creating a better place
for people and wildlife

Environment Agency

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

Our ref: HA/2020/122335/01
Your ref: AWDM/0613/20

Date: 13 July 2020

Dear Sir or Madam,

TWO STOREY DETACHED DWELLING WITH TWO PARKING SPACES AND ACCESS OFF RIVERSIDE ROAD.

LAND NORTH OF STILLS YARD, 15 RIVERSIDE ROAD, SHOREHAM-BY-SEA, WEST SUSSEX.

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

In the absence of an acceptable Flood Risk Assessment (FRA) we **object** to this application and recommend that planning permission is refused.

We acknowledge that the previous building at this location was demolished for the purposes of the Adur Tidal Walls scheme. We are not opposed to development in this location, but we are objecting as the submitted FRA does not adequately fulfil the necessary requirements. Further details are identified below.

Reasons

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 Planning Practice Guidance to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- Take the impacts of climate change into account; and
- Provide a comparison between finished floor levels of all floors of the development and modelled flood levels.

Overcoming our objection

To overcome our objection, the Applicant should submit a revised FRA and amended plans which addresses the points highlighted above. If this cannot be achieved, we are likely to maintain our objection.

We would recommend that sleeping accommodation is placed at least 300mm above the modelled flood levels (0.5% plus climate change allowances 2125), reducing the risk to occupants for the lifetime of the development.

Please re-consult us on any revised FRA submitted and we will respond within 21 days of receiving it.

Advice to the Local Planning Authority

Our objection

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.

Flood warning and emergency response

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The Planning Practice Guidance (PPG) to the NPPF states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood, and to evacuate before an extreme flood, needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you consult with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with the guiding principles of the PPG.

Advice to the Local Planning Authority and Applicant

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your Building Control department. In the meantime, if you would like to find out more about reducing flood damage, please visit the Flood Risk and Coastal Change pages of the Planning Practice Guidance (https://www.gov.uk/guidance/flood-risk-and-coastal-change).

The following document may also be useful:

Department for Communities and Local Government: Improving the flood performance of new buildings: https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings

Flood warnings

The Applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit https://www.gov.uk/sign-up-for-flood-warnings. Our flood warning service is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit https://www.gov.uk/prepare-for-flooding.

To get help during a flood, visit https://www.gov.uk/help-during-flood.

For advice on what do after a flood, visit https://www.gov.uk/after-flood.

Advice to the Applicant

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 requires a permit (called a 'Flood Risk Activity Permit') 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 culvert (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; and/or
- In a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it is a tidal main river) and you do not already have planning permission.

For further guidance please visit https://www.gov.uk/guidance/flood-risk-activities-environmental-permits.

To enquire about the potential need for a permit, the Applicant should contact our National Customer Contact Centre on 03702 422 549 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk. We would advise the Applicant to consult with us at the earliest opportunity.

The Applicant should note that a permit is separate to and in addition to any planning permission granted. The granting of planning permission does not necessarily lead to the granting of a permit.

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

Direct dial: 02077 140525
Direct e-mail: anna.rabone@environment-agency.gov.uk

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