

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

Our ref: HA/2021/123668/01-L01
Your ref: APP/21/01120
Date: 09 November 2021

Dear Julie Terzoudis

CHANGE OF USE FROM EXISTING TWO STOREY BUILDING FROM B1A TO RESIDENTIAL INCLUDING PART DEMOLITION OF EXISTING BUILDING AND FORMATION OF A NEW RESIDENTIAL GARDEN, RE-ALLOCATION OF PARKING. FISCAL HOUSE, 2 HAVANT ROAD, EMSWORTH, PO10 7JE

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

We have reviewed the information as submitted and set out our position below.

Environment Agency position

In the absence of an acceptable flood risk assessment (FRA) we **object** to this application and recommend that planning permission is refused.

Reasons

The submitted FRA (INITIAL REVIEW AND FEASIBILITY STUDY INCLUDING FLOOD RISK ASSESSMENT-1540853 dated 12th September 2019 Revision: 2.0) does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- take the impacts of climate change into account for the lifetime of the development (usually 100 years for residential)
 - There is no assessment of the impact of climate change using appropriate climate change allowances
 - Flood risk mitigation measures to address flood risk for the lifetime of the development (100 years) are not provided in the FRA. Consequently the development proposes no mitigation measures, including:

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

Cont/d..

- Flood defences
 - Raised finished floor levels
 - Resistance and resilience measures
 - Safe access and egress routes
- provide details of finished floor levels (FFL's) compared to flood levels for the lifetime of the development (usually 100 years for residential)
 - consider how people will be kept safe from the identified flood hazards
 - consider how a range of flooding events (including extreme events) will affect people and property
 - consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event

Overcoming our objection

To overcome our objection, the applicant should submit an FRA which addresses the points above and demonstrates that the development is not at risk of tidal flooding for the lifetime of the development. For residential it is usually 100 years and not 60 years.

When considering the impacts of climate change there is guidance specific to planning which can be found at ['Flood risk assessments: climate change allowances'](#). Applying these allowances will result in future flood levels higher than current flood levels.

Detailed information of the 1 in 200 year return period (0.5% AEP) tidal flood levels plus climate change allowances compared with the sites ground levels and the proposed finished floor levels (FFL's) should be provided in the FRA. An appropriate freeboard should also be applied to the finished floor levels to keep the occupants safe for the lifetime of the development. This is usually a minimum of 300mm. This application needs to show that the development will be safe for its lifetime, both in terms of the property and its inhabitants.

Alongside this, the proposed development should consider a range of appropriate flood resistance and resilience measures. These need to be detailed in the FRA. Due to the nature of flooding at this site it would be also be expected that a flood evacuation plan is in place prior to inhabitation, including identified safe access and egress routes.

To overcome our objection, the applicant should submit an FRA which demonstrates that the development is safe without increasing risk elsewhere addressing the points highlighted above. Where possible, it should reduce flood risk overall.

We ask to be re-consulted with the results of an 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 LPA

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. Prior to deciding this application we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- Adequacy of rescue or evacuation arrangements
- Details and adequacy of an emergency plan
- Provision of and adequacy of a temporary refuge

- Details and adequacy of flood proofing and other building level resistance and resilience measures
- Details and calculations relating to the structural stability of buildings during a flood
- Whether insurance can be gained or not

Advice to Applicant

We do not prepare or provide FRAs. Further advice on what to include in an FRA can be found at <https://www.gov.uk/guidance/flood-risk-and-coastal-change#site-specific-flood-risk-assessment-all>

Environmental Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.
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For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Please do not hesitate to contact me using the contact details shown below should you have any queries regarding the above information.

Yours faithfully

Mrs Sophie Brown
Sustainable Places Planning Advisor

Direct dial 02030 257250

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