

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

Our ref: HA/2013/114036/01-L01
Your ref: APP/13/00198
Date: 04 April 2013

Dear Sir/Madam

CONSTRUCTION OF 2NO. 3 BED AND 2NO. 4 BED DETACHED HOUSES WITH ASSOCIATED PARKING AND LANDSCAPING, WITH ACCESS FROM HAVANT ROAD.

LAND NORTH OF 132, HAVANT ROAD, HAYLING ISLAND

Thank you for consulting the Environment Agency on the above application, which was received on 15 March 2013.

Environment Agency Position

The Environment Agency **OBJECTS** to this application as submitted, for the following reasons:

The application has failed to meet the requirements of the second part of the flood risk Exception Test as set out in Paragraph 102 of the National Planning Policy Framework (NPPF). In particular, the information submitted in support of the application does not adequately demonstrate that appropriate mitigation measures, agreed with Havant Borough Council, will reduce the significant risk of flooding to an acceptable level.

The Technical Guide to the National Planning Policy Framework (NPPF) requires the Exception Test to be applied in the circumstances shown in Tables 1 and 3. Paragraph 102 of the NPPF makes clear that both elements of the Test must be passed for development to be permitted. Part 2 of the Test requires the applicant to demonstrate in a site specific Flood Risk Assessment that the development will be safe, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall.

Overcoming our Objection

We object to the proposed development until the Local Planning Authority (LPA) are able to confirm that they are happy with a reliance upon refuge in the absence of safe

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Romsey Depot Canal Walk, Romsey, Hampshire, SO51 8DU.
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www.environment-agency.gov.uk

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access and egress during the design event, as this issue does not lie within our direct remit or expertise.

Advice to Local Planning Authority / Applicant

Level of Flood Risk

The application site lies in within Flood Zone 3 as defined by the NPPF as having a high probability of flooding. The application site also lies within a high to very high hazard area according to the Partnership for Urban South Hampshire (PUSH) Strategic Flood Risk Assessment (SFRA). We welcome the amendments made to the building design to incorporate flood resilience measures on the ground floor. However, the potential flood depths still present a significant risk to people and property. Ground levels at the site are below the design tide level at the present day. Towards the end of the 100 year development lifetime, flood depths could be in the order of 2.4m. Flood depths within the dwellings would be comparable. The Environment Agency/Defra R&D Technical Report FD2320/TR2, specifies that flood depths of this magnitude would present a danger for all, including the emergency services. Rescue would therefore be extremely hazardous.

Proposed Method of Risk Management

As a result of the above, the safety of occupants will be entirely reliant upon a strategy of prior warning and evacuation, or refuge within the dwelling. The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures or accompanying development proposals, (including structural considerations where there is a reliance on refuge within buildings) 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.

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.

We would recommend that the following issues need to be considered by the LPA, in consultation with relevant experts, when coming to a decision on this application:

1. Whether or not the principle of relying on flood response planning (prior warning and evacuation or refuge) is acceptable given the potential flood risk (depths and hazard) outlined above, then
2. Whether or not the proposed refuge will enable people to remain safe, taking into account:
 - a. The resilience and recoverability of essential services during and after a flood
 - b. The ability of the buildings to remain structurally stable during a flood

Advice to the Local Planning Authority

Should the LPA be minded to grant permission contrary to our advice, the proposed development will only be acceptable if the following planning condition regarding restrictions to permitted development be attached to any planning permission granted:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that

Order with or without modification, no structure shall be erected within 5 metres of the southern bank of the Pound Croft.

Reason: To ensure that the proposed development does not increase flood risk to third parties by obstructing flood flow routes and/or occupying areas currently used for flood storage.

The LPA have confirmed to us that the distance between the Pound Croft main river channel and the nearest building is in the region of 7 metres. We would consider this to be an acceptable buffer to be kept clear of development; however our prior consent under the Water Resources Act 1991 and Southern Region Land Drainage Byelaws will be required for any development in, over, under or within 8 metres of the top of the bank of the Pound Croft. This consent is separate to planning permission, and will only be issued if the proposals do not increase flood risk to people and/or property. Please contact the Partnership and Strategic Overview Team at psohiow@environment-agency.gov.uk.

If you have any queries regarding the information set out above, please contact me on the details below.

Yours faithfully

Miss Verity Giles
Planning Advisor, Environment Agency

Direct dial 01794834590

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