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Environment Agency

Adur & Worthing Councils
Development Control
Portland House
Richmond Road
Worthing
West Sussex
BN11 1LF

Our ref: HA/2021/123177/02
Your ref: AWDM/0744/21

Date: 26 May 2021

Dear Sir or Madam

CHANGE OF USE FROM SMALL LOCK UP OFFICE AND TWO GARAGES TO 1 BEDROOM GROUND FLOOR APARTMENT.

6 TOWN QUAY, SHOREHAM BY-SEA, WEST SUSSEX, BN43 5DS.

Please note that an incorrect response was sent for this application previously (our letter dated 25 May 2021, ref: HA/2021/123177/01 is incorrect). This is the correct response letter.

Thank you for 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 this application because the proposed development falls into a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located, and presents an unacceptable risk to any occupants. We recommend that the application should be refused planning permission on this basis.

Reasons

Table 2 (Flood Risk Vulnerability Classification) and Table 3 (Flood risk vulnerability and flood zone classification) of the Planning Practice Guidance for Flood Risk and Coastal Change classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each Flood Zone. In this case the proposed development is classified as *"more vulnerable."*

The proposed development is located within Flood Zone 3, defined by the EA Flood Map as having a high probability of flooding. The Local Planning Authority's Strategic Flood Risk Assessment (SFRA) defines the area as Flood Zone 3a.

Table 3 of the Planning Practice Guidance for Flood Risk and Coastal Change makes it clear that this type of development is not compatible with this Flood Zone and should therefore not be permitted (unless the Exception Test can be passed).

The site is within an area that benefits from the Adur Tidal Walls Scheme. The scheme was

designed to account for the 1 in 300 year event, with allowance for 50 years of sea level rise. Without adequate maintenance, the likelihood of overtopping and failure of the defence when accounting for sea level rise over the 100 year lifetime of the proposed development will be unacceptably high. As such we must assess flood risk in an undefended scenario for the purposes of planning. Without defences there is the potential for flood depths of over 1 metre at this site. Therefore, we would consider that sleeping accommodation on the ground floor with no access to the first floor for safe refuge in the event of flooding may pose an unacceptable risk to any occupants.

We have reservations as to whether any flood alleviation measures could address the issues raised above satisfactorily. Flood boards are unlikely to be an appropriate mitigation measure for the flood depths at this site as they introduce a risk of structural damage to the property. There is also no safe egress route for occupants in a flooding event.

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.

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.

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

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