

Lead Local Flood Authority

Local Planning Authority
Planning and Development
Arun District Council
Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Date 12 December 2023

Dear Mr Lee,

RE: FP/274/21/OUT – Bognor Regis Golf Club, Downview Road, Felpham

The above Major planning application has been brought to the attention of the Lead Local Flood Authority. Since we originally responded in July 2022, we have recently become aware that further information has been submitted in December 2022 that we had not been consulted on due to the changes that have occurred with the National Planning Policy Framework Planning Practice Guidance (NPPF PPG). Furthermore we have become aware of the site being severely impacted by flooding in October and November 2023. As a statutory consultee listed in Schedule 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 we have reviewed the additional information.

The Application is an Outline planning application with all matters reserved, except means of access, for the erection of up to 480 new homes (C3), the formation of a new means of access onto Golf Links Road, together with the creation of new surface water drainage, new landscaping and habitat creation, ground works and other infrastructure and the retention and re-purposing of the retained club house (F2).

Following a review of the submitted information we **object** to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) & Drainage Strategy relating to:

- The application is not in accordance with NPPF paragraph 159, 162, or 167 of the National Planning Policy Framework, it is accompanying Practice Guide or policies DM2 'Flood Risk' of the Arun Local Plan.

Reason

To prevent flooding in accordance with National Planning Policy Framework paragraph 167, 169 and 174 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

The Site fails to adequately address the Sequential Test in relation to Surface Water Flood Risk. The NPPF Practice guide states in paragraph 028 *'These could include a **series of smaller sites and/or part of a larger site** if these would be capable of accommodating the proposed development. **Such lower-risk sites do not need to be owned by the applicant to be considered 'reasonably available'**.*

The absence of a 5-year land supply is not a relevant consideration for the sequential test for individual applications.'

A recent Appeal Decision supports this view, Dated 19th July 2023 reference APP/N1920/W/23/3314286 for Land at Little Bushy Lane, Bushy strengthens this interpretation and it is clear from this decision that when undertaken the Sequential Test to determine suitable sites and the parameters, land ownership does not become a consideration, and therefore we do not agree with the argument that residential development needs to be located in an area of high flood risk to support and finance the relocation of a water compatible use such as the golf course and therefore the sequential test is passed.

The above appeal decision also confirms that when considering alternative sites the applicant is required to assess alternative sites for the development which could be a series of smaller sites or part of a larger site, this has not occurred in this case and instead the applicant has concentrated on their need to relocate a golf course (classified as 'Water Compatible' in the PPG), and not the need for the housing (classified as 'More Vulnerable' in the PPG) to be located within this high flood risk area. Furthermore the above appeal decision clarifies that the sequential test should be carried out prior to any mitigation or the exception test being applied and should concentrate on the site as a whole.

The Site is shown to be impacted by two Surface Water Flow paths, one flowing from the southeast to the northwest and one is located to the north of the site flowing from the east to the West, which is associated with an existing ordinary watercourse. Therefore the classification is not low risk as the updated information states and further highlights the need to carryout the Sequential Test on surface water flood risk as well as fluvial flood risk as stated by the NPPF. This risk is further verified by the recent flood events which have shown the site to be impacted by surface water flooding.

Figure-1: Bognor Regis Golf Course – November 2023



The original information does carry out further modelling however this concentrates on the fluvial flood risk and existing channels and is not detailed enough to clarify the Surface water flood risk to the site. It is also noted that the additional hydraulic modelling only utilises a 25% increase for climate change, in relation to surface water flood risk this should be increased to 45% as it's the current standard. The model will need to be updated to assess the surface water flow paths coming through the site and not only those represented by the channels. It is not appropriate to use out of date data at the time of determination of a planning application and hence an update was provided when the NPPF PPG was updated in the form of a technical note however the applicant has failed to update the climate change allowances and modelling parameters which are also out of date at this present time and therefore underestimates the risk of flooding to the site. The modelling and assessment also needs to demonstrate that there is no development within the 1 in 30 (3.33%) AEP for both surface water and fluvial as this is now considered the Functional Floodplain with NPPF since the update in August 2022.

Although the Sequential Test needs to be demonstrated that it has been carried out suitably and passed, we have also provided additional comments on the flood risk assessment and drainage strategy below.

The FRA needs to be updated to demonstrate Safe Access and Egress in the design event (as defined in the NPPF practice guide as the 1 in 100 (1%) plus climate change event)

from all sources of flooding including that of Surface Water Flood Risk. It is unclear from the information provided how safe access and egress will be provided between the development parcels or from the site as a whole in accordance with FD2321 as noted in Paragraph 005 of the NPPF Practice Guide. The information needs to be updated with the latest climate change allowances.

In terms of the proposed drainage scheme it is noted that the parameters used to determine the overall storage requirements are incorrect and underestimate the volume of storage required by the proposed development. Currently they are using FSR which on average underestimates the volume of rainfall by approximately 20% this needs to be updated to FEH 13 or FEH22. In addition the CV value used only allows for approximately 84% of the rainfall that falls onto the impermeable area to drain into the system for the winter storm when in reality this should be 100% and therefore this value needs to be 1. No SuDS features should be provided within a surface water flow path otherwise they will not be enough capacity to attenuate the sites own surface water runoff sufficiently and could potentially increase flood risk to the site and surrounding area. If ponds are to be bunded to ensure they are out of the flood plain or the flow paths then an assessment needs to be carried out that demonstrates the impact on the loss of flood storage or on the alteration of that flow path to ensure flood risk is not increased to the site or surrounding area.

Yours sincerely,

Flood Risk Management Team

A solid black rectangular box used to redact the signature of the Flood Risk Management Team.

Annex

The following documents have been reviewed, which have been submitted to support the application;

- Flood Risk Assessment & Drainage Strategy E8513 RE001, Stephen Wilson Partnership Ltd, Rev C, 10.11.23 (and associated Appendices)
- Dwg E8513-1100- P4 Drainage Strategy, 10.11.23
- Dwg E8513- 1101- P3 Drainage Strategy Above Ground, 10.11.23

From: Nicola Oktay on behalf of Planning.Responses
Sent: 18 December 2023 10:30
To: Planning Scanning
Subject: FW: Application response to FP/274/21/OUT at Bognor Regis Golf Club, Downview Road, Felpham, PO22 8JD
Attachments: FP 274 21 OUT WSCC LLFA Response Dec23.pdf

LLFA response

Nikki Oktay
Planning Receptionist, Planning Department

T: 01903 737965
E: Nicola.Oktay@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd
Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk

To register to receive notifications of planning applications in your area please go to
<https://www1.arun.gov.uk/planning-application-finder>



From: Jonathan Lee <Jonathan.Lee@arun.gov.uk>
Sent: Monday, December 18, 2023 9:09 AM
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: Application response to FP/274/21/OUT at Bognor Regis Golf Club, Downview Road, Felpham, PO22 8JD

And another one to upload please.

Kind regards
Jonathan

Jonathan Lee BA (Hons) DipTp MRTPI AssocRICS
Consultant Principal Planning Officer

T: 07511 178001

E: Jonathan.lee@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd
Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk



From: David Easton <David.Easton@arun.gov.uk>

Sent: Friday, December 15, 2023 3:17 PM

To: Jonathan Lee <Jonathan.Lee@arun.gov.uk>

Subject: FW: Application response to FP/274/21/OUT at Bognor Regis Golf Club, Downview Road, Felpham, PO22 8JD

Hi Jonathan,

This one has come through following our meeting earlier.

Thanks,
David

From: Eleanor Read <[REDACTED]>

Sent: Friday, December 15, 2023 3:07 PM

To: Jonathan Lee <Jonathan.Lee@arun.gov.uk>

Cc: David Easton <David.Easton@arun.gov.uk>; Neil Crowther <Neil.Crowther@arun.gov.uk>; Paul Marshall

[REDACTED] Deborah Urquhart [REDACTED]

Subject: Application response to FP/274/21/OUT at Bognor Regis Golf Club, Downview Road, Felpham, PO22 8JD

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.

Good afternoon Jonathan,

Please find attached Lead Local Flood Authority response for FP/274/21/OUT at Bognor Regis Golf Club, Downview Road, Felpham, PO22 8JD, for uploading to the planning portal.

Kind regards,

Flood Risk Management Team

Eleanor Read

Assistant Flood Risk Management Officer | Planning Policy & Infrastructure
West Sussex County Council, Ground Floor, Northleigh, County Hall, Chichester PO19 1RH



LEGAL DISCLAIMER

This email and any attachments are confidential and intended solely for the persons addressed. If it has come to you in error please reply to advise us but you should not read it, copy it, show it to anyone else nor make any other use of its content. West Sussex County Council takes steps to ensure emails and attachments are virus-free but you should carry out your own checks before opening any attachment.
