal Change. In addition to the lack of warning and evacuation plan, the flood risk across the site has not been adequately identified for the lifetime of the proposed development. More detailed information relating to anticipated flood depths across the site and finished floor levels should be provided.

Please note that, as per the 'Information Warning' attached to the data we have previously provide for this site, when considering the impacts of climate change there is guidance specific to planning which can be found at <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>. Applying these allowances will result in future flood levels higher than those currently contained within the Flood Risk Assessment. The absence of an appropriate assessment of the anticipated flood risk to the site not only renders the FRA inadequate, it also means that the information needed to develop a warning and evacuation plan is not available.

2. Flood Risk Vulnerability Classification

The National Planning Policy Framework (NPPF) classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each Flood Zone. Table 2 of the NPPF for flood risk vulnerability classification for caravans states:

- a) Sites used for holiday or **short-let** caravans and camping, subject to a specific warning and evacuation plan are classified as **'more vulnerable'**;
- b) Caravans, mobile homes and park homes intended for **permanent** (year round) residential use is classified as **'highly vulnerable'**. Highly vulnerable developments are not appropriate in Flood Zone 3

The flood risk vulnerability classification of the site will therefore be determined by whether or not the requirement for occupants to vacate for only 2 weeks per year effectively permits them to reside on the site as their main or sole residence. The Local Planning Authority should provide a view to determine this. We note the comments provided by Environmental Health in relation to this issue.

Notwithstanding the above, the site cannot be classed as 'more vulnerable' without an adequate site specific warning and evacuation plan, which the applicant has not provided.

We recommend that the application for the variation of condition 3 of planning permission 97/62730/000 should therefore be refused on this basis until further information is provided to overcome the issues set out above.

Overcoming our Objection

The structures' instability places their occupants at special risk, they are likely to be occupied during periods when flood risk may be higher, and permanent (or near permanent) occupancy can lead to a progression to permanent housing. The NPPF is clear that highly vulnerable developments are not compatible with the high probability of flooding possible in Flood Zone 3.

If the Local Planning Authority considers the proposed development to constitute a short let caravan park as opposed to a permanently occupied residential site, the applicant can overcome our objection by submitting an adequate site-specific flood risk assessment (FRA) which demonstrates that the development will not increase risk to people or property, or increase risk elsewhere and where possible, reduces flood risk overall. This must also include an adequate warning and evacuation plan, developed in conjunction with and to the satisfaction of the Local Planning Authority and its emergency planners. If this cannot be achieved we are likely to maintain our objection to the application.

Please note that the production of an improved FRA will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of an improved FRA. We will provide you with bespoke comments within 21 days of receiving formal re-consultation. Our objection will be maintained until an adequate FRA has been submitted.

Advice to Local Planning Authority / Applicant

Flood Warning & Evacuation

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The [planning practice guidance](#) to the National Planning Policy Framework states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you consult with your emergency planners and the emergency services to determine whether the proposals could be made safe in accordance with the guiding principles of the Planning Practice Guidance (PPG).

Advice to Local Planning Authority

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 Sustainable Places Advisor named below before making a formal decision to discuss the conditions and informatives that the Environment Agency would wish to apply to this proposal.

In accordance with the Planning Practice Guidance (Reference ID: 7-043-20140306), 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.

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.

Yours faithfully

Mrs Sophie Brown
Sustainable Places Planning Advisor

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