

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

Our ref: HA/2021/123652/01-L01
Your ref: BR/242/21/OUT
Date: 08 November 2021

Dear Sir/Madam

OUTLINE APPLICATION WITH ALL MATERS RESERVED EXCEPT ACCESS FOR THE DEMOLITION OF EXISTING BUNGALOW TO FORM NEW ACCESS FOR 6 NO. DETACHED CHALET DWELLINGS (RESUBMISSION FOLLOWING BR/124/21/OUT). TO REAR OF 94 - 100 HOOK LANE BOGNOR REGIS PO22 8AT

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 and recommend that planning permission is refused.

Reason

The submitted FRA (WSP, June 2021) 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:

- **Use of defended flood levels**

Even though the site may currently benefit from flood defences, and this should be identified and referred to in the FRA, you must also address the residual risk of those defences failing or being overtopped. Our advice to local planning authorities and developers is to design their flood mitigation measures to ensure that the development is safe for its lifetime (now and in the future) without the reliance upon existing infrastructure. Therefore we would expect at least sleeping accommodations to be set 300mm above the undefended 0.5% EAP taking into account the new climate change allowances (<https://www.gov.uk/guidance/flood->

Environment Agency
Guildbourne House Chatsworth Road, Worthing, West Sussex, BN11 1LD.
Customer services line: [REDACTED]
www.gov.uk/environment-agency

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risk-assessments-climate-change-allowances). This is because the 2016 Grant Memorandum for Flood Defence Grant in Aid (FDGiA) (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/516680/LIT_10458.pdf) confirms that FDGiA is not eligible for new development and any development built after 2012 will be deducted from a bid for a flood defence scheme. This is based upon the agreements made with DEFRA for the 6 year settlement and on the understanding that as part of PPS 25, and now NPPF, all developments should be safe now and in the future and should assess the residual risks of defence failure and thus should be safe without the reliance upon existing infrastructure.

- **New climate change allowances**

Different climate change allowances have been used to assess future flood risk than those advised in 'Flood risk assessments: climate change allowances', without adequate justification.

- **Voids under buildings**

The proposal to incorporate under floor voids is not a preferable option. Issues with voids include trapped debris and blockages under the buildings, and silt accumulations which is difficult to clean down after a flood event and can potentially lead to public health issues. In some occasions, due to the size of the void openings maintenance could be entirely restrictive. It will need to be demonstrated why a conventional scheme for flood plain compensation is not possible to be implemented, as well as a plan being agreed to ensure that the voids are managed and maintained for the lifetime of the development.

- **Maintenance of flood plain compensation scheme**

We would also need confirmation that the proposed flood plain compensation scheme can be maintained for the lifetime of the development, and who will be responsible and the timing / phasing arrangements.

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.

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.

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

