

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

**Our ref:** HA/2020/121956/02-L01  
**Your ref:** P/19/0460/OA  
**Date:** 04 March 2020

Dear Sir/Madam

**Additional information (email) - 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**

We have reviewed the additional information and clarification provided in the email dated 13 February 2020 and are willing to remove our existing objection **subject to the inclusion of the following condition**, in any permission granted.

We consider that planning permission could be granted to the proposed development, as submitted, if the following planning condition is included as set out below. Without this condition, the proposed development on this site poses an unacceptable risk and we would object to the application.

Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk elsewhere, or to future users of the development.

#### Condition

No development approved by this planning permission shall commence until such time as a scheme ensure the development is flood resilient has been submitted to, and approved in writing by, the local planning authority.

- The scheme should include further details on the watercourse crossings, potential watercourse realignment, location of the development outside of flood zones 2 and 3 with the latest appropriate climate change allowances, and finished flood levels for all dwellings within the development.

Environment Agency  
Environment Agency Depot Canal Walk, Romsey, Hampshire, SO51 7LP.  
Customer services line: 03708 506 506

[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

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The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

### Reason

In line with section 9 of the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and its future users.

## **Advice to Local Planning Authority/Applicant**

### Watercourse Crossings

Our previous objection was raised on the premise that this was considered as part of access that the permission was being sought for. In response to this the applicant has stated the following *"The locations of any crossing is not currently fixed as they form part of the outline element of the application for which Detailed Planning Permission is not currently sought. The highway access point may be defined in its location from Newgate Lane but the onsite highways and footways are not defined at this Outline Planning Application stage. The development team are aware that any works within 8m of Main River will required Environment Agency consent and any structure or crossing will be subject to a Flood Risk Activity Permit (FRAP) which will be consulted with the Environment Agency post award of any Outline Planning Application. These details would be designed and agreed as part of any Reserved Matters Application at which time the details and fixed location of any crossing points would be defined. There are numerous options to provide River Crossings and there is clearly sufficient space within the site to accommodate suitable crossings that can meet the Environment Agency's requirements"*

Therefore we are satisfied that if this will be designed and further detailed at the reserved matters stage. We have removed our holding objection on this basis but will require further consultation on details or designs at the reserved matter stage.

However, this does not mean that we will not object during later stages should the watercourse crossings not meet our requirements in reducing flood risk, or are likely to not receive a flood risk activity permit.

### Flood Risk

We note the applicant has stated outside of Flood Zones 1 and 2, we hope that this is an error and should read outside of Flood Zones 2 and 3 with appropriate climate change allowances considered. However, at the reserved matters stage we will require further detail and assessment.

We welcome the citing of any development outside of the Flood Zones 2 and 3 with appropriate climate change allowances, please note these have recently been updated and we would require the latest climate changes allowances are used as part of the reserved matters stage.

We would expect to see further detail at the reserved matters stage, indicating the methodology for the production of the flood topographic plan found in appendix 8. This is to show the citing of the development outside of Flood zones 2 and 3 with climate change allowances. However, it should be noted that model outputs cannot be overlain on a differing topographic survey than the one used to produce the model. As this is evidence to show that no development sits within flood zone 2 and 3, we would require further information, analysis and assessment of this at the reserved matters stage when the layout and design of the development is further detailed.

Further to this, we note the proposed potential watercourse realignment as part of the  
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development. This should be considered in relation to the flood risk on the site. As no assessment on this has yet been made we would expect to see this at the reserved matters stage, indicating that the realignment does not increase the risk of flooding on the site. Where possible, a buffer zone of 8 metres should be maintained around all watercourses. Any development or encroachment within the 8 metres of the main river is likely to require a flood risk activity permit.

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, as well as further flood resistance and resilience measures. Likewise, should any development or land raising occur within the flood zones we would require floodplain compensation to be considered and detailed. It should be noted that, as it currently stands, this is not proposed.

Likewise, following our previous comments on the attenuation ponds we note the applicant has removed these from the current drawings. Our previous advice still stands, where any attenuation ponds or sustainable drainage systems should be situated outside of flood zones 2 and 3.

#### Environment Agency Culverting Policy

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.

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 must 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.

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

Yours faithfully

**Miss Hannah Brothwell**  
**Sustainable Places Advisor**

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cc Pegasus Planning Group

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