

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

Our ref: HA/2016/118704/01-L01
Your ref: APP/16/00971
Date: 19 October 2016

Dear Sir/Madam

ERECTION OF 1NO. 1BED GROUND FLOOR FLAT.

3 BEMBRIDGE DRIVE, HAYLING ISLAND, PO11 9LU

Thank you for consulting the Environment Agency on the above planning application which we received on 3 October 2016.

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 September 2016; produced by Martin Critchley) 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 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. Take the impacts of climate change into account
2. Consider how people will be kept safe from flood hazards identified
3. Consider the effect of a range of flooding events including extreme events and overtopping or breaching of the existing defences on people and property.
4. 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

The applicant 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

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

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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 Local Planning Authority and the Applicant

Sequential Test

Our response to this planning 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.

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 proposed development is located within flood zone 2. It is a new dwelling and so results in an increased vulnerability in the area.

The present day extreme sea level is 3.3mAOD, rising to 4.4mAOD with climate change in 2115. The proposed finished floor levels are below the 2115 design level and include no freeboard allowance. This does not appear to be considered in the submitted flood risk assessment.

It is not clear if the proposed development directly benefits from the coastal defences at Eastoke Point or if the 1 in 200 year standard of protection offered, is to present day levels or include an allowance for climate change. From the submitted location plan, the proposed development may be outside of the area of benefit from the Eastoke Point coastal defences.

Whilst internal property flooding from an extreme high tide is likely to be time limited, the flood risk assessment does not consider the flood risk should these defences breach or overtop. In these scenarios the onset of flooding is likely to be fast with no warning time and it is not clear what resilience measures are in place should this happen.

We would recommend that an emergency and flood response plan is produced for consideration by the local planning authorities emergency planners as the proposed development could be subject to a depth of internal flooding, with no dry internal space to retreat to. Access routes may also be subject to greater flood depths than the internal property, thus restricting movement of people. The emergency planners will need to determine if the risk over the lifetime of the proposed development and

^[1] NPPF Planning Practice Guidance, Section 23 paragraph 059 'Flood resilience and flood resistance'.

resistance/resilience measures are acceptable.

The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change states that those proposing developments should take advice from the emergency services when producing an evacuation plan for the development as part of the flood risk assessment.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

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.

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.

Yours faithfully

Mr Jon Maskell

Planning Advisor, Environment Agency

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