

Rother District Council
Planning Strategy & Environment
Town Hall London Road
Bexhill-on-Sea
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TN39 3JX

Our ref: KT/2011/113830/OR-22/PO1
Your ref: Salehurst & Robertsbridge NHP Hearing
Date: 14 September 2017

Dear Cheryl

Salehurst & Robertsbridge Neighbourhood Plan Examination Public Hearing

Thank you for inviting us to attend the above Hearing. We have reviewed the Guidance Notes and Agenda and would like to submit the following written statements in response to the relevant questions 1-4:

Question 1

Has the neighbourhood plan applied a sequential risk based approach to the identification of its residential development sites? Would it be possible for the plan to achieve its housing requirements without proposing homes to be built in areas at risk from flooding?

Applying the Sequential Test is a task for the Local Planning Authority (LPA) - assisted through the supply of information by the applicant where applicable.

Our ability to challenge the quality of the Sequential Test is limited as we do not have access to, or the expertise to scrutinise, the evidence base that the LPA will use when determining the Sequential Test. However, we do note that the Neighbourhood Plan makes little reference to flood risk other than there is a constraint because part of the site lies in Flood Zones 2&3. There is no mention of the poor standard of defence, depth of flooding that could occur on site or the lack of safe access and egress.

The assessment concludes that the site is suitable without any investigations as to whether the site can be suitably mitigated or any clear comparisons with other lower risk sites that may provide similar housing numbers. Other than the site being brownfield, the Plan does not appear to give other sustainability criteria that outweighs the flood risk issues.

If the site was defended to the 1% CC Annual Exceedance Probability (AEP) event (1 in 100year + climate change), it might be acceptable to conclude that suitable mitigation can be found; but as the site is only defended to a maximum of 1.33% AEP (1 in 75 year), providing safe access for the lifetime of the development is a challenge that needs to be highlighted at an early stage. (The lifetime of a development is expected to be 100 years).

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Question 2

Does the allocation of the Mill Site for 100 dwellings unnecessarily put people and properties at risk of flooding? What are the implications of the site access being through land in Flood Zone 3? Is the Mill Site in Flood Zone 3a or 3b? Is there information available about “the frequency, impact, speed of onset, depth and velocity of flooding with relation to this site” and what allowance should be given to existence of the flood defence scheme that has been completed? Can a safe access and escape route to the site be maintained in times of flood?

It should be possible to keep all new development outside the flood risk area and in particular outside Flood Zone 3 (FZ3) as the majority of the site lies in FZ1.

However, there are implications for the existing mill building itself, which could be surrounded by deep flood water, and for the site as a whole in that provision of safe access and egress is extremely difficult to achieve.

We can provide details of potential flood extents and depths and have enclosed a example map extract

- Flood Depths (m) for the Defended 1 in 100 yr (Climate Change scenario) on the access road in the Hodson's Mill site

In respect to speed and velocity, as part of a site specific Flood Risk Assessment, detailed hazard mapping (looking at depth, velocity, debris) should be undertaken to determine the risk flood water will pose to the public. This is categorised as Low, Moderate, Significant or Extreme. Without this analysis we would be unable to confirm what hazard category the access road would fall into, but given the potential depths (in excess of 1m) it is likely to be ‘Significant’, described as ‘Dangerous for Most People’ (Defra/Environment Agency Flood Risk to People FD2321).

The flood defence scheme currently provides a maximum of 1.33% AEP (1:75year) standard of protection.

Access and egress forms part of the Exception Test and should be designed to be functional for the lifetime of the development (100 years for residential developments). National Planning Policy Framework (NPPF) Practice Guidance states that access requirements should include voluntary and free movement of people during a design flood event (1% AEP). Safe access is not possible with the layout as currently proposed.

The Mill site falls within Flood Zones 1, 2 and 3a. Flood Zone 3b (functional floodplain) does not form part of the site.

Question 3

Are the benefits of the redevelopment of a previously developed, brownfield site and the putting to beneficial use historic buildings sufficient to outweigh the presumption against locating what is classed as “more vulnerable” developments in Flood Zone 2 and 3? Is it appropriate to rely upon the Exception Test when it comes to site

allocations in a neighbourhood plan if there is land is available for residential purposes outside the flood area?

Whether the benefits of brownfield and historic building development outweigh the flood risk is a matter for the LPA. However, when making their decision, we would suggest that they should consider the likelihood of the proposal passing the Exception Test. In this instance it is the matter of safe access and egress which is crucial. This has not been achieved with the current proposal.

However, a developer may consider an alternative scheme or the LPA might conclude that the benefits of the development as a whole (assuming all new development is kept clear of the flood risk area) will outweigh the risk posed by the development being temporarily cut off in a flood event. If this was the case, further work would be required in the form of flood risk analysis to determine the speed of onset, duration, depth and velocity of flooding. There would also need to be a satisfactory flood warning and emergency evacuation plan.

The LPA should also consider the implications of placing a retirement home, and therefore potentially vulnerable occupants, in a building that could be surrounded by flood water and temporarily isolated from safe vehicular access.

Question 4

Is the use of SUDS an acceptable mitigation measures for river flooding as suggested by the Plan's Environment Report? Are there any site-specific mitigation measures to ensure the development remains safe throughout its lifetime?

The use of SUDS will not be a suitable mitigation measure for the severity of flood event that could be experienced on this site.

The only mitigation measures proposed in the current application is raising floor levels of those units placed in FZ3 above the 1% AEP climate change event. Ideally, all new development would be placed outside FZ3 completely.

We would also like to offer the following information:

Climate Change

The [National Planning Policy Framework \(NPPF\)](#) sets out guidelines on how the potential for changes in rainfall, sea levels and river flows due to climate change should be incorporated into the planning system. This includes demonstrating how flood risk will be managed now, and over the developments lifetime – taking climate change into account. In February 2016 we issued updates to the previous climate change allowances in the NPPF.

As we had started discussions with the developer for this site prior to the publication of these allowances, we agreed to continue to use the previous allowance of 20% with an additional freeboard to take account of the increase. However, given the

time elapsed since these discussions we would have to take a renewed view on this if we were to receive a new application.

The appropriate allowance for new residential development at this location is now 45%. We do not have this scenario modelled at the present time and we would therefore consider requesting the developer undertakes this work in order to determine the extent and depth of flooding under the revised climate change event.

This could have implications for the developable area within the site, finished floor levels and safe access.

Our technical specialist for Flood and Coastal Risk Management will be representing us at the hearing. Her name is Meriel Mortimer, and I shall also be attending on the day.

I trust you find our response helpful. Please do not hesitate to contact us should you wish to discuss the above.

Yours sincerely

Sophie Page

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