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Ltd
32 Devonshire Place
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CH43 1TU

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

Your ref:

Date: 31 August 2018

Dear Mr Bristow

**NORTH WARWICKSHIRE LOCAL PLAN EXAMINATION:
PHASE 1 POSITION STATEMENT**

MATTER 6, PLANNING AND ENVIRONMENTAL CONSTRAINTS

Further to our response to your Matters, Issues and Questions on 03 August 2018 (reference UT/2009/106364/CS-07/EW1) the Environment Agency has not been in a position to resolve any of the outstanding issues relating to flood risk.

We continue to have significant concerns with the Policies for sites H1, H2, H3, E1 and H14 which are all shown to subject to fluvial flooding to varying degrees. Although the plan is supported by a Level 1 Strategic Flood Risk Assessment (examination library ref CD8/2) this is currently out of date, and of insufficient detail to inform these land allocations. A site-specific assessment is required in the form of a Level 2 Strategic Flood Risk Assessment. This is essential to demonstrate that these allocations can be delivered as planned without posing a risk of flooding to the developments themselves or to third party land in line with paragraph 100 of the NPPF. In light of this we consider the plan currently risks being found unsound.

Furthermore, it is not evident that any information has been submitted in support of the sites passing the Sequential Test or Exception Test as is required by the NPPF paragraphs 101 and 102.

We are of the opinion this matter could be resolved in a number of ways:

- 1) submission of additional evidence to demonstrate that these proposals can be bought forward safely and in line with the NPPF's requirements

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9, Sentinel House Wellington Crescent, Fradley Park, Lichfield, WS13 8RR.
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- 2) submission of evidence to demonstrate there is sufficient flexibility within the plan to allow for these sites to only be developed partially or not at all
- 3) withdrawal of these sites from the plan and replacement with those outside the floodplain

The Environment Agency has discussed these issues with NWBC, and we have been furnished with a previously unseen Level 1 Flood Risk Assessment undertaken for NWBC for site allocation H3. The findings of this report do not however resolve our concerns. It is planned to meet to discuss these issues more fully at a meeting on 07 September 2018. We therefore propose to provide a Statement of Common Ground to clarify whether these issues can be resolved or will consider further consideration as part of the hearings.

We also have concerns regarding the requirements of the Development Management policies however consider these issues will be more straight-forward to resolve, and as such consider discussion relating to this may be more appropriately dealt with as part of Phase 2 of the examination.

Yours faithfully

Miss Jane Field
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cc North Warwickshire Borough Council