

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

Our ref: HA/2018/120854/01-L01
Your ref: APP/18/01072
Date: 22 November 2018

Dear Sir/Madam

OUTLINE PLANNING APPLICATION WITH ALL MATTERS APART FROM ACCESS RESERVED FOR SUBSEQUENT APPROVAL FOR THE ERECTION OF CLASS B1(C) / B2 / B8 DEVELOPMENT AND CLASS B8 TRADE COUNTER USE, CLASS A1 RETAIL, CLASS C1 HOTEL, CLASS D2 LEISURE AND CLASSES A3 AND A5 DRINK / FOOD ESTABLISHMENTS FORMER BAE SYSTEMS, WATERLOO PARK, ELETTRA AVENUE, WATERLOOVILLE

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

Planning Conditions

The Environment Agency requests that the following conditions be attached to any planning permission granted, and that the details in relation to these condition(s) be submitted and approved by the Local Planning Authority.

We consider that planning permission could be granted for the proposed development as submitted if the following planning condition is included as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as detailed in the Flood Risk Assessment and Addendum submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Condition 1

No development shall take place until full details of the proposed flood alleviation swale have been submitted to, and approved, by the Local Planning Authority.

The swale capacity must be no less than the 2003 flood alleviation scheme.

Environment Agency
Guildbourne House Chatsworth Road, Worthing, West Sussex, BN11 1LD.
Customer services line: 03708 506 506

www.gov.uk/environment-agency

Cont/d..

The details shall include how the scheme shall be maintained and managed after completion. This shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the swale throughout its lifetime.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Condition 2

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Addendum (Peter Brett Associates, 42567/4001/TN001 Rev A, October 2018) and the following mitigation measures detailed within:

1. No buildings shall be located in Flood Zone 2
2. Finished floor levels of buildings are to be raised at least 0.4 metres above existing ground levels.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons

To reduce the risk of flooding to the proposed development and future occupants.

Condition 3

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reasons

Investigations completed to date have not identified significant contamination. However, given the sites historical uses, including the use and storage of pollutants (such as diesel storage), there is the potential contamination, not previously identified to be present.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Advice to Local Planning Authority/Applicant

The south-west corner of the site is located in Flood Zone 2, land defined by the NPPF as having a medium probability of flooding. The FRA accompanying the original application in 2013 (Peter Brett Associates, 29169/004 Rev C, September 2013) identified the small flood alleviation scheme in this corner, and proposed to modify it through the construction of a new swale.

This latest application lacks details of what is proposed to be constructed in the south west corner, but the Flood Risk Addendum (Peter Brett Associates, 42567/4001/TN001 Rev A, October 2018) recommends the construction of this swale. Given that there are no updated details of the swale construction in relation to the latest proposals, we recommend that conditions 1 and 2 above are included with any planning permission granted to ensure that the swale is appropriately constructed, and that no development is located in an area at risk of flooding.

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Wallington, which is designated a 'main river'. Some activities may be [excluded](#) or [exempt](#). A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

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