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Environment Agency

Horsham District Council
Development Control
Park House North Street
Horsham
West Sussex
RH12 1RL

Our ref: HA/2024/125840/02-L01
Your ref: DC/24/0529

Date: 11 June 2024

Dear Planning Team,

UPDATED FRA SUBMITTED - ERECTION OF AN OUTBUILDING AT LAND ADJACENT TO YEWTREE COTTAGE.

YEWTREE COTTAGE, WEST CHILTINGTON LANE, CONEYHURST, 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

We have reviewed the revised flood risk assessment and consider that it satisfactorily addresses our earlier concerns.

Subject to the condition below, we therefore withdraw our previous objection, dated 29th April 2024. The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition

The development shall be carried out in accordance with the submitted flood risk assessment 'FRA (FLOOD RISK ASSESSMENT) – REVISED' (dated 28/05/24) and the following mitigation measures it details:

- **The site shall only be used for less vulnerable leisure activity and not as habitable accommodation.**

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reasons

To ensure the safety of users and reduce the risk of flooding to the proposed development and future occupants.

The condition is in line with the Planning Practice Guidance (PPG) to the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change.

Advice to the Local Planning Authority

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. Prior to deciding this application, we recommend that consideration is given to building over and within an ordinary watercourse. We would strongly advise consulting the Lead Local Flood Authority regarding whether the proposed development would be able to secure an Ordinary Watercourse Consent.

Please note that if this watercourse were designated a main river, it is likely the Environment Agency would object to the proposed development due to the risk of obstruction to the watercourse from building the structure in and over the channel, as shown in drawing 'Proposed Tree House Elevations' dated 03/11/23. For this reason, it would be unlikely that the Environment Agency would grant such a proposal a Flood Risk Activity permit under the Environmental Permitting (England and Wales) Regulations 2016.

If you have any queries regarding the above information, please do not hesitate to contact the advisor identified below.

Yours faithfully,

Environment Agency – Solent & South Downs

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