

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

Our ref: HA/2022/123981/04-L01
Your ref: BN/11/22/OUT
Date: 13 February 2024

Dear Planning Officer,

OUTLINE APPLICATION WITH ALL MATTERS RESERVED (EXCEPT FOR THE A29 REALIGNMENT) FOR THE DEMOLITION OF EXISTING STRUCTURES AND MIXED USE DEVELOPMENT TO PROVIDE UP TO 1,250 RESIDENTIAL DWELLINGS (USE CLASS C3), CARE HOME/SENIOR LIVING ACCOMMODATION (USE CLASS C2/C3), FLEXIBLE RETAIL AND COMMUNITY FLOORSPEACE (USE CLASSES 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

We have reviewed the additional submitted information and consider that it satisfactorily addresses our earlier concerns. We therefore withdraw our previous objection, subject to the inclusion of the conditions below to any planning permission granted, and the details in relation to the condition be submitted and approved by the Local Planning Authority.

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

www.gov.uk/environment-agency

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Without these conditions we would object to the proposal due to its adverse impact on the environment and flood risk. Please notify us immediately if you are unable to apply our suggested conditions, to allow further consideration and advice.

Condition 1 of 3

The development shall be carried out in accordance with the submitted flood risk assessment (ref 100148-PEF-ZZ-XX-RP-YE-000020-S2-P03_FRA, dated 27.09.23) and the following mitigation measures it details:

- All residential development shall take place in Flood Zone 1 only.
- The Lidsey Rife channel crossing shall have a minimum 30m clear bridge span, as set out in the modelled design parameters approved by the Environment Agency. The soffit level of the crossing shall be set no lower than 2.8mAOD.
 - Any changes in this design prior to construction will be sent to the Environment Agency for approval.
- At least 2,768m³ compensation shall be provided on a level-for-level basis on the western banks of the Lidsey Rife, as indicated in Table 5.1 of the above Flood Risk Assessment.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To reduce the risk of flooding to the proposed development and future occupants

Development that encroaches on watercourses can have a potentially severe impact on their ecological value. The development could have an adverse impact on Water vole due to its discrete nature. The application states that all Water vole habitat (Lidsey rife) will be fully retained as part of the development and buffered by the proposed Country park. The proposed development will therefore be acceptable if a planning condition is included requiring a scheme to be agreed to protect an 10 metre wide buffer zone around the Lidsey Rife.

Condition 2 of 3

No development shall take place until a scheme for the provision and management of a 10 metre wide buffer zone alongside the Lidsey Rife has been submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:

- plans showing the extent and layout of the buffer zone
- details of any proposed planting scheme (for example, native species)

- details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
- details of any proposed footpaths, fencing, lighting, etc

Reason

Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. This approach is supported by paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused. This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats and promote the expansion of biodiversity.

Condition 3 of 3

No development shall take place until a scheme for the provision and management of compensatory habitat creation has been submitted to, and agreed in writing by, the local planning authority and implemented as approved. Thereafter, the development shall be implemented in accordance with the approved scheme.

The scheme should include, but not be limited to, the location of new habitat and how this provides additional habitat suitable for water vole is along the Lidsey Rife to mitigate habitat lost through shading of the proposed new bridge.

Reason

Development that encroaches on the Lidsey Rife may severely affect its ecological value. The National Planning Policy Framework (paragraph 186) states that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Advice to LPA/applicant

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in:

Government guidance on flood resilient construction

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

CIRIA Code of Practice for property flood resilience

https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_and_guidance_for_property_flood_resilience.aspx

British Standard 85500 – Flood resistant and resilient construction

<https://shop.bsigroup.com/ProductDetail/?pid=0000000000030299686>

Signing up for flood warnings

The applicant/occupants should phone Floodline on [REDACTED] to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.

To get help during a flood, visit <https://www.gov.uk/help-during-flood>.

For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>.

Environmental Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
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For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on [REDACTED]

[REDACTED] (Monday to Friday, 8am to 6pm) or by emailing [REDACTED]
[REDACTED]

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

Cont/d..

Mrs Sophie Brown
Sustainable Places Planning Advisor



-----Original Message-----

From:

Sent: Friday, February 16, 2024 9:14 AM

To: Planning.Responses <Planning.Responses@arun.gov.uk>

Subject: Environment Agency Response to: BN/11/22/OUT

CAUTION: This email originated from outside of the organisation. You should take extra care when clicking links or opening attachments - if you are unsure the content is safe contact the IT Helpdesk before clicking or opening.

The proposal has been reviewed and I enclose the Environment Agency's comments on:
Barnham, Eastergate, Westergate BEW Parcel SC1 Barnham

LPA ref: BN/11/22/OUT

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