

Arun District Council
Planning Policy
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Our ref: HA/2022/123851/01-L01
Your ref: LU/369/21/RES
Date: 24 January 2022

Dear Sir/Madam

**APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE CONSENT
LU/47/11/ (AMENDED UNDER LU/182/15/PL) FOR THE FORMATION OF THE
CENTRAL WETLAND AREA AND THE CONSTRUCTION OF THE CENTRAL SPINE
ROAD RUNNING ACROSS THE CENTRAL WETLAND AREA, LINKING UP PHASE
5 AND PHASE 2B (ALSO KNOWN AS PHASE 4). CENTRAL WETLAND AREA
HAMPTON PARK TODDINGTON LANE LITTLEHAMPTON BN17 7PL**

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) and other relevant details relating to the Central Wetland Area we **object** to this reserved matters application at this time.

Reasons

Flood Risk

The submitted FRA (Technical Note ref. TN003 Rev. A, Stantec, 29/09/2021) 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:

- Flood risk mitigation measures to address flood risk for the lifetime of the development included in the design are inadequate because they will not make

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

Cont/d.

the development resilient to the design flood levels. Consequently, the development proposes inadequate flood storage compensation. Specifically:

- The defended 0.1% AEP flood level has been used to calculate flood plain compensation, instead of the undefended level, which is best practice; especially considering the modelling used is over 10 years old and no additional modelling has been undertaken to establish the impacts of climate change. We would therefore request to use the undefended 0.1% AEP flood level of 2.90m AOD for the flood plain compensation calculations.
 - The flood plain compensation proposed with this planning application will only create 324m³ additional storage, which is considerably lower than the 27,300m³ proposed at the outline planning application, which was one of the reasons of the removal of the Environment Agency(EA) initial objection.
 - It looks like the majority of the compensatory storage area is within Flood Zones 2 and 3. This is an inappropriate location for a compensatory storage area as this land would be expected to flood in the design event. Digging down into this land would not provide the designed compensation volume as the soil would be saturated and area would be expected to fill with water anyway. Compensatory storage areas should be providing flood storage outside of design flood extent.
 - The calculations provided in table 1 of the Technical Note show loss of storage at the lower and higher levels. To be an acceptable compensation scheme, the volume of flood gained in each particular slice should be greater than the volume lost for that same slice.
 - The compensation area should be completely free filling and draining and should not use culverted or piped entry routes. This is to ensure the compensation area can fill and drain under gravity and so will be available should back to back flood events occur. It is not clear how the proposed flood compensation area will fill and drain.
- Unsatisfactory information in regard to the watercourse crossings have been submitted.

In our previous responses we stated that 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 undefended 1% AEP plus the appropriate allowance for climate change. In this case it appears that defended levels have been considered. Furthermore, culvers have been proposed as a means of crossing for the footpaths which are against EA policy. It'll also be useful if evidence of discussions about the arch crossing can be provided to confirm this was agreed as an appropriate means of crossing.

Biodiversity

With regard access to the various habitat areas around the site for a range of species whilst a mammal tunnel is proposed to the south and the large arch to the north is

suggested to be accessible for a range of species, there are further footpath crossings to the Northern end closer to open fields and the Black Ditch. It is unclear how the proposed footpaths will be raised and whether there be clear span bridges in place to allow not only flood water but biodiversity to move into and out of the Central Wetland Area.

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.

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



End