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Our ref: UT/2009/106364/CS-
07/EW1-L01

Your ref:

Date: 03 August 2018

Dear Mr Bristow

NORTH WARWICKSHIRE LOCAL PLAN EXAMINATION: PHASE 1 MATTERS, ISSUES AND QUESTIONS

MATTER 6, PLANNING AND ENVIRONMENTAL CONSTRAINTS

6.6 Is the LP based on appropriate evidence and consistent with elements of the NPPF related to meeting the challenge of climate change, flooding and coastal change?

6.9 How have planning and environmental constraints affected the level and distribution of development that the LP proposes to enable? Is the evidence for that balancing exercise clear and robust?

Level 1 SFRA

The Local Plan is supported by a Level 1 Strategic Flood Risk Assessment undertaken by URS in September 2013 (examination library ref CD8/2). Since this has been published our flood mapping has been updated, and guidance on climate change allowances has been revised and as such this element of the evidence base is out of date. We are currently working with NWBC to ascertain the impact of this on the plan itself and to explore options for addressing any impacts.

Sequential Approach

The Level 1 SFRA should be used to undertake the Sequential Test to steer development to land at lowest risk of flooding. There are 5 sites proposed within policies LP39 and LP40 that are affected by flooding as shown on our Flood Map for Planning (the most up to date information available). These sites should all have been subject to the Sequential Test, however there is no evidence to date that this has been undertaken.

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9, Sentinel House Wellington Crescent, Fradley Park, Lichfield, WS13 8RR.
Customer services line: 03708 506 506
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The plan's policies and its land allocations do not as it stands acknowledge or support the Sequential approach to managing flood risk outlined in line with paragraphs 100-102 of the NPPF. We are currently working together to agree wording to rectify this.

Level 2 SFRA

In addition to this, in line with the NPPG those sites proposing a More Vulnerable land use (i.e. housing) within Flood Zone 3 are required to demonstrate through the application of the Exception Test that the development will be safe from the effects of flooding. This should be assessed as part of a Level 2 SFRA in support of the sites' formal allocation within the Local Plan.

Further to this, we recommend that in some cases a Level 2 SFRA is undertaken for sites not requiring the Exception Test (i.e. sites for Employment land uses and within Flood Zone 2 only) in order to demonstrate that the site can be delivered safely, and provide the level of growth specified within the plan. No Level 2 SFRA's have been undertaken, despite some of the site allocation policies flagging Level 2 SFRA as a requirement.

In light of the above, it is currently unclear whether the site allocation proposals are possible to be implemented without compromising overarching flood risk policies within the NPPF. Although this links with Phase 1 Matters 7 & 8 (infrastructure provision and plan delivery) it is envisaged this will primarily fall under the consideration of Phase 2 of the Examination as part of Matters 9 & 10 (site allocations and development management policies).

We are currently engaging proactively with NWBC to resolve these issues. It is hoped we will be able to provide a joint Statement of Common Ground prior to the hearings which will clarify our position and provide further details of changes that could be made to make the plan sound and likewise any issues which may remain outstanding and will require further consideration as part of the examination.

Yours faithfully

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cc North Warwickshire Borough Council