

Fareham Borough Council
Planning & Development
Civic Offices Civic Way
Fareham
Hampshire
PO14 9SA

Our ref: HA/2020/121956/01-L01
Your ref: P/19/0460/OA
Date: 03 February 2020

Dear Sir/Madam

Outline planning permission for the demolition of existing buildings and development of up to 115 dwellings, open space, vehicular access point from newgate lane and associated and ancillary infrastructure, with all matters except access to be reserved

Land at Newgate Lane (South) Fareham

Thank you for consulting the Environment Agency on the above application.

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 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, the FRA fails to:

- provide sufficient details on proposed main river crossing
- consider how people will be kept safe from the identified flood hazards
- consider how a range of flooding events (including extreme events) will affect people and property

Overcoming our Objection

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above. Specifically the Environment Agency would need to see detailed plans for the proposed crossing of the River Alver in the western extent of the site. These plans would need to show that any structure did not impede flood flows and provided 600mm freeboard between the height of the designed flood levels with climate change allowances and the soffit of the bridge.

Environment Agency
Environment Agency Depot Canal Walk, Romsey, Hampshire, SO51 7LP.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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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/Applicant

The Environment Agency is satisfied with the matters relating to this outline planning application that are held in reserve, the applicant has stated adequate mitigation in their FRA detailing the locations of the proposed dwellings outside of the Flood Zones. Further detail should be given at the full planning permission stage of the finished floor levels of the properties in relation to the design flood heights with appropriate climate change allowances. Likewise, the Environment Agency would not be minded to object to the use of attenuation ponds as part of the drainage plan for the site. However, at full planning permission stage we would want to see that these attenuation ponds are located outside of the flood zone before we were able to approve such proposals.

The Design and Access Statement details the proposed roads and footpath connections. These indicate two crossings in the western/south-western extent of the site over the River Alver, a statutory main river. As these aspects of this planning application are for full planning permission the Environment Agency is not in a position to assess the potential flood risks associated with these structures until full drawings/plans are seen.

Culverting

The government's 25 Year Environment Plan has a target of improving at least three quarters of our waters to be close to their natural state as soon as is practicable. Physical modification, which includes culverting, is the top pressure affecting England's water environment preventing the achievement of Water Framework Directive objectives.

Should the applicant be minded to suggest culverting the watercourse when establishing the proposed main river crossings then the Environment Agency would like to make clear our policy on culverting watercourses.

We are opposed to the culverting of any watercourse because of the adverse ecological, flood risk, geomorphological, human safety and aesthetic impacts. Watercourses are important linear features of the landscape and should be maintained as continuous corridors to maximise their benefits to society.

We will only support such planning applications if there is no reasonably practicable alternative, and it is shown that the detrimental effects would be so minor that a more costly alternative would not be justified or there are reasons of overriding public or economic interest. In all cases where we believe it to be necessary, applicants will also be expected to accept sole ownership and responsibility for future maintenance and public safety liability.

Applicants will be expected to demonstrate why culverting is both necessary and the only reasonable and practicable alternative. Alternatives could include open span bridges, revisions to site layout or diversion of the watercourse. Where it has been robustly demonstrated that the culverting is both necessary and the only reasonable practicable alternative, the length of any culvert should be restricted to the minimum necessary to meet the applicant's objective.

Environmental Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence

- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

If you are minded to approve the application contrary to our objection, we would be grateful if you could re-notify the Environment Agency 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.

Charged Advice

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.

Should you have any further queries please do not hesitate to contact me.

Yours faithfully

Miss Hannah Brothwell
Sustainable Places Advisor

Direct e-mail hannah.brothwell@environment-agency.gov.uk

cc Pegasus Planning Group