

Environment Agency response to Matter 3 (2.10, 2.24, 2.32), Matter 5 (4.22), Matter 8 (7.10) and Matter 9 (8.4, 8.34)

Matter 3: The vision, spatial strategy, and the distribution of growth over the Plan period
2.10 What information has been used to inform the Flood Risk scoring allocated within the SA to the options considered and are the assumptions used reasonable in light of the representations made by the Environment Agency in relation to the SFRA work completed to date?

Please see our answer to question 2.24 below.

2.24 In responding to this question, it is not clear to me how the screening of sites, flood risk and the need to apply the sequential test have been taken into account in terms of the spatial strategy. The Council are therefore requested to set out clearly how it has carried out its site selection process including at the initial screening stage. Given the advice contained within the Planning Practice Guidance that reasoned justifications should be provided where other sustainability criteria are considered to outweigh flood risk, I will need to understand how flood risk informed the site selection process and the spatial strategy outlined within the Plan.

A Site Analysis Methodology (Chapter 3) was set out within the Sequential Test document, but their approach was not clear. It appears all sites have 'passed' the sequential assessment. We have sought clarification in our comments on the SFRA to Elmbridge. In our comments on the Level 2 SFRA we have asked the LPA questions about clarifying the approach and methodology taken to select the allocated sites. We have queried that some of the sites have been deemed to have passed the Exception Test though there does not appear to be reasoned justification of what sustainability criteria they have to outweigh flood risk. The Level 1 SFRA contains information on both the Sequential and Exception Tests and how the Council should apply them, though there does not appear to be reference to a methodology to rank flood risk contained within the Level 1 SFRA.

2.32 Policy SS2 2 (a) i refers to 'minimising flood risk' however paragraphs 3.6 and 4.5 of the Plan refer to 'delivering improvements to flood risk'. What improvements are being referred to here and how will the Plan achieve this?

The Environment Agency did not comment on Policy SS2 at the Reg 19 consultation. We however reviewed the main flood risk policy CC5 and commented that an updated SFRA should inform the Flood risk policy. We have also asked (in our comments on the Level 2 SFRA) for the Flood Risk SPD to be updated.

Matter 5: Housing Delivery

4.22 Does the approach to windfall sites take account of the recommendations contained at paragraph 4.2.10 of the SFRA (INF009)?

Paragraph 4.2.10 of the Level 1 SFRA states; "It is recommended that the acceptability of windfall applications in flood risk areas should be considered at the strategic level through a policy setting out broad locations and quantities of windfall development that would be acceptable or not in Sequential Test terms"

and

Paragraph 1.3.1 of the Level 2 SFRA states; "This more detailed information about the nature of flood risk in the Borough enables users to: establish whether proposed site allocations or windfall sites, on which the emerging Local Plan will rely, are capable of being made safe throughout their lifetime without increasing flood risk elsewhere, and..."

It is not clear that this – ‘through a policy setting out broad locations and quantities of windfall development’ has happened. The Level 1 SFRA suggests a specific Policy should be developed and the wording of the Level 2 SFRA highlights these sites should be capable of being made safe for their lifetime etc but does not offer a pointer to where that information can be found.

Matter 8: Meeting Employment Needs

7.10 In light of the representations received from the Environment Agency, are sites WEY10, WEY26 and WEY35 effective and deliverable over the Plan Period? Does the SFRA work in relation to these sites support their inclusion within the Plan?

The SFRA states that floodplain compensation is not possible at 8 Sopwith Drive (WEY10), The Heights (WEY26) and Horizon Business (WEY35) but does not explain if this means the number of units on these sites will be reduced to ensure flood risk does not increase on site and elsewhere. In our response to the Level 2 SFRA, we have asked whether this will see a reduction of units being proposed if there can no increase in built footprint as we do note that Appendix B Site Assessments of the Level 2 SFRA, the site recommendations state the built footprint of the new development of the site should not exceed that of the existing development. This may limit the number of units that can be delivered on the site. We have asked whether this will impact of the numbers for the overall Local Plan. We have asked Elmbridge for further information to explanation on this.

Matter 9: Site Allocations

8.4 The Environment Agency have specific concerns regarding 31 housing sites and 4 proposed employment sites which are located within flood zones 3 and 2. Are these sites deliverable?

The Level 2 SFRA does set out some details on how flood risk from all sources have been considered for each of the sites it contains. As mentioned above, the Level 1 SFRA could benefit from having information set out on the method to rank flood risk. We have flagged concerns around the Exception Test for some of the sites in the Level 2 SFRA being deemed as being passed and whether enough evidence is given on their sustainability criteria weighed against the risk to flooding, especially for the car park sites which are wholly within flood risk areas. There does not appear to be any mention of the cumulative impact of development in relation to flood risk, so could it be suggested the proposed site allocations also need to be considered against that factor also? It would certainly be helpful for us to see the responses to our feedback on the Level 2 SFRA in relation to this question. We need further details to be provided by the LPA to understand their methodology and approach on how they have ranked their allocated sites. We have also requested further clarification from Elmbridge regarding their conclusions to their SFRA Level 2, specifically where some allocated sites floodplain compensation nor safe access cannot be provided.

8.34 - WEY26 Representations have raised concerns that this site is located within flood zone 3. Does the 9500sqm allocation take the relevant flood risk issues into account and in what way has this influenced the amount of new floorspace which could be delivered on the site?

In the Level 2 SFRA it states that floodplain compensation up to the 1 in 100 plus appropriate allowance for climate change may not be possible and that the site - The Heights (WEY26) should not exceed the build footprint of the existing development. It is not clear whether the number of units/sqm being proposed can be delivered. We have sought confirmation from Elmbridge.