

Development Control  
Hastings Borough Council  
Development Control  
Aquila House Breeds Place  
Hastings  
East Sussex  
TN34 3UY

**Our ref:** HA/2015/116807/01-L01  
**Your ref:** HS/OA/15/00168  
**Date:** 01 April 2015

Dear Sir/Madam

**OUTLINE APPLICATION FOR THE ERECTION OF UP TO 210 DWELLINGS (25% AFFORDABLE) WITH ASSOCIATED OPEN SPACE, PLAY AREAS, LANDSCAPING AND ACCESS. FORMER THE ST LEONARDS ACADEMY DARWELL CAMPUS, DARWELL CLOSE, ST LEONARDS-ON-SEA, TN38 9JP**

Thank you for your consultation regarding the above. Please quote our reference number on any correspondence.

**Environment Agency Position**

The proposed development will only meet the requirements of the National Planning Policy Framework (NPPF) if the following measure(s) as detailed in the Flood Risk Assessment and/or other planning documents submitted with this application are implemented and secured by way of a planning condition on any planning permission.

**Condition**

**The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Document Ref: RMA-C1328, Issue 3, Dated 26th January 2015) and Design & Access Statement (Document Ref: AA4791, Dated August 2014) and the following mitigation measures detailed therein:**

- 1. Finished floor levels are set no lower than 4.8 metres above Ordnance Datum (AOD).**
- 2. Landscaped overflow channels (e.g. shown as swales in the submitted details) shall be provided to safely divert any exceedence event flows from the upstream flood storage area around the development and downstream.**
- 3. The upstream plateau/embankment (at the northern extent of the site) shall be raised in level to a minimum level of 7.0 metres AOD.**
- 4. Limiting the surface water run-off generated by the 1 in 100 year return event**

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critical storm (plus an allowance for climate change) so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

5. A minimum 8 metre wide access/buffer corridor shall be provided along the Hollington Stream (Main River) plus access provision thought the site to the adjacent Hollington Stream culvert inlet structure to ensure future access is maintained.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

### **Reason**

1. To reduce the risk of flooding to the proposed development/future occupants.
2. To reduce the impact of flooding on the proposed development and future occupants.
3. To reduce the impact of flooding on the proposed development and future occupants.
4. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
5. To ensure the retention of an undeveloped watercourse corridor/buffer zone to provide for safe floodwater conveyance and storage, continuity of the watercourse habitat, scope for natural processes of erosion and depositing, recreational opportunities and access for future watercourse maintenance or improvement.

### **Informatives (Advice to the LPA/applicant)**

#### Flood Risk

Please note that the FRA states that the flooding risk is low in this area due to the presence of flood defences, but that a residual risk will remain (e.g. overtopping and/or breach of the tidal/fluvial defences).

Flood warning and emergency response (includes proposals for evacuation / invacuation)

The Environment Agency does 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 Technical Guide to the National Planning Policy Framework (paragraph 9) states that those proposing developments should take advice from the emergency services when producing an evacuation plan for the development as part of the flood risk assessment.

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.

## **Flood Defence Consent – adjacent to main river.**

The site incorporates/is bounded by the Hollington Stream and Bexhill Sewer, main rivers under the jurisdiction of the Environment Agency. Any works whatsoever in, over, or under the channel of this watercourse on its banks within 8 metres from the top of the channel, would require the prior consent of the Agency under Section 109 of the Water Resources Act 1991 and/or Byelaws (known as Flood Defence Consent).

### **Activities controlled by flood defence consent**

The flood defence consent will control works in, over, under or adjacent to main rivers (including any culverting).

Your consent application must demonstrate that:

- there is no increase in flood risk either upstream or downstream
- access to the main river network and sea/tidal defences for maintenance and improvement is not prejudiced.
- Works are carried out in such a way as to avoid unnecessary environmental damage.

Mitigation is likely to be required to control:

- Off site flood risk.

We will not be able to issue our consent until this has been demonstrated.

Please see <https://www.gov.uk/flood-defence-consent-england-wales> for further information.

Yours faithfully

**Jo Gregory**  
**Environment Agency**  
**Planning Adviser - Sustainable Places East Team**

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cc D M H Stallard