

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

BARRATT SOUTHERN COUNTIES LIMITED

**Works associated with an access crossing of the Black Ditch in the vicinity of Water Lane,
Angmering**

National Grid Reference[s]: TQ0746404699

Land South of Water Lane, Angmering, West Sussex

Permit number

EPR/PB3157SG

Introductory note

This introductory note does not form a part of the permit

The main features of the permit are as follows.

Works associated with an access crossing of the Black Ditch in the vicinity of Water Lane, Angmering

The status log of the permit does not form part of the permit. It sets out the permitting history, including changes to the permit or permit reference number.

Status log of the permit		
Description	Date	Comments
Application EPR/ PB3157SG	Duly made 19/04/21	Application for River crossing and associated works
Permit determined EPR/PB3157SG	06/05/21	Permit issued to BARRATT SOUTHERN COUNTIES LIMITED

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2016

Permit number

EPR/PB3157SG

The Environment Agency hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016

BARRATT SOUTHERN COUNTIES LIMITED ("the operator")

whose registered office is

**Barratt House Cartwright Way,
Forest Business Park Bardon Hill,
Coalville,
Leicestershire,
LE67 1UF**

company registration number 00760490

to operate the following flood risk activities:

Works associated with an access crossing of the Black Ditch in the vicinity of Water Lane, Angmering, comprising:

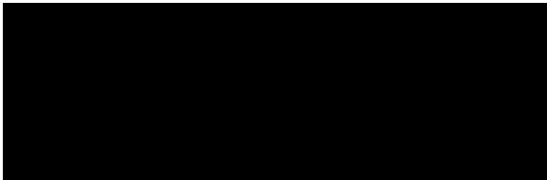
- Permanent installation of a culvert and associated wingwalls. This will include the minor realignment of the Black Ditch to accommodate the adjacent ground levels.
- Temporary construction of an access crossing upstream of the new culvert location (2No. 900mm diameter culverts approximately 4 metres length)
- Approximately 50 metres diversion channel to the south of the Black Ditch (left bank).

at

Land South of Water Lane, Angmering, West Sussex

National Grid Reference(s) TQ0746404699

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

Name	Date
 Claire Francis Partnership & Strategic Overview Team Leader West Sussex	06/05/2021

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 **TQ0746404699**.

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.
- The operator shall review and record at least every 12 months whether changes to the measures in the approved Method of Work should be made and take any further appropriate measures identified by a review.
- 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 Measures shall be taken to ensure that fish will be protected.

- 2.3.5 The operator shall register with the Environment Agency to receive flood warnings for the location of the activities and take action to ensure that there is no increased flood risk to third parties as a result of carrying out the activities.
- 2.3.6 The activities shall not have a significant adverse effect on protected or priority species.
- 2.3.7 The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.

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 activities.
- 3.3.2 Environment Agency shall be notified no less than 7 days after the activities 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 3 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.

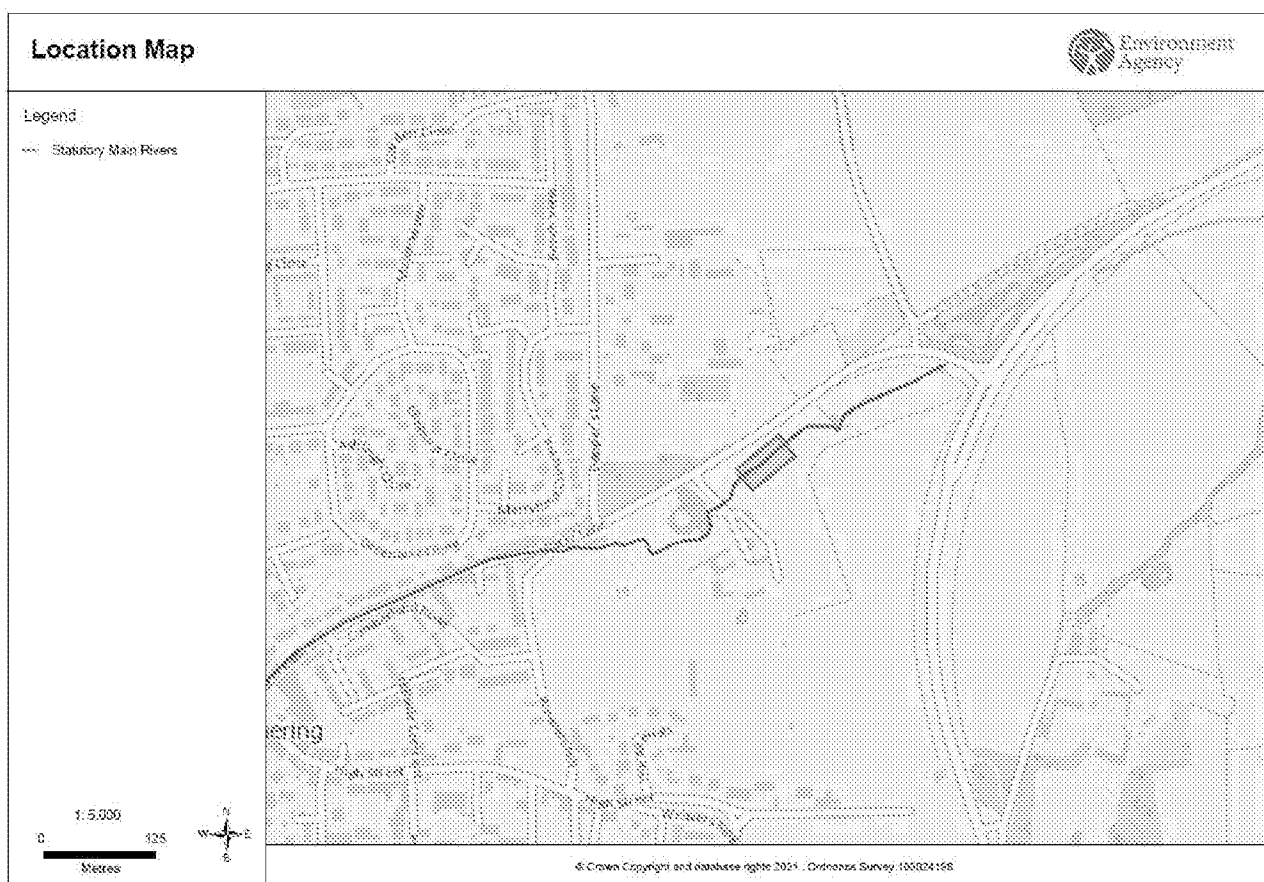
Schedule 1 – Operations

Table S1.1 activities		
Activity reference	Description of activities	Limits of activities
	Permanent Works	
P1	Permanent installation of a culvert (3.5m wide by 3.15m high by 12m long) and associated wingwalls.	The activities shall be commenced within 3 years of the date of the grant of the permit and completed within 12 months of commencement.
P2	Minor realignment of the Black Ditch to accommodate the adjacent ground levels.	The activities shall be carried out in accordance with the application form dated 22/12/2020, and additional information received on 05/03/21, 46353-4001- FRAP001_Flood_Risk_Supporting_Statement_Re vC 05Mar21, Appendix C - 46353-STN-SBR-1772-DR-CB-0006-P03 Vegetation or site clearance should be done outside of the nesting season (1 March-31 July inclusive). If clearance work and proposed work is undertaken during the nesting season, a breeding bird survey shall be carried out by a suitably qualified and /or experienced person, if birds' nests are found works must not commence until mitigation measures are in place. If it is proposed to remove any materials, e.g. silt, construction waste, spoil, etc., a Waste Licence will be required. Any refuelling of plant must be done in a designated area away from any watercourses. All works must be undertaken in accordance with the Pollution Prevention Guidelines PPG2 & 5. The Environment Agency incident hotline 0800 80 70 60 must be notified immediately of any spillages or pollution incidents The culvert shall not restrict the free passage of migratory fish and other fauna. The permitted works shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted and approved by the Environment Agency. Prior the commencement of any excavation either for the temporary crossing or culvert, ecological surveys shall be carried out by a suitably qualified and/or experienced person. These should focus on protected species, in particular but not exclusively, water voles.

Table S1.1 activities		
Activity reference	Description of activities	Limits of activities
		The base of the culvert shall be set below the existing bed, and clean natural gravel placed on top so that there shall be no step or drop in the final level of the bed.
	Temporary or enabling works	
T1	Temporary construction of an access crossing upstream of the new culvert location (2No. 900mm diameter culverts approximately 4 metres length)	The activity shall be commenced within three years of the date of the grant of the permit and completed within nine months of commencement.
T2	Approximately 50 metres diversion channel to the south of the Black Ditch (left bank).	The activities shall be carried out in accordance with the application form dated 22/12/2020, and additional information received on 05/03/21, 46353-4001- FRAP001_Flood_Risk_Supporting_Statement_Re vC 05Mar21, Appendix C - 46353-STN-SBR-1772-DR-CB-0006-P03 Silt curtains or similar shall be in place in the watercourse downstream of the working area to retain any mobilised sediment and this sediment should be removed and appropriately disposed of, prior to the removal of the silt curtain. If overpumping is proposed, it must be ensured that all pumps are fitted with a cage to prevent fish access. At this location this may include eels and or lamprey which may live within the sediment. The contractors must have the equipment and ability to capture and relocate beyond the work area any species encountered. Appropriate scour protection must be put in place in the area where over pumping is to discharge. Vegetation or site clearance should be done outside of the nesting season (1 March-31 July inclusive). If clearance work and proposed work is undertaken during the nesting season, a breeding bird survey shall be carried out by a suitably qualified and /or experienced person, if birds' nests are found works must not commence until mitigation measures are in place. The operator shall sign up to receive flood warnings from the Environment Agency.

Table S1.2 Operating techniques			
Requirement	Measures (if measures are specified)	Document reference	Date Received
Conditions from 2.3.1 to 2.3.6	Measures in the approved Method of Work and email received on 03/05/2021	46353-4001-FRAP001_Flood_Risk_Supporting_Statement_RevC 05Mar21	05/03/2021

Schedule 2 – Site Plan



Schedule 3 – 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 2016 No.1154 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