

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

Our ref: HA/2016/118765/01-L01
Your ref: APP/16/00988
Date: 28 October 2016

Dear Sir/Madam

NEW DWELLING AND GARAGE

7 NORTH CLOSE, HAVANT, PO9 2TE

Thank you for consulting the Environment Agency on the above planning application which we received on 19 October 2016.

Environment Agency Position

We can confirm that the Environment Agency has no objection in principle to the proposed development as submitted; however, we request that the following planning condition(s) be attached to any planning permission granted in order to make the development acceptable.

Planning Condition(s):

Condition

The building must not be within 8m of the Lymbourne Stream which is a designated main river

Reason

An 8m buffer is required between the development and the watercourse to:

- **allow safe access for maintenance of the watercourse**
- **safeguard the conveyance and storage of flood flows**

This condition is in line with 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 Coastal Erosion Risk of the Havant Borough Council Core Strategy 2011

Advice for the Applicant and Local Planning Authority:

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.

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

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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

Please note that the proposed development is adjacent to designated main river. The flood risk from this river has not been mapped. Therefore, although the proposed development is currently located in flood zone 1, this does not mean that there is no flood risk to the site. We would advise raising flood levels at least 300mm above the ground as a precautionary measure.

The Environment Agency is currently updating its mapping for designated main river across Hampshire where there is currently no flood map. Please be aware, that as a result, the flood map for this area may change in the future.

Advice for the Applicant

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>.

Yours faithfully

Mr Jon Maskell
Planning Advisor, Environment Agency

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

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