

[REDACTED]

From: Robin Henderson [REDACTED]
Sent: 16 September 2021 15:43
To: Tom Day [REDACTED]
[REDACTED]

Subject: Re: HRA refresh for application to cut the Church Norton Spit

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Dear Tom,

Thank you for your prompt response to my email this morning.

I must confess that I was a little surprised that further information was required to support the derogation test of alternative as in addition to the original work by ABPmer for our first application, I sent you copies of the Executive Summary from the Pagham Adaptive Management Plan written by key stakeholder members of the Pagham Coastal Issues Advisory Group (NE, EA, ADC, CDC, RSPB and community members) and dated 30-11-20 which considered the options for managing areas of the Pagham Frontage including Church Norton Spit and Pagham Harbour Outflow Channel. As a group, we hoped this would satisfy any derogation test. This was further supported in the EA Emergency Plan dated March 2021 after the storm event taking place at the end of January 2021, sent to you on 23-8-21. These options were discussed in detail and signed off by all members, as I outlined in my email to you on 21-8-21 which I hoped would demonstrate the extensive review undertaken of options available. This had the clear and unanimous support from all parties for cutting Church Norton Spit as per our planning application. Dom Henley and Roger Spencer will be able to confirm the above and underline our current predicament.

The main difference now between our plan and the emergency plan is time - or lack of it. Recent extensive survey results, shared with the PCIAG members this week, confirms the threats to homes and businesses unless urgent action is taken! October 2021 is our only window of opportunity before the over-wintering birds arrive and the onset of autumn/winter storms.

Thank you for your understanding and please get back to me immediately if you need more.

Kind regards
Robin Henderson
[REDACTED]

on behalf Pagham Flood Defence Trust

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From: Tom Day [REDACTED]
Sent: Thursday, September 16, 2021 12:24:14 PM
To: 'Robin Henderson' [REDACTED]
[REDACTED]

Subject: RE: HRA refresh for application to cut the Church Norton Spit

Dear Robin,

I have now finished drafting the likely significant effect and appropriate assessment stages (stages 1 and 2) of the HRA. For the derogation tests I have first drafts of the Imperative Reasons of Overriding Public Interest (IROPI) test and the Compensation test (stages 4 and 5) it's the Test of Alternatives that I still have to do (stage 3). The 2016 application included the ABP Mer report (May 16) which set out the alternatives for the HRA and, although this document has been re-submitted as part of the present applications, I don't think that the alternatives from 2016 are all still relevant. They were

1. Installing / upgrading cross shore groynes structures.
 2. Excavating a breach in the spit and trying to fix it in place with a training wall.
 3. Closing the existing channel at Pagham beach.
 4. Progressively extending existing revetment / protection / shingle recycling on a reactive basis.
 5. Maintaining the new breach further along the spit [i.e. the natural breach] and closing the existing tidal inlet.
6. Doing nothing and allowing the foreshore to evolve naturally

For 2021 the options include implement the project as submitted, the do nothing option (no 6 above), and what else? No 5 above is clearly no longer relevant, but are options 1, 2 and 4? Alternatively should a 2016 type project (deeper cut, closing the existing channel with the excavated material) be tested? You may well say there is no viable alternative, but as the HRA will be subject to scrutiny and statutory advice by Natural England and further scrutiny in due course from MCHLG on the derogation tests, the meeting yesterday was firmly of the view that the HRA needs to demonstrate any reasonable alternatives have been thoroughly scrutinised at this stage of the HRA. The DEFRA advice on HRA says "You should work with the proposer and consider whether any alternative solutions are available" so I am offering you the chance to have your say now. I will be putting the same question to Dom Henly and Roger Spencer.

The test of alternatives looks at whether an option achieves the same project objectives as the proposal (i.e. flood risk and property risk) and whether it is more or less harmful to the SPA/Ramsar site.

Regards,

Tom

Tom Day

Environmental Co-ordinator
Environment
Chichester District Council


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