creating a better place
for people and wildlife

Environment Agency

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

Our ref: HA/2025/127182/01-L01
Your ref: APP/25/00744

Date: 13 November 2025

Dear Planning Officer,

VARIATION OF CONDITION 2 AND CONDITION 17 OF PLANNING PERMISSION APP/19/01226 TO REGULARISE MINOR ADJUSTMENTS REQUIRED BY THE S278 TECHNICAL APPROVAL PROCESS.

LAND WEST OF COLDHARBOUR FARM ROAD, EMSWORTH.

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

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

Environment Agency position

We require further information to make a decision, please see our comments below.

Advice to applicant and Local Planning Authority

The applicant has not conducted a site-specific flood risk assessment detailing the flood risk impacts of the proposed changes to the footpath, and the proposed raised levels submitted in this application (ref: Proposed levels). We request that the applicant conducts a floodplain storage compensation assessment for the proposed changes.

We have no further comments for the variation of condition 17 from a flood risk perspective.

Floodplain storage compensation

We require the applicant to complete a floodplain storage compensation assessment of

the proposed variation to condition 2. This is necessary to prevent the new development reducing flood plain storage capacity and displacing flood waters, thereby increasing flood risk elsewhere. Floodplain compensation should be provided on a 'level for level' basis, calculating the replacement of volumes lost from the floodplain through development, by reducing nearby ground levels. The compensatory volume must be at the same level, or provide a betterment, as the lost storage.

The FRA should include details of how this can be provided. The FRA must demonstrate that level for level compensation has been considered, provide justification if this cannot be met and detail how any associated risks from other mitigation can be minimised.

Environmental permit

The applicant has proposed to shift the approved crossing point on Coldharbour Farm Road by approximately 7.5 metres east, which is within fluvial flood zones 2 and 3. This is near and over the main culvert and will require a Flood Risk Activity Permit (FRAP).

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit Flood risk activities: environmental permits - GOV.UK or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

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

Victoria Hindmarsh
Planning Advisor

Direct dial 02080260503
Direct e-mail Victoria.Hindmarsh@environment-agency.gov.uk

End