

Purpose of the Statement of Common Ground

The parties to this Statement of Common Ground (SoCG) are Cheltenham Borough Council, referred to hereafter as 'the Council', and Environment Agency, referred to hereafter as 'EA'.

The purpose of this SoCG is to aid and inform the Examination in Public (EiP) into the Cheltenham Local Plan, referred to hereafter as 'the Plan' with regards to flood risk and foul water drainage.

In her letter to the Council on 31 October 2018 the Plan Inspector has requested the following:

"I would ask the Council to prepare a Statement of Common Ground (SoCG) with the EA to address the issue of flood risk and climate change and to identify any issues which remain unresolved, or changes to the CP which may be required to meet concerns raised by the EA."

The questions which the Inspector would like clarification on can be summarised as follows:

- Can the Council confirm that:
 - the Environment Agency (EA) has been consulted at each stage of flood risk assessment
 - issues relating to climate change are taken into account in the assessments
 - the EA is satisfied that the proposals in the CP when considered together with the strategic proposals in the JCS would not contribute to any unacceptable increase in flood risk.
- Identify any issues which remain unresolved, or changes to the CP which may be required to meet concerns raised by the EA.

Can the Council confirm that:

- **the Environment Agency (EA) has been consulted at each stage of flood risk assessment**

The EA has been consulted at every consultation stage of the Cheltenham Plan and the Joint Core Strategy. However, the EA were only consulted on the Supplementary Report to the Level 2 Strategic Flood Risk Assessment (2018) at the submission consultation stage of the CP. This was the first CP specific flood risk evidence base submitted for review.

- **issues relating to climate change are taken into account in the assessments**

The Supplementary Report to the Level 2 Strategic Flood Risk Assessment (2018) produced for the council by Capita does not take climate change fully into account. The assessment does not include the 2016 climate change allowances in any modelling as requested by the EA. The need to include the allowances within site Flood Risk Assessments at the planning application stage is flagged up, but this assessment has not been frontloaded.

- **the EA is satisfied that the proposals in the CP when considered together with the strategic proposals in the JCS would not contribute to any unacceptable increase in flood risk.**

The evidence base is not detailed enough for the EA to confirm this at this stage.

Identify any issues which remain unresolved, or changes to the CP which may be required to meet concerns raised by the EA.

| Issues identified by EA | Resolution proposed by EA |
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| There are a number of sites that are located within areas of flood risk or adjacent to watercourses where no detailed modelled data is currently available. | The SFRA L2 evidence base should be updated. |
| To enable the Sequential Test (ST) to be undertaken (and to inform the viability of a given site), we would expect that flood risk from fluvial sources, including the latest allowances for climate change published by DEFRA in March 2016, for all sites to be assessed in detail as required by the National Planning Policy Framework (NPPF) and National Planning Policy guidance (NPPG). | As above. |
| The lack of assessment for the following sites is a concern and without further work it is not possible to undertake the ST in accordance with the guiding principles of the NPPF and NPPG. MD4 (Royal Wells and Municipal Offices), MD5 (Leckhampton), HD3 (Bouncer's Lane), HD7 (Prior's Farm Fields), HD8 (Old Gloucester Road) and Employment Development E4 (Land at Chelt Walk, Town Centre). | As above. |
| To further illustrate the lack of assessment we would reference site MD4. MD4 benefits, from the current River Chelt Flood Alleviation Scheme | As above. |

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| <p>(FAS), hence it is critical that both the impacts of climate change, overtopping and breach scenarios are undertaken for this site. It is also important to consider issues such as 'safe access' (people and vehicles) when taking into account the effects of climate change.</p> | |
| <p>The SFRA should indicate the extent of flood zones with the latest climate change allowances.</p> | <p>As above.</p> |
| <p>Information is required from utility companies to ensure that appropriate infrastructure will/can be in place, cross referencing the LP with the Infrastructure Delivery Plan (IDP), with regards to foul drainage provision. This would include phasing arrangements, if and where necessary.</p> <p>Government Guidance states that sufficient detail should be provided to give clarity to all parties on when infrastructure upgrades will be provided, looking at the needs and costs (what and how much). The NPPG refers to "ensuring viability and deliverability – pursuing sustainable development requires careful attention to viability and costs in plan making and decision making".</p> <p>Plans should be "deliverable". We would advise that the LP needs to be satisfied that there is sufficient detail to confirm that the growth can come forward in the short, medium and long term.</p> <p>Each site option being brought forward should be informed with a capacity review to ensure it will not cause harm to the water environment and ensure the plan aligns with the objectives of the Water Framework Directive (WFD).</p> <p>Development needs to be planned carefully so that it does not result in deterioration or further pressure on the water environment and compromise WFD objectives. Failure to comply with WFD requirements may lead to the European Commission bringing legal proceedings against the UK.</p> <p>Local Authorities have a general responsibility not to compromise the achievement of UK compliance with EC Directives.</p> | <p>Where capacity issues have been highlighted, the Plan should have suitable phasing arrangements in place to ensure network improvements can be made before allocations are brought forward for development.</p> <p>This uncertainty could have implications for the flexibility and deliverability of the Plan and should be considered and addressed accordingly.</p> |

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| <p>It is imperative to ensure adequate foul drainage provision and infrastructure is provided so resultant development does not adversely affect the water environment.</p> | |
| <p>We note within the supporting documentation titled 'Housing and Mixed-Use Topic Paper' that Sewage has been highlighted as a topic area and Severn Trent desktop based assessments have been undertaken for each site being promoted through the Local Plan.</p> <p>Where capacity issues have been highlighted, the Plan should have suitable phasing arrangements in place to ensure network improvements can be made before allocations are brought forward for development.</p> | <p>Where capacity issues have been highlighted, the Plan should have suitable phasing arrangements in place to ensure network improvements can be made before allocations are brought forward for development.</p> <p>This uncertainty could have implications for the flexibility and deliverability of the Plan and should be considered and addressed accordingly.</p> |
| <p>We would expect greater emphasis in the Plan with regards to Water Framework Directive, and the important role it plays in helping meet the objectives for 2021 and 2027.</p> | <p>Revise Policy wording.</p> |
| <p>We would advocate greater commitment to the inclusion of SUDs in the LP. The NPPF and NPPG is high level and strategic with regards to the implementation of SUDs.</p> | <p>Revise Policy wording.</p> |
| <p>POLICY D1: DESIGN We would advocate the inclusion of Blue and Green Infrastructure within the policy wording and reference how this positively contributes to Biodiversity and seeks opportunities for habitat creation. We feel this should also make reference to climate change.</p> | <p>Revise Policy wording.</p> |
| <p>POLICY D3: PRIVATE GREEN SPACE This should make reference to the contribution that private green space can make to Green and Blue Infrastructure.</p> | <p>Revise Policy wording.</p> |
| <p>POLICY L2: CONVERSION OF RURAL BUILDINGS We would advocate that the Policy sign posts the need for adequate foul drainage.</p> | <p>Revise Policy wording.</p> |
| <p>BIODIVERSITY AND GEODIVERSITY We would welcome greater commitment to the WFD.</p> | <p>Revise Policy wording.</p> |

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| Opportunities should always be explored to recreate more natural conditions along watercourses. We therefore feel the supporting wording could be stronger on this issue. | |
| GYPSIES, TRAVELLERS AND TRAVELLING SHOWPEOPLE We would advocate that the Policy sign posts the need for adequate foul drainage. | Revise Policy wording. |



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28/11/2018



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28/11/2018