

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

Our ref: HA/2020/122770/01-L01
Your ref: BN/142/20/OUT
Date: 15 December 2020

Dear Sir/Madam

OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED, OTHER THAN PRINCIPAL MEANS OF ACCESS, FOR UP TO 200 NO. DWELLINGS, WITH ACCESS TAKEN FROM MARSHALL CLOSE, ASSOCIATED INFRASTRUCTURE & LANDSCAPING & DEMOLITION OF EXISTING BUILDINGS. THIS APPLICATION IS A DEPARTURE FROM THE DEVELOPMENT PLAN, MAY AFFECT THE SETTING OF LISTED BUILDINGS, MAY AFFECT THE CHURCH LANE, BARNHAM CONSERVATION AREA & AFFECTS A PUBLIC RIGHT OF WAY LAND SOUTH OF BARNHAM STATION BARNHAM

Thank you for the 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

Based on the EA flood maps and records whilst the site is predominantly within a Flood Zone 1, part of the site is shown to be within Flood Zones 2 and 3. Furthermore the immediate vicinity has suffered from flooding most notably in 1993, 2000 and 2012.

In the absence of an acceptable flood risk assessment (FRA) we object to this application and recommend that planning permission is refused.

Reasons

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 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.
Customer services line: [REDACTED]
www.gov.uk/environment-agency

Cont/d.

- Take the impacts of climate change into account.

There is no assessment of the impact of climate change using the appropriate climate change allowances according to our guidance 'Flood risk assessments: climate change allowances'. The EA product 4 data in Appendix 4 provided outlines, levels and depths for the climate change events (1% AEP plus 35%, 45% and 105% increase in flow). The FRA states that the dwellings will be located in Flood Zone 1 (low risk). However, it is not clear if they will all be located outside the climate change extents, and if not adequate mitigation measures should be provided (e.g. finished floor levels should be at least 300mm higher than the climate change levels).

- Provide an assessment of flood compensation.

The proposed access road and river crossing will be located in the fluvial flood plain. The FRA must demonstrate that as a result of the proposed development there is no loss of fluvial flood flow or flood storage up to the 1% annual probability plus the appropriate climate change allowance, and where possible should seek to create a net flood risk benefit. The preferred method for flood plain compensation is level for level. If this is not achievable the FRA should justify why.

- Provide information in regards to the main river crossing.

The EA will always request road crossings to be of a clear span variety, for the purposes of flood flow. Also the soffit level should be set at least 600mm above the 1% AEP plus the appropriate allowance for climate change. If modelling is going to be used as evidence to demonstrate that the crossing and access road will not increase flooding elsewhere the EA will need to review the modelling information before the FRA can be accepted.

Overcoming our objection

To overcome our objection, the applicant should submit a revised FRA 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

If the Applicant would like any further detailed advice we would be happy to provide this subject to a charge.

As part of this service you would have a dedicated project manager to coordinate the advice from different teams within the Environment Agency. It would also include bespoke technical and planning advice if you request this. This will allow you to have greater clarity about the assessments you need to accompany your planning application and certainty about whether the development is acceptable to us before you resubmit.

Advice to LPA

As referenced in the FRA, whilst the EA no longer comment on surface water disposal, infiltration in the Barnham area is very poor. Dependant on the BRE365 testing, it should be borne in mind that whilst the Barnham Rife, is not tidal, floodwater from the catchment is dependent on discharging out to sea at Felpham.

Following prolonged rainfall and the lack of gradient, ditch levels can be bank full for long periods. This may well impact the effectiveness of any SUDS system.

Based on the high groundwater table, overland flood flow routes should be identified, and appropriate finished floor levels and resilience measures incorporated in the finished design.

Advice to Applicant

Flood Risk Activity Permits

Any works or proposed structures in under or over the Barnham Rife Main River, or within 8 metres of the bank edges, will require a Flood Risk Activity Permit (FRAP) from us under the Environmental Permitting (England and Wales) Regulations 2016.

It must be borne in mind that any future FRAP applications will need to carefully consider ongoing and future watercourse maintenance activities undertaken by us under our permissive powers, and those of the riparian landowners.

A FRAP will also be required for the potential surface water outfall from the SUDS scheme.

Further details about FRAPs 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 such permit(s) are 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.

Similarly works in under or over to the ordinary watercourses or within the byelaw strips within the site boundary will require a Land Drainage consent from the Lead Local Flood Authority.

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



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