

Environment Agency comments on Spelthorne Borough Council Sequential Test

We have reviewed Spelthorne Borough Council Flood Risk Sequential and Exception Test Rev 2 document and we have also reviewed and provided comments on the Level 1 and 2 SFRA and have highlighted that there are still issues with the feasibility of some of the sites, with regards to access/egress, on-site hazard ratings, and floodplain compensation. We reiterate that it seems unlikely that some of these sites will be able to meet the NPPF requirement for sites to be safe for the lifetime of the development, without increasing flood risk elsewhere. Reliance on future consultation with emergency planners and the Environment Agency to resolve access/egress concerns is inappropriate.

The Sequential Test document and Level 2 SFRA only considers future flood risk for fluvial and not flooding from all sources.

We note in Table 5 it is stated "*Brownfield Tier 2 site included within SLAA but allocation not required*" it is not clear as to why these could not be allocated.

It is unclear whether Spelthorne Borough Council has explored options for cross-boundary cooperation with neighbouring boroughs to meet housing targets. Especially in a case where some of the allocated sites do not meet the NPPF requirement of for sites to be safe for the lifetime of the development, without increasing flood risk elsewhere.

Please refer to the detailed comments provided on the Spelthorne Borough Council Flood Risk Sequential and Exception Test Rev 2 below.

1. Background and National Policy

Paragraph 1.4 states - "*The Sequential Test requires an understanding of the risk of flooding from all sources in the study area as well as the vulnerability classification of the proposed developments. The SFRA prepared for Spelthorne Borough Council and the associated mapping provides an assessment of flood risk from all sources in the borough.*"

Please note that the SFRA has not assessed future flood risk from all sources and as stated in in that paragraph 1.12, the sites in the local plan have to be assessed by looking at all sources of flooding risk.

2. Sequential Test Statement

This section refers to surface water and fluvial, but no detail has been provided on the other sources of flooding.

Table 4 states - "*Sites within Flood Zone 2 as defined by historic flooding outlines not modelled flooding*". This is not correct as Flood Zone 2 is based on undefended modelling, not historic flood outlines. The Flood Zone 2 outlines will vary from the local modelling because they are undefended versus defended outlines.

In Table 8, Several sites state "*Site in Flood Zone 2 on Flood Map for Planning, assumed from historical flood risk rather than modelled*" which is a vague statement as it could be from undefended modelling from the relevant model.

Note some sites in table show medium to high risk of surface water flooding.

Table 11 states for the 2 sites “*pedestrian access at low hazard*”. There is no explanation that this is reliant on the Staines Masterplan. Thameside House is allocated for Year 1-5 and Elmsleigh Centre for Year 11-15. As explained in our comments for the SFRA 1+2, it states that for these sites low hazard (as it stands) for safe access and egress cannot be achieved. It is dependent on the masterplan and associated infrastructure delivery plans to provide an improved safe access and egress. The SFRA level 2 report states these sites have “*significant constraints identified, such as requirements for safe access and/or floodplain compensation storage*”. Therefore, it is not clear that these sites can be developed.

In Table 12, Some of the sites listed are at risk of flooding. It is dependent on the masterplan and associated infrastructure delivery plans to provide an improved safe access and egress. Gaian, it is not clear that these sites can be developed.

Within Table 14 there is no information about ST1/030 (Fairways Day Centre, Knowle Green, Staines) and ST1/029 (Surrey County Council Buildings, Burges Way, Staines) longer being brought forward.

3. Exception Test

In section 3.10 it states that for some sites “*Consultation with Emergency Planners will be required to discuss the safety of occupants, and not place an unacceptable additional burden on the emergency services*”. It is not clear if consultation has occurred as these sites are being put forward – Shepperton Library, Shepperton Youth Centre, Shepperton Delivery Office and Land at Coppermill Road.

In section 3.12 it states, “*sites and access routes away from the sites are shown to be at risk of fluvial flooding during the design flood event including climate change*”. Riverside Surface Carpark (ST4/010) is stated in SFRA level 2 that it is “*Unlikely to meet the requirements of part (B) of the Exception Test*” and Communications House (ST4/026) has “*Significant constraints identified, such as requirements for safe access and/or floodplain compensation storage. Further discussion required with stakeholders to determine likelihood of meeting the requirements of part (B) of the Exception Test.*”. If these sites are being put forward these discussions should have happened.

Section 3.13 It states, “*For all of these sites in Staines (Table 12), a wider plan for access to and from Staines must be implemented as part of the ongoing Staines Development Framework and associated masterplanning and Infrastructure Delivery Plans*”. It is not clear when this will be developed and what it will entail as no information has been provided. This will need to be developed in consultation with Emergency Planning teams and the Environment Agency to ensure the safety of occupants, and not place an unacceptable additional burden on the emergency services. There are some sites that are proposed within five years of the local plan even though it mentions “*Phasing of the sites over the local plan period should take into account when this provision of improved access can be delivered*” there is uncertainty over whether the allocated sites can be allocated at this stage as reliant on access being obtained to provide safe access and egress.

Paragraph 3.14 states “*Site ST1/028 Leacroft Centre (Table 13) is shown to be at risk of flooding and does not have an access route available that is dry or low hazard during the design flood event including climate change. Consultation with Emergency Planners will be required to discuss the safety of occupants, and not place an unacceptable additional burden on the emergency services.*” This statement does not actually confirm whether safe access and egress can be provided, which is necessary to meet the requirements of the NPPF and Part 2 of the Exception Test. Regarding consultation with emergency planners, evidence of the discussion should be included as the site is being brought forward still this is

despite the SFRA level 2 highlighting that there were “Significant constraints identified, such as requirements for safe access and/or floodplain compensation storage. Further discussion required with stakeholders to determine likelihood of meeting the requirements of part (B) of the Exception Test.”.

Paragraph 3.15 states; *“Table 14 contains sites are located partially within Flood Zone 3b functional floodplain. In accordance with NPPF and Spelthorne Local Plan Policy E3, new development is not permitted in Flood Zone 3b”*. It should be noted that some sites in Table 14 have been mentioned in the SFRA level 2 as unlikely to meet the exception test.

In 3.16 Thames Lodge (ST4/011) and Bridge Street (ST4/022) are being considered but it must be noted that the SFRA level 2 report states *“Unlikely to meet the requirements of part (B) of the Exception Test”*. As previously mentioned in our comments to the SFRAs, FFL would need to be 300mm above the 1% plus appropriate allowance for climate change not *“Finished floor levels should be set above the design flood level (1% AEP including climate change)”* and also as previously highlighted our position regarding voids being unacceptable. There is also a reliance on the masterplan/infrastructure delivery plans for these sites but it must be highlighted that these are meant to be delivered - Bridge Street (year 1-5) and Thames Lodge (Year 6-10). However, we note late in section 4.11 of the Sequential Test document it does conclude these sites will be removed from the local plan allocation, although this is not reflected in the SFRA level 2 report. This will need to be reflected in the SFRA and other associated documents on what sites are being put forward and those that are not.

Within paragraph 3.17, there is no clear explanation as to why some sites are being put forward and some are not e.g., Surrey CC (ST1/029) and Fairway (ST1/030) are no longer being put forward, but others are still being considered. Spelthorne Borough Council need to explain their rationale for this. If sites are unable to meet the exception test then they need to be removed from the allocations or removed until the necessary infrastructure is in place to do so (i.e. in a future local plan).

4. Summary

Paragraph 4.3 states *“Additional land is therefore required to meet housing need and Spelthorne BC need to consider remaining sites”*. As stated previously it is unclear whether Spelthorne Borough Council has explored options for cross-boundary cooperation with neighbouring boroughs to meet housing targets considering that the borough is quite constrained.

In section 4.7 it states that those sites highlighted in bold in tables 5 to 14 have passed the sequential test as *“there are no available alternative sites at lower risk of flooding in Spelthorne”* but some of these sites have been identified as being at risk e.g. Communications House (ST4/02). As mentioned, previously some sites are said to be Brownfield Tier 2 and not allocated. Can this be further explained.

It is unclear that the statement for 4.13 is correct as some sites are still being decided as they are dependent on the delivery of a masterplan and/or discussions with emergency planning. These would need to be determined before a site could be put forward in the local plan. Until that time, those sites identified cannot be considered.