

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

Our ref: HA/2016/118767/02-L01
Your ref: APP/16/01036
Date: 05 December 2016

Dear Sir/Madam

AMENDED PLAN - FRA SUBMITTED: CONSTRUCTION OF COFFEE UNIT (CLASS A3)

LANGSTONE GATE, SOLENT ROAD, HAVANT, PO9 1TR

Thank you for consulting the Environment Agency on the above planning application.

Environment Agency Position

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

Reason

The FRA submitted with this application (dated November 2016), produced by S G Lloyd) does not comply with the requirements set out in paragraph Section 9 of the Planning Practice Guidance to the National Planning Policy Framework (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. Consider the future flood risk to the proposed development over its life time, taking into account climate change**
- 2. How this flood risk will be managed over the lifetime of the development**
- 3. Clearly assess/determine that there is no loss of storage in the flood plain**

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.

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 re-consultation. Our objection will be maintained until an adequate FRA has been submitted.

Advice to the Applicant and Local Planning Authority:

The Environment Agency welcomes the inclusion of the submitted flood risk assessment as part of this planning application, and the applicant's intent to raise the finished floor levels of the proposed development above existing ground levels.

However, it is not clear:

- What the finished floor level will be
- How this compares to the present day flood level
- What allowance for climate change over the lifetime of the development has been taken into account
- If the development will result in a loss of storage in the flood zone, and if so, how this will be compensated for

Until this information is provided, the Environment Agency is unable to remove its objection to the proposed development.

Advice to the Applicant

Further information on how to produce a flood risk assessment, and the data that the Environment Agency can provide to support this is available on our website <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>,

Information on the latest climate change allowances is available at <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances> If you wish to request any data from the Environment Agency, please contact ssdenquiries@environment-agency.gov.uk

Please be aware that the river to the West of the proposed development is a designated main river. 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 designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now 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>.

Groundwater & Contaminated Land

We would like to provide the following advice to both the applicant and LPA. The site lies within the groundwater Source Protection Zone 1 (SPZ1) for the Bedhampton and Havant Springs, a public water supply. As such, we strongly recommend that both the LPA and the developer contacts Portsmouth Water to discuss the development proposals and any concerns which they may have in advance of any permission being granted.

To ensure the protection of groundwater, the developer must put measures in place to

prevent any spills of pollutants to ground both during and after construction. Pollution prevention advice can be found on the GOV.UK website.

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.

We would like to refer the applicant to our groundwater policies in Groundwater Protection: Principles and Practice, available from our website. This sets out our position for a wide range of activities and developments.

Yours faithfully

Mr Jon Maskell
Planning Advisor, Environment Agency
Direct e-mail PlanningSSD@environment-agency.gov.uk