

Arun District Council
Development Control
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Our ref: HA/2022/123981/02-L01
Your ref: BN/11/22/OUT
Date: 28 November 2022

Dear Planning Team,

RESPONSE TO EA COMMENTS - OUTLINE APPLICATION WITH ALL MATTERS RESERVED (EXCEPT FOR THE A29 REALIGNMENT) FOR THE DEMOLITION OF EXISTING STRUCTURES AND MIXED USE DEVELOPMENT TO PROVIDE RESIDENTIAL DWELLINGS (USE CLASS C3), CARE HOME/SENIOR LIVING ACCOMMODATION (USE CLASS E/F2/SUI GENERIS), A PRIMARY SCHOOL PLUS OPEN SPACE, LANDSCAPING, DRAINAGE AND ALL OTHER ASSOCIATED ANCILLARY WORKS; AND REALIGNMENT OF THE A29 AND EARLY CONNECTION TO EXISTING A29 INCLUDING CONSTRUCTION OF A NEW ROAD CARRIAGEWAY, JUNCTIONS AND ASSOCIATED INFRASTRUCTURE. THIS APPLICATION ALSO LIES WITHIN THE PARISH OF ALDINGBOURNE, AFFECTS THE SETTING OF LISTED BUILDINGS, AFFECTS THE CHARACTER & APPEARANCE OF THE EASTERGATE CHURCH LANE CONSERVATION AREA AND AFFECTS A PUBLIC RIGHT OF WAY. THIS APPLICATION IS THE SUBJECT OF AN ENVIRONMENTAL STATEMENT. BARNHAM, EASTERGATE, WESTERGATE BEW PARCEL SC1 BARNHAM

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

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

Environment Agency Position

In the absence of an acceptable flood risk assessment (FRA) we **object** to this application.

Reason

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 20 to 22 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

Environment Agency
Guildbourne House Chatsworth Road, Worthing, West Sussex, BN11 1LD.



- Outline Floodplain Compensation and potential increased risk related to the Lidsey Rife Bridge

As stated in our previous objection, floodplain compensation should fully mitigate any loss of storage. Any design should include drawings and calculations demonstrating that any loss is fully mitigated on a level for level basis. Compensation areas should be located outside the design flood extent and any flood risk impacts presented. Drawings and calculations must be signed off by the Environment Agency.

As also stated previously, the Environment Agency will need to review modelling information that has been highlighted by the applicant before the FRA can be accepted, and this can take up to 8 weeks. We would note that we have now received the model from the applicant, and it is in the process of being submitted for review.

We note that the applicant has argued that the approaching embankments as part of the Lidsey Rife Bridge cannot be **located outside of FZ2/3**. We have not seen enough evidence to justify how this design will avoid an increase in flood risk, particularly when noting that the applicant has argued that there is no requirement for flood plain compensation. The proposed alignment of the road has no impact on the requirements of the applicant to prevent an increase of flood risk. As mentioned above, we will need to review the modelling evidence as a start point.

We would again highlight our preference for the 200m multi-span option from a flood risk perspective but would note that this would also require flood plain compensation for the bridge piers. This would need to be evidenced and we would again expect the applicant to review the risk.

We note that the applicant has stated that the exact position of the attenuation basin will be determined at a later date. Whilst we maintain that we would recommend that this be moved out of the Flood Zone to ensure no risk to the surface water attenuation, we acknowledge that this can be determined at an appropriate time in the future.

Overcoming our objection

To overcome our objection, the applicant should submit a revised FRA and amended plans which addresses the points highlighted above.

If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted and we'll respond within 21 days of receiving it.

Advice to the Local Planning Authority

If you are minded to approve the application contrary to our objection, we would be grateful if you could re-notify us to explain why material considerations outweigh our objection, and to give us the opportunity to make further representations. Should our objection detailed above be removed, it is likely we will recommend planning conditions to be included on any subsequent approval.

We will always support and substantiate our objections to major development proposals at appeal wherever a refusal is lodged in line with our advice. If you are minded to grant permission against our advice, please contact the Sustainable Places Advisor named below before making a formal decision to discuss the conditions and advice that we would wish to apply to this proposal.

In accordance with the Planning Practice Guidance (Ref. ID: 20150415), please notify us by email within 2 weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Advice to Applicant

Environmental Permit

We would reiterate that it is important to ensure access to this watercourse for maintenance and emergency purposes. As such, we would recommend liaising with the Environment Agency and the local landowner to ensure that this is possible, and include this in the bridge design. The proposed work will also require a Flood Risk Activity Permit.

Further details about Flood Risk Activity Permits can be found on the gov.uk website using the following link –

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

The Applicant should note that a permit is separate to and in addition to any planning permission granted. The granting of planning permission does not necessarily lead to the granting of a permit.

Please do not hesitate to contact me using the contact details shown below should you have any queries regarding the above information.

Yours faithfully

Mrs Sophie Brown
Sustainable Places Planning Advisor

