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From: 

Sent: 20 December 2018 16:31

To: Planning.Responses

Subject: Environment Agency Response to: LU/223/18/PL

The proposal has been reviewed and I enclose the Environment Agency's comments on:
36 - 38 Surrey Street Littlehampton BN17 5BH

LPA ref: LU/223/18/PL

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

Our ref: HA/2018/120927/01-L01
Your ref: LU/223/18/PL
Date: 20 December 2018

Dear Sir or Madam,

**CONVERSION OF BASEMENT & GROUND FLOOR FROM BOOKSHOP TO 3NO.
HOLIDAY LETS.**

36 - 38 SURREY STREET, LITTLEHAMPTON, BN17 5BH.

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

We **object** to the proposed development as it falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. The application is therefore contrary to the National Planning Policy Framework (NPPF) and its associated Planning Practice Guidance for Flood Risk and Coastal Change. The application is also contrary to **Policy W DM2** (Flood Risk) of the Arun Local Plan 2011 – 2031 (July 2018).

Reasons

The Planning Practice Guidance (PPG) for Flood Risk and Coastal Change classifies development types according to their vulnerability to flood risk, and provides guidance on which developments are appropriate within each flood zone. This site lies within Flood Zone 3, which is land defined by the PPG as having a high probability of flooding.

The development of proposing a **basement** holiday dwelling, is classed as “highly vulnerable” in accordance with Table 2 (Flood Risk Vulnerability Classification) of the PPG for Flood Risk and Coastal Change. Tables 1 and 3 of the PPG make it clear that this type of development is not compatible with this Flood Zone, and therefore should not be permitted.

Overcoming our Objection

Environment Agency
Oving Road, Chichester, West Sussex, PO20 2AG.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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We recommend the removal of all habitable rooms from the basement.

Advice to the Local Planning Authority

The approximate existing flood level for the site is 3.8mAOD, and predicted (2115) is approximate 5.0mAOD. No finished floor levels have been provided, and therefore no suitable mitigation measures are proposed.

With a 100 year development life (for residential development, which we believe is entirely appropriate for this application – this is the responsibility of the Local Planning Authority to determine) the potential expected flood depth over the lifetime is approximately 1.5m above existing ground levels. As such, it can be expected that internal flooding could fill the basement, floor to ceiling, depending on the duration of a flood event. Such flood depths present a significant risk to people and property.

The Environment Agency/Defra R&D Technical Report FD2320/TR2 specifies that flood depths of this magnitude would present a danger for most at current day predictions, with a danger for all, including the emergency services over the lifetime of the development. Rescue would therefore be extremely hazardous.

Advice to the Local Planning Authority and Applicant

Proposed Method of Risk Management

The submitted Flood Risk Assessment (FRA) has not mentioned how the flood risks will be managed following the development.

As a result of the flood risks identified above, the safety of occupants will be entirely reliant upon a strategy of prior warning and evacuation, or refuge within the building at a higher level, if this is possible.

It should be noted that a formal flood warning and evacuation plan has been submitted with this application, although this is contained within the FRA rather than as a separate document.

We do not normally comment on or approve the adequacy of flood emergency response and evacuation procedures accompanying development proposals, (including structural considerations where there is a reliance on refuge within buildings) as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users.

The PPG (paragraph 057) for Flood Risk and Coastal Change places responsibilities on Local Planning Authority's to consult their Emergency Planners with regard to specific emergency planning issues relating to new development. In all circumstances where warning and evacuation are significant measures in contributing to managing flood risk, we will expect Local Planning Authority's to formally consider the emergency planning and rescue implications of new development in making their decisions.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise Local Planning Authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

We would recommend that the following issues need to be considered by the Local Planning Authority, in consultation with relevant experts, when coming to a decision on this application:

- 1) Whether or not the principle of relying on flood response planning (prior warning and evacuation or refuge) is acceptable given the potential flood risk (depths and hazard) outlined above, then;
- 2) Whether or not the proposed refuge will enable people to remain safe, taking into account;
 - a) The resilience and recoverability of essential services during and after a flood, and;
 - b) The ability of the buildings to remain structurally stable during a flood

Furthermore, Flood Warning Evacuation Plans should also consider the following:

- The worst case flooding scenario the development or users would be exposed (i.e. depths and velocities);
- How the flood propagates (i.e. how quickly the flood spreads, the routes etc);
- Duration (i.e. how long the flood water stays around on site); and
- The frequency in which the development will be exposed to flooding.

If the Local Planning Authority is not satisfied, taking into account all relevant considerations, that the proposed development can be considered safe without the provision of safe access and exit, then planning permission should be refused.

We will support the decision of the Local Planning Authority on flood risk matters and should the Local Planning Authority be minded to refuse the application on the grounds that the mitigation proposed is not considered satisfactory, we would provide our full support at appeal.

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.

Flood Proofing

We strongly recommend the use of flood proofing 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 the

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Local Planning Authority's Building Control Department.

In the meantime, further information about reducing flood damage can be found on the flood risk and coastal change pages of the Planning Practice Guidance (<https://www.gov.uk/guidance/flood-risk-and-coastal-change>).

The following documents may also be useful:

Department for Communities and Local Government: Preparing for floods
<http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf>

Department for Communities and Local Government: Improving the flood performance of new buildings:

<http://www.communities.gov.uk/publications/planningandbuilding/improvingflood>

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

Yours faithfully,

Miss Anna Rabone
Sustainable Places Advisor

