

creating a better place

ENVIRONMENTAL PERMITTING: FLOOD RISK ACTIVITIES
STANDARD DOCUMENT



Environment
Agency

James Squire
Chidden Farm
Chidden House
Hambledon
PO7 4TD

Our ref: **EPR/GB3598JL-L01**

Date: **03/05/2016**

Dear Mr Squire

Your new environmental permit

Permit reference: EPR/GB3598JL

Operator: Philip Dymoke White, Fiona Elizabeth White and Alexander Stuart Dymoke White of Chidden Farmhouse, Chidden, Hambledon, Waterlooville, Hampshire PO7 4TD as Trustees of PD WHITE ("the Owners")

Description of Activity: Partial diversion of designated main river, creation of a flood storage area and associated works, West Brook, near Horndean Road, Emsworth

Site / Location: 474355,106949

Our determination of your application for a permit is complete. We're satisfied that you can carry out your activities in accordance with the enclosed permit, without increasing flood risk, or harming land drainage, the environment or human health. Please keep the permit in a safe place.

This letter contains web links to other documents. If you aren't able to access these phone my colleague Laura Kelly on 02084745901 or email psohiow@environment-agency.gov.uk. Please quote our reference if you contact us.

Please look at the table below and note any of the things that apply to your permit.

If...	then..
you plan to keep your records at a site other than where the activity takes place	you need to let us know within 20 working days of receiving this letter.
your permit includes standard rules	we've enclosed the rules set/s. We may change these in future but will let you know about any changes. You must make sure you're always following the latest rules set.
your permit has a pre-operational condition requiring you to do something before work starts (for example submit a method of work, or have measures in place to reduce sediment mobilisation)	check the deadlines for completing these measures and make sure you carry them out by the times stated.
your permit requires you to notify us before works start	check the deadlines for notifying us and make sure you carry them out by the times stated.
your permit requires you to notify us when	check the deadlines for notifying us and make



any particular work is complete	sure you carry them out by the times stated.
you need to submit other returns or information	send these to us at the contact details above, unless we advise you otherwise.

Find out more about complying with your permit on our website

<https://www.gov.uk/topic/environmental-management/environmental-permits>

This includes guidance on your management system and how you will be regulated.

Rights of appeal

If you're not happy with any permit condition that has been imposed by the permit you may appeal to the Secretary of State. You must make your appeal no later than six months after the permit issue date. Further information about making an appeal and the forms you will need are available from the Planning Inspectorate website or from the contact details below.

Environment Appeals, Enforcement and Specialist case work division, The Planning Inspectorate, 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Phone: 0303 444 5584

Email: environment.appeals@pins.gsi.gov.uk

You must send written notice of the appeal and the documents listed below to the Secretary of State at the Planning Inspectorate address above. At the same time you must send us a copy of the notice and documents to:

Victoria Douglass, Appeals Coordinator, Environment Agency, National Permitting Service, Knutsford Road, Latchford, Warrington, WA4 1HG.

Phone: 01925 542456 Email : victoria.douglass@environment-agency.gov.uk

The documents are:

- a statement of the grounds of appeal
- a copy of any relevant application
- a copy of any relevant environmental permit
- a copy of any relevant correspondence between the appellant and the regulator
- a copy of any decision or notice which is the subject matter of the appeal
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

If you have any questions about this permit please phone my colleague Laura Kelly on 02084745901 or email psohiow@environment-agency.gov.uk. Please quote our reference if you contact us.

Yours sincerely



PP

Wesley Jones

**Partnership & Strategic Overview Team Leader
Hampshire & the Isle of Wight**



**Environment
Agency**

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2010

Philip Dymoke White, Fiona Elizabeth White and Alexander Stuart Dymoke White of Chidden Farmhouse,
Chidden, Hambledon, Waterlooville, Hampshire PO7 4TD as Trustees of PD WHITE ("the Owners")

Partial diversion of designated main river, creation of a flood storage area and associated works, West
Brook, near Horndean Road, Emsworth
National Grid Reference: 474355,106949

Permit number

EPR/GB3598JL

Partial diversion of designated main river, creation of a flood storage area and associated works, West Brook, near Horndean Road, Emsworth

Permit number EPR/GB3598JL

Introductory note

This introductory note does not form a part of the permit

The main features of the permit are as follows:

Diversion of designated main river; works on right bank to create a flood storage area; works on left bank to raise land; penstock style control structure at south of flood storage area; new headwall at existing drain; extension of 300mm outfall.

The status log of the permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit		
Description	Date	Comments
Application EPR/GB3598JL Duly made	09/03/16	Application for diversion of main river, flood storage area and associated works
Additional information received	30/03/16	Environmental documents received
Additional information received	04/04/16	Adequate method of work submitted
Permit determined EPR/GB3598JL	03/05/16	Permit issued to Philip Dymoke White, Fiona Elizabeth White and Alexander Stuart Dymoke White of Chidden Farmhouse, Chidden, Hambledon, Waterlooville, Hampshire PO7 4TD as Trustees of PD WHITE ("the Owners")

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2010

Permit number

EPR/GB3598JL The Environment Agency hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010

Philip Dymoke White, Fiona Elizabeth White and Alexander Stuart Dymoke White of Chidden Farmhouse, Chidden, Hambledon, Waterlooville, Hampshire PO7 4TD as Trustees of PD WHITE ("the Operator")

to operate flood risk activities at West Brook, near Horndean Road, Emsworth

Site and activity description:

Diversion of designated main river (the 'West Brook')

Works on right bank to create flood storage area

Works on left bank to raise land

Installation of new penstock style control structure at south of flood storage area

Installation of new headwall at existing drain

Extension to existing 300mm outfall

National Grid Reference 474355,106949

to the extent authorised by and subject to the conditions of this permit.

Name	Date
	03/05/2016



Wesley Jones

**Partnership & Strategic Overview Team Leader
Hampshire & the Isle of Wight**

Authorised on behalf of the Environment Agency

Conditions

1 Management

1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of flooding, impact on drainage and environmental harm so far as is reasonably practicable, including those risks arising from operations, maintenance, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints; and
 - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of the permit.

2 Operations

2.1 Permitted activities

- 2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities").

2.2 The site

- 2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 2 to this permit and showing National Grid Reference 474222,107119 and 474377,106855.

2.3 Operating techniques

- 2.3.1 The operator shall use appropriate measures, including but not limited to those in the approved Method of Work:
- (a) to minimise sediment mobilisation
 - (b) to minimise impact on biodiversity
 - (c) to ensure there is no increase to flood risk or detrimental impact on drainage;
 - (d) for the storage and disposal of waste produced; and
 - (e) to prevent and minimise environmental harm.
- 2.3.2 The activities shall not be brought into operation until the operator has submitted and the regulator has approved a Method of Work, including methods of construction, engineering or installation, and the specific measures to be taken in order to ensure that there is no increase to flood risk, detrimental impact on drainage or harm to the environment due to the manner in which the activities are carried out.

- 2.3.2 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.
- 2.3.3 Measures shall be taken to ensure that the activities do not cause the spread of invasive non-native species or plant or animal diseases.
- 2.3.4 Vegetation or site clearance should be done outside of the nesting season (1 March-31 July inclusive). If clearance work has to be undertaken during the nesting season, a breeding bird survey needs to be carried out by a suitably qualified person. As a general rule, it should be assumed that birds will be nesting in trees, scrub, reeds or substantial ditch side vegetation during the core breeding period, unless a survey had shown this not to be the case. In addition, some species are ground nesting, such as the skylark and lapwing, both of which can occur on grassland areas and cleared sites where there is a time lapse between demolition and development.

2.4 Operation, maintenance and access

- 2.4 This permit does not contain any conditions relating to operation, maintenance or access.

3 Information

3.1 Records

- 3.1.1 All records required to be made by this permit shall:
- (a) be legible;
 - (b) be made as soon as reasonably practicable;
 - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
 - (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made.
- 3.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

3.2 Reporting

- 3.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.

3.3 Notifications

- 3.3.1 The Environment Agency shall be notified no less than 7 days before the commencement of the first activity
- 3.3.2 Environment Agency shall be notified no less than 7 days after the last activity are completed.
- 3.3.3 The Environment Agency shall be notified without delay following the detection of any breach of a limit specified in the permit or any significant environmental effects resulting from the activities or of any breach of the permit.
- 3.3.4 Written confirmation of actual or potential incidents or effects and breaches referred to in 3.3.3 shall be submitted within 24 hours.

- 3.3.5 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

- (a) any change in the operator's name or address; and
- (b) any steps taken with a view to the dissolution of the operator.

In any other case:

- (a) the death of any of the named operators (where the operator consists of more than one named individual);
- (b) any change in the operator's name(s) or address(es); and
- (c) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

- 3.3.6 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for flood risk, drainage or the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:

- (a) the Environment Agency shall be notified at least 14 days before making the change; and
- (b) the notification shall contain a description of the proposed change in operation.

3.4 Interpretation

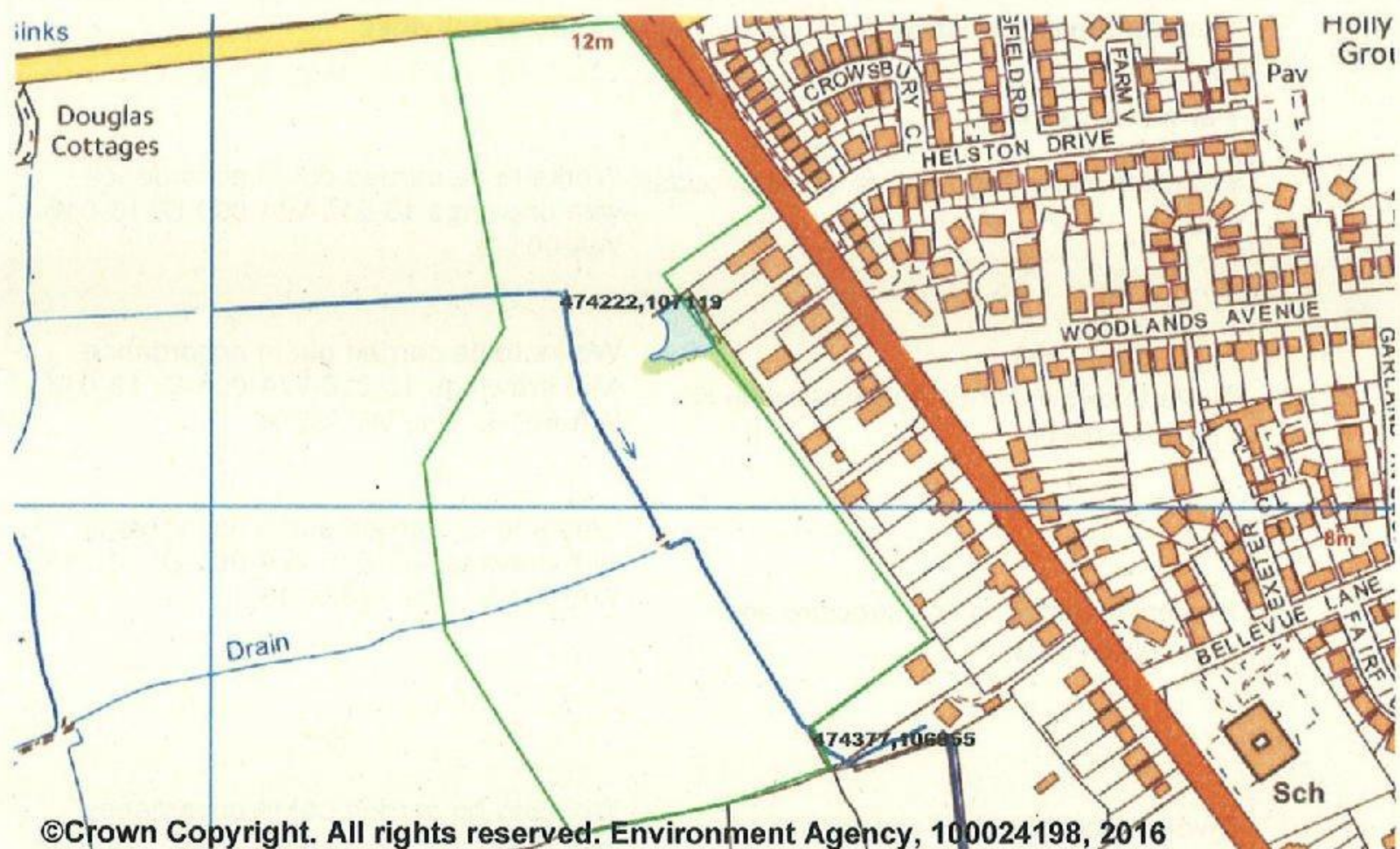
- 3.4.1 In this permit the expressions listed in schedule 6 shall have the meaning given in that schedule.
- 3.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "without delay", in which case it may be provided by telephone.
- 3.4.3 Any reference to a distance of a number of metres from a flood defence structure, drainage work, remote defence or sea defence is a reference to that distance as measured from the foot of the foregoing as the case may be.
- 3.4.4 Any reference to a distance of a number of metres from a river control work is a reference to that distance as measured from the nearest part of the river control work.
- 3.4.5 Any reference to a distance of a number of metres from a watercourse is a reference to that distance as measured horizontally from the foot of the bank on the landward side of the watercourse

Schedule 1 – Operations

Table S1.1 activities		
Activity reference	Description of activities	Limits of activities
	Permanent Works	
A1	Extension to existing 300mm diameter outfall pipe	Works to be carried out in accordance with drawings 13-016-WA-003-D, 13-016-WA-001-D
A2	Works to existing drain and installation of type 2 headwall	Works to be carried out in accordance with drawings 13-016-WA-003-D, 13-016-WA-001-D, and WA-SD03
A3	Proposed Outfall control structure and associated rip-rap	Works to be carried out in accordance with drawings 13-016-WA-003-D, 13-016-WA-001-D, and 1288/100
A4	Diversion of main river and infilling of existing river ditch	Works to be carried out in accordance with drawings 13-016-WA-003-D, 13-016-WA-001, and 13-016-WA002-D
A5	Proposed Wetland & Flood Storage Area Area	Works to be carried out in accordance with drawings 13-016-WA-003-D, 13-016-WA-001-D, and WA-SD04, 13-016-WA004-C, 13-016-WA005-B, 13-016-WA006-B, 13-016-WA007-B, 13-016-WA008-B, 13-016-WA009-B, 13-016-WA010-B, and 13-016-WA002-B,
	Temporary or enabling works	
A6	Use of temporary cut-off drain	This shall be in accordance with the principles set out in the Technical Note dated 01/04/2016

Schedule 2 – Site Plan

Site plan



Schedule 4 – Interpretation

"application" means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

"authorised officer" means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

"EP Regulations" means The Environmental Permitting (England and Wales) Regulations SI 2010 No.675 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

"main river" means a watercourse or part of a watercourse designated as main river on the statutory main river map held by the Environment Agency.

"Method of Work" means a document forming part of the operator's management system, setting out the working methods for carrying out the activity and what measures will be taken to avoid or minimise the risks of environmental effects.

"approved Method of Work" means the operator's Method of Work approved by the Environment Agency

"environmental effects" means:

- (a) flooding or risk of flooding;
- (b) harm to the environment or risk of harm to the environment; and
- (c) detrimental impact on drainage or risk of detrimental impact on drainage.

"environmental harm" means a result of human activity which may:

- (a) cause harm to the conservation, protection and enhancement of any species and habitats designated under any enactment as having special protection or priority;
- (b) prevent the achievement of environmental objectives within the meaning of the Water Framework Directive 2000/60/EC;
- (c) cause pollution; or
- (d) otherwise adversely affect the protection and enhancement of the environment.

END OF PERMIT

