

Mid Sussex District Council
Planning team
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Our ref: HA/2024/125739/01-L01
Your ref: DM/24/0446

Date: 19 March 2024

Dear Planning team (FAO: Stuart Malcolm),

THE ERECTION OF UP TO 90 DWELLINGS WITH PUBLIC OPEN SPACE, LANDSCAPING AND SUSTAINABLE DRAINAGE SYSTEM (SUDS) AND VEHICULAR ACCESS POINT. ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS.

LAND OFF SCAMPS HILL, SCAYNES HILL ROAD, LINDFIELD, 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 no objection to the proposed development as submitted, provided that the following condition be attached to any planning permission granted, and that the details in relation to the condition be submitted and approved by the Local Planning Authority.

Condition – Flood risk

The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref 6534/R2, dated: February 2024) and the following mitigation measures it details:

- **All ‘more vulnerable’ development, including residential and access to the site, will be located within Flood Zone 1 only.**

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 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.

Important note to the Local Planning Authority and Applicant

The Environment Agency require plant/machinery access to the full length of the Scrase Bridge Stream to the northwest of the site, as marked in blue on the submitted illustrative framework plan (ref: 9432-L-02, dated 6 February 2024). This is required to maintain the Scrase Bridge Stream channel and raised defences on the opposite/left bank. Currently, access to the blue marked land is via the Walstead Grange/Farm Cottage (from Scamps Hill), which is within the red line boundary, and therefore this access or similar needs to be incorporated into the proposed new development. **We would appreciate further information from the Applicant about future access to ensure it is adequate for our purposes.**

Please note that annual channel/bank vegetation maintenance will be required to the stream via this land and there is also a requirement to conduct repairs to the raised defences using this land in financial years 2025/26 – 2026/27.

Advice to the Applicant

Finished floor levels

In section 6.3.1 of the submitted Flood Risk Assessment, it proposes finished floor levels will be set 0.15 metres above ground level. The Environment Agency's Flood Risk Standing Advice suggests that finished floor levels should be 0.3 metres above ground level or average flood level, whichever is higher. Therefore, we would recommend this is followed when setting the finished floor levels for residential properties to take into account the effects of climate change.

Environmental permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption 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 culverted main river (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
- In the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The Applicant should not assume that a permit will automatically be forthcoming once

planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

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

Sustainable Places Advisor: Anna Rabone

Direct dial: 02077 140525

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