

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

Our ref: HA/2018/120592/01-L01
Your ref: APP/18/00672
Date: 21 August 2018

Dear Sir/Madam

ERECTION OF 46NO. DWELLINGS WITH ASSOCIATED PARKING, ACCESS FROM WESTWOOD CLOSE, DIVERSION OF HAVANT FOOTPATH 73, LANDSCAPING AND SURFACE WATER DRAINAGE. FELLING AND WORKS TO TREES WITHIN AREA A1, SUBJECT TO TPO 2071. LAND OFF WESTWOOD CLOSE, EMSWORTH

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 the absence of an acceptable Flood Risk Assessment (FRA) we object to the planning application as submitted. This is a holding objection and request for further information.

Reason

The FRA submitted with this application does not currently comply with the requirements set out in NPPF and the Planning Practice Guidance to the NPPF for 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:

1. Accurately assess the level of flood risk to the site

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

Cont/d..

2. Adequately take the impacts of climate change into account
3. Demonstrate that flood risk will not increase as a result of the proposed development

This objection is also in line with Policy CS15 Flood and Coastal Erosion Risk of the Havant Borough Core Strategy March 2011 and E12 Managing Flood Risk in New Development in Havant Borough Councils emerging Local Plan.

Overcoming our objection

The applicant 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.

We ask to be re-consulted with the results of the FRA. Our objection will be maintained until an adequate FRA has been submitted.

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.

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.

Advice to applicant/Local Planning Authority

Assessment of anticipated present day flood extents originating from the River Ems

The red line boundary includes land identified as being at medium probability (Flood Zone 2) and high probability (Flood Zone 3) of flooding at the present day, according to the Flood Map for Planning. The FRA incorrectly identifies the source of flood risk to the site as from tidal flood sources in Section 3.8. This should be corrected to fluvial risk with the correct corresponding annual probability bands.

It is noted that the residential portion of the development is proposed to be located within present day Flood Zone 1. The extent of Flood Zone 1 has been derived within the FRA by utilising data obtained by the Environment Agency. Specifically, the 0.1% annual probability level has been used in conjunction with a topographical survey to delineate the assumed boundary of Flood Zone 1, and therefore identify the land with a low probability of fluvial flooding.

The 0.1% annual probability level provided by the Environment Agency is derived from a national scale generalised model called JFLOW, which was developed with the

purpose of providing a broad indication of the extent of flood risk. A detailed assessment is subsequently triggered as part of a site specific FRA.

Outputs from JFLOW are only suitable to be used for decision making at a broad catchment scale and are not suitable for use in site specific FRAs and detailed decision making, as the decision that they influence could be the wrong ones. The 0.1% flood level used in the FRA has been estimated by comparing the JFLOW flood depth data we hold with current ground levels taken from LiDAR. We would not consider flood levels derived using this method to be reliable sources of data to use in detailed FRAs. Please find attached an information sheet relating to the use of JLOW data.

In relation to the proposed development site, the development layout has been precisely informed by the JFLOW data used. Residential properties are located immediately adjacent to the estimated Flood Zone 1 boundary. Any inaccuracy in the location of this boundary could result in properties being built within Flood Zones 2 and 3. Not only could these properties consequentially be at risk of fluvial flooding, but would additionally take up floodplain storage and potentially increase flood risk to adjacent land. Given the significance of the implications, we would suggest that the positioning of residential properties requires further justification, using data appropriate for a site specific assessment.

Connected to the issue above, we would request the applicant provide confirmation that the access road, which appears to lie within Flood Zone 2/3 will not require any raising of ground levels above existing. Any raising of levels within Flood Zone 3 will require floodplain compensation to be provided.

Assessment of climate change impacts

In addition to the risk of flooding at the present day, National Planning Policy requires FRAs to assess the potential impacts of climate change to and from the proposed development. The FRA submitted assumes that by locating development outside of Flood Zone 1, it will be consequentially outside of the 1% plus climate change extent. Notwithstanding the issues raised in relation to the assumed extent of Flood Zone 1 above, the 1% plus climate change level may exceed the present day 0.1% level and may therefore require additional mitigation to ensure development remains safe throughout its lifetime.

The Environment Agency has provided a 1% plus climate change level, derived from the River Ems Flood Study, 2006. The climate change allowance in this study was a 20% increase in peak river flow and therefore does not comply with the climate change allowances now required to be considered in FRAs. Sites that include more vulnerable development and Flood Zone 3a should assess the impact of a 45% and 105% increase in peak river flows.

An underestimation of the climate change impacts could result in the proposed mitigation being inadequate to keep people and property safe throughout the lifetime of the proposed development.

Catchment scale flood risk considerations

The Environment Agency is currently appraising existing flood risk issues within the River Ems catchment and considering various courses of action to reduce the probability and consequences of flooding to existing communities at risk. We are currently undertaking some flood modelling that will update and supersede the existing

River Ems model, which is now 12 years old. We anticipate that the updated modelling will be available by the end of the current financial year. We will use this modelling to develop a range of potential mitigation options to reduce the existing risk of flooding. Currently these options are conceptual, and include flood storage in areas of the catchment to attenuate flows downstream. One of the areas under consideration is land north of the A27. We cannot pre-empt the exact nature and impact of any option, or combination of options, until we have considered the model outputs, undertaken stakeholder engagement and further feasibility work.

However, it is possible that an unconstrained options appraisal would include flood storage and consequentially an increase in the frequency and depth of flooding to land adjacent to, and possibly within, the proposed development site.

We realise, despite the conceptual nature of the plans at present, it may be helpful to share this information to provide a full picture of the issues affecting the proposed development.

Local Plan

We are aware that the proposed development site is also being considered by Havant Borough Council through the Local Plan process. Our advice to date on flood risk issues relating to any proposed allocation site is that there should be an appropriate level of flood risk assessment available to inform decision making. We have asked Havant Borough Council to consider whether or not there is sufficient data available with respect to the impacts of climate change on Land adjacent to Westwood Close to enable robust decision making that complies with planning policy.

Surface water management

For the avoidance of doubt, we have not reviewed the information relating to surface water management on the site, as we are no longer a statutory consultee on these matters. Changes to the Town and Country Planning (Development Management Procedure) (England) Order 2015, came into force on 15 April 2015. The Order removed the Environment Agency as a statutory consultee in relation to surface water drainage.

Hampshire County Council, in their capacity as Lead Local Flood Authority, is now the statutory consultee on major planning applications with surface water drainage implications and have provided their views on the adequacy of the proposed surface water drainage strategy within the FRA.

Further points of clarification

The FRA states that proposed finished floor levels for plots along the eastern side of the development will be set a minimum of 600mm above existing ground levels, elsewhere plots will be set a minimum of 300mm above existing ground levels. Please could you equate this to a minimum level above Ordnance Datum, and confirm which plots will be subject to the 600mm raising.

Please note that this response relates solely to matters that are relevant to the Environment Agency's planning remit. This response does not represent endorsement or opposition to the proposed development as submitted. Ultimately it is for the Local Planning Authority to determine this planning

application.

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