

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

Our ref: HA/2017/119582/01-L01
Your ref: APP/17/00656
Date: 01 September 2017

Dear Sir/Madam

ERECTION OF A DISCOUNT FOODSTORE WITH ASSOCIATED PARKING AND LANDSCAPING AND NEW VEHICULAR AND PEDESTRIAN ACCESSES TO MANOR ROAD.

LAND SOUTH OF, MANOR ROAD, HAYLING ISLAND

Thank you for consulting the Environment Agency on the above planning application which we received on 3 July 2017.

Environment Agency Position

In the absence of an acceptable Flood Risk Assessment (FRA) we currently **object** to the grant of planning permission and recommend refusal on this basis for the following reasons:

Reason

The FRA submitted with this application does not comply with the requirements set out in Section 9 of the Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change or Policy CS15 Flood and Coastal Erosion Risk of the Havant Borough Council Core Strategy 2011. 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. Consider the impacts of loss of floodplain storage from the development to ensure flood risk is not increased on or off the site*
- 2. Provide suitable floodplain compensatory storage mitigation, taking into consideration climate change allowances ensure flood risk is not increased on or off the site*
- 3. Provide a suitable buffer from the Main River (Church Road Drain) to allow for access, maintenance and integrity of the river bank*

Overcoming our objection

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.

Environment Agency
Canal Walk, ROMSEY, Hampshire, SO51 7LP.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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

Advice to Local Planning Authority (LPA)

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.

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.

Advice to Local Planning Authority (LPA) / Applicant:

Flood Risk

Compensation works must be considered as part of a planning application since they will affect the final appearance of a development, particularly its landscaping, and impact on hydraulic mechanisms within the floodplain. The compensation proposal will therefore form part of the flood risk assessment and be included in application drawings of the site layout.

The location of the compensation works must relate hydraulically and hydrologically to the location of the site. It will not usually be acceptable for a developer to propose compensation several kilometres away or separated from the site by a significant structure such as a weir, drain/outfall or restrictive bridge. Compensation works should always be within the same Water Framework Directive (WFD) water body and take into consideration other WFD actions or measures that could also be included, leading to multiple benefits. Each proposal must be judged on its own merits.

Compensation will need to be connected to but not within the 1 in 100 plus appropriate allowance for Climate Change. To demonstrate the proposed compensation will ensure flood risk is not increased on or off the site, some modelling work may be required due to the limitations of the model available for this site.

We will also require a plan showing where the flood plain compensation is proposed, preferable in relation to the modelled extent of the flood zone with a table of what is taken up, what is proposed as compensation and then what the net is of this.

You will also need to confirm how close to the Main River (Church Road Drain) any proposed development is. We would strongly recommend a buffer of 8 metres to ensure access and integrity of the river bank is maintained.

There are also opportunities on your site for betterment in terms of flood risk and biodiversity, we would recommend any areas where you could provide these are considered as part of your proposals. This is in line with paragraph 118 of the National Planning Policy Framework.

Advice to Applicant

If the Applicant would like any further detailed advice we would be happy to provide this subject to a charge.

As part of this service you would have a dedicated project manager to coordinate the advice from different teams within the Environment Agency. It would also include bespoke technical and planning advice if you request this. This will allow you to have greater clarity about the assessments you need to accompany your planning application and certainty about whether the development is acceptable to us before you resubmit.

Flood Risk Activity Permit

Please note that this development may require an Environmental Permit or an exemption from an Environmental Permit from the Environment Agency. Any works located in, over, under or within 8 metres of a main river or 16m or a tidal defence, is likely to require a Flood Risk Activity Permit from the Environment Agency.

The applicant is advised to contact the National Customer Contact Centre (NCCC) on 03708 506 506

The need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of an environmental permit.

Further details and guidance are available on the GOV.UK website:

www.gov.uk/guidance/flood-risk-activities-environmental-permits

Yours faithfully

Mr Jon Maskell
Planning Advisor, Environment Agency

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