

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

Our ref: HA/2016/118253/01-L01
Your ref: APP/16/00465
Date: 01 June 2016

Dear Sir/Madam

ERECTION OF 11 DWELLINGS COMPRISING OF 5NO. 3 BED HOUSES, 4NO.1BED FLATS AND 2NO. 2 BED FLATS WITH ASSOCIATED LANDSCAPING, CAR PARKING, BIN AND CYCLE STORAGE

LAND ADJACENT TO 27, HOLYBOURNE ROAD, HAVANT

Thank you for consulting the Environment Agency on the above planning application which we received on

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 reason(s):

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 and Policy CS15 Flood and Erosion Risk of the Havant Borough Core Strategy March 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 impact of the proposed development on the designated main river culvert that runs through the site*

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 the Local Planning Authority and Applicant

Sequential Test

Our response to this application is on the understanding that Havant Borough Council is satisfied that the Sequential Test has been adequately demonstrated to the requirements set out in the National Planning Policy Framework (NPPF) Paragraph 101 and Section 5, Paragraph 019 of the NPPF Planning Practice Guidance – Flood Risk and Coastal Change.

This means that before proceeding to a determination, Havant Borough Council must apply the Sequential Test; that is, it must consider whether the applicant has demonstrated and sufficiently justified that no alternative sites are available in a lower flood risk zone.

Our comments in relation to elements of the Exception Test do not negate the requirement to first undertake the Sequential Test. The NPPF Planning Practice Guidance makes it clear that flood resistance and resilience measures should not be used to justify development in inappropriate locations^[1].

Flood Risk

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.

A 1400mm diameter culvert runs across the southern boundary of the proposed development. It is designated 'main river' and forms part of an Environment Agency Flood Alleviation Scheme.

The submitted FRA does not assess the impact of any additional loading from the proposed development on the integrity of the culvert. Therefore, it is not possible to determine if the culvert is able to withstand the proposed works, or if flood risk to the surrounding area could increase as a result of any potential damage to the culvert.

Furthermore, when assessing the integrity of the culvert in relation to the proposed works, the applicant needs to consider the depth of any works relative to the depth of the culvert.

Advice to the Local Planning Authority

If you are minded to grant permission against the Environment Agency's advice, please contact the Sustainable Places Advisor 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

^[1] NPPF Planning Practice Guidance, Section 23 paragraph 059 'Flood resilience and flood resistance'.
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withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Advice to the Applicant

Further Advice from the Environment Agency

If the developer/applicant would like any further detailed advice in relation to their proposal, we would be happy to provide this subject to a charge. We currently charge £84 an hour, per person's time.

As part of this service, a dedicated project manager will coordinate the advice from different teams within the Environment Agency. Our service will include bespoke technical and planning advice if you request this.

This will allow the developer/applicant to have greater clarity on the assessments needed to accompany the planning application and certainty about whether the development is acceptable. Please contact the Sustainable Places team to discuss this further at:

PlanningSSD@environment-agency.gov.uk

Environmental Permit – Flood Risk Activity

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 'pipe link', 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. The granting of planning permission does not necessarily ensure the granting of a permit for a flood risk activity. Further details and guidance please visit the GOV.UK website:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Yours faithfully

Mr Jon Maskell
Planning Advisor, Environment Agency

Direct dial 020 8474 5888

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