

Adur District Council's Response to Inspector Note ID/6

The Inspector's note was as follows:

At the hearing session on Wednesday 8th February I raised the issue of achieving safe entry and egress from a building during flooding (as advised in Planning Practice Guidance). I was told by the Council that the EA do not seek to ensure that this is achievable and examples were given by the Council where such a requirement has not been sought. I have asked the Council to confirm that this is indeed the accepted approach.

However, on reading the most recent correspondence from the EA (dated 30 January 2017) in REP/006/001, Mr Griggs (EA) clearly indicates that ensuring 'that occupants are provided with suitable protection from flooding throughout the lifetime of the development, including access to safe refuge' (my underlining) should be the objective. It is clear to me that the safety of residents would be paramount. It would therefore be helpful to me if the Council could liaise with the EA in drawing up its response to this issue and demonstrate why, in its view, an exception to current advice would be justified.

The Council's response is as follows:

Having now discussed this issue with the Environment Agency, it should be noted that there is a difference between 'safe refuge' and 'safe entry and egress'. Safe refuge can be provided by ensuring that a property has somewhere that occupiers can go to that is above the predicted flood level (undefended 1 in 200 year tidal flood risk plus climate change) to ensure development is safe throughout its lifetime in accordance with paragraph 102 of the NPPF. In the case of the Environment Agency correspondence referred to by the Inspector (REP/006/001), this level is 5.421m AOD. The need for safe entry and egress is not generally commented on by the Environment Agency but is instead a judgement for the Local Authority to make based on the advice of its emergency planning section. The NPPF refers to safe access and egress *where required*. Therefore, it is not considered that the Council is applying exceptions to current advice.

In support of the position set out above, recent planning permissions have been granted with reference to appropriate Flood Response Plans and appropriate flood warning information but these matters have been left up to the Local Planning Authority to resolve. For flat developments this is addressed through planning conditions and invariably flood warning is provided by individual Management Companies.

At the examination the Council agreed to provide examples of consultation responses by the EA and attached to this statement are the EA responses to the Parcellforce development of 132 apartments in the town centre, immediately adjacent to the River, and the response to the Reserved Matters application at Ropetackle North - 120 dwellings adjacent to the River and directly north of the railway bridge.