[redacted]
Stroud District Council
Planning Policy
Ebley Mill Ebley Wharf
Stroud
Gloucestershire
GL5 4UB

Our ref: SV/2018/110073/CS-04/SB1-L02
Your ref:
Date: 21 July 2021

Dear [redacted]

STROUD DISTRICT COUNCIL LOCAL PLAN REVIEW – CONSULTATION ON PRE-SUBMISISON DOCUMENT (REGULATION 19)

Thank you for consulting the Environment Agency (EA) on the Stroud Local Plan Review Pre-Submission Document (PSD). We previously commented on the Draft Local Plan Consultation (see our letter dated 22 January 2020, our reference SV/2018/110073/CS-02/PO1-L01). Since that time there has been limited ability for both the EA and Stroud District Council (SDC) to engage in discussions on the progress of the Local Plan Submission document due to resources and the impact of the Coronavirus pandemic. Nevertheless both parties have attempted to ensure some discussion and advice has still taken place and we welcome that the majority of our recommendations at the Draft Plan stage have been taken on board.

There is much within the PSD that we consider to be of a high standard and quality. For example we particularly welcome and support the focus throughout the PSD on climate change, including both mitigation and adaptation measures.

The following comments have focused for the most part on matters we consider **require some minor alterations**. We have not registered these as Soundness or Legal Compliance objections, as we are aware that there is normally opportunity in the Plan-making process to secure **Minor Modifications** at the final stages. However **at the end of this letter we have raised a matter that potentially is a Soundness objection in relation to water resources ("serious water stress") and efficiency**. We anticipate we would be able to work with you in the coming weeks and months to address all the matters raised in this letter, and we would arrive at a Statement of Common Ground prior to the Examination of the Plan.

FLOOD RISK

Policy ES4: Water resources, quality and flood risk:
We request the removal of the words "*surface water"* from paragraph 4 in Delivery Policy ES4. This was highlighted previously but an error was made in the way we communicated this. Our apologies for this. The paragraph should therefore read:

For all developments in areas with known flooding issues, appropriate mitigation and construction methods will be required including, where appropriate, contributions towards maintenance of existing defences that benefit the site, development or maintenance of existing flood warning services, development of future flood alleviation projects and/or provision of upstream rural SuDS projects.

Furthermore we note that paragraph 6 of the policy relates to areas with known ground and surface water flooding issues. Again, we consider this should relate to all forms of flooding. Therefore we request the paragraph is altered to read as follows:

New development in areas with known flooding issues will seek to provide betterment in flood storage and to remove obstructions to flood flow routes where appropriate.

These are important changes as the requirements should apply to any form of flooding, not just surface water, or groundwater flooding. **We would welcome a Minor Modification to Policy ES4 in due course to rectify this.**

Evidence Base – Level 2 SFRA:
Prior to the consultation on the PSD, we were in discussion with JBA Consulting regarding a potential detailed bespoke review of the latest version of the Level 2 Strategic Flood Risk Assessment (SFRA). However these discussions were not concluded prior to the PSD consultation period and to date we have not undertaken such a review. We have had regard to the May 2021 Final Draft L2 SFRA during the consultation period, and have made brief comments below relating to climate change. However should a more bespoke review still be required this will need to be agreed between the relevant parties (JBA Consulting, SDC and EA) separately.

Climate Change:
New climate change allowances have just been published (yesterday; 20 July 2021) on the gov.uk website. Available here: https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances .

A brief summary of the changes is as follows:

> On 20 July 2021 the peak river flow allowances in 'Flood risk assessments: climate change allowances' were updated so they reflect the latest projections in UKCP18 and subsequent research that models how the latest rainfall projections are likely to affect peak river flows.
>
> The main changes are as follows:
> - Peak river flow allowances are provided for 'management catchments' rather than river basin districts.
> - The central allowance for peak river flow will be used to assess most developments, however, the higher central and upper end will be important for some assessments still.

Accordingly, you may see fit to update Tables 5-1 and 5-2 in the L2 SFRA and consider whether Chapter 5 needs to be re-written to reflect the changes.

To confirm, we do not consider that the changes call into question any of the site allocations in the PSD; neither do we consider the changes necessitate any alteration to policy wording in the PSD.

Allocations:
PS13 - Central River Canal Corridor:
We welcome that allocation PS13 has been removed from the "Making Places" chapter as per our previous objection to that allocation.

PS36 – Sharpness New Settlement:
We previously commented on this site/allocation at the Draft Plan stage, and have subsequently had some discussion with SDC and Natural England (NE) about the site

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in the context of the Severn Estuary Shoreline Management Plan (SMP) and the Habitats Regulations Assessment (HRA). Our discussions have also been in relation to the development management stage with the proposer of the site.

The current Shoreline Management Plan policy for the frontage between Sharpness and Aust is 'Hold The Line' (HTL). This policy covers all three epochs up to 2105. Whilst HTL is the policy, there is no guarantee that funding can be found to enable the required maintenance or improvements to be delivered over the three epochs. This means that risk of failure and overtopping may increase resulting in land behind the existing defence line flooding more frequently due to the effects of climate change and natural deterioration of the flood risk management assets.

Whilst the frontage has a HTL policy there may be future opportunities in this location to manage risks, to adapt to sea level rise and to deliver habitats that could compensate for coastal squeeze. This could involve some of the land in the flood zone behind the defences being able to accommodate a brackish saline or freshwater habitat. Further evidence is required at the development management stage to fully understand how this site will adapt to the pressures of rising sea levels and the most appropriate options for its future management.

Any modelling outputs should also inform land use, making sure that, ideally, more vulnerable developments are located in Flood Zone 1 for 2121 (i.e. 100 years' lifetime) and land in Flood Zone 3 is used for water compatible development.

The above comments are made for your consideration and to inform the next stages of the development / planning process. We have no objections to the Plan in relation to the Sharpness New Settlement allocation. **You may see fit to undertake Minor Modifications in due course in relation to these aspects should any further information come to light during the final stages of the Plan-making process.**

Sequential Test and Settlements in the District:
We take this opportunity to highlight a matter that relates to the Flood Risk Sequential Test and certain settlements in the District. Over many years we have experienced difficulties at the development management stage with inappropriate windfall development being promoted in areas that are at extensive flood risk from the River Severn (e.g. such as Saul, Epney and Arlingham). In recent months there have been some applications where it would have been helpful (in terms of avoiding effort and expense for SDC, the EA and developers/applicants), had there been more robust, prescriptive or bespoke advice on what type of development is and isn't appropriate in these locations and what sort of information should accompany the Sequential Test. We consider there are some locations where no new development (except 'water compatible', and potentially 'less vulnerable') should be permitted as the flood risk is so significant.

There may be opportunity to include advice on such matters in the Local Plan Review, or alternatively you may consider there is merit in considering a Supplementary Planning Document on such matters. We would welcome discussion with you on this.

We would welcome Minor Modifications in due course on the above point where considered relevant and necessary.

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ECOLOGY

Our focus and remit for ecology relates to water-based ecology. Due to resources and staff availability we have not been able to undertake a review across the whole geography of the PSD at this time from an ecology perspective. We provide comments below on aspects relating to the Berkeley Cluster.

As general advice, we would reiterate our previous comments made to date. We would also give general support to the advice of NE (noting that NE take the lead for comments on HRA), as well as any advice made by the County Ecologist and/or your own in-house ecology advisors.

Allocations – Berkeley Cluster and Wotton Cluster:

Berkeley Cluster:

Berkeley, Key issues 3.5.4

There is no mention about protecting *locally* designated sites or improving existing wildlife corridors, although it is mentioned several times that nationally and internationally designated sites will be protected and enhanced. One of the bullet points mentions promoting tourist opportunities in the river estuary, for tourism and increased tourist accommodation - this needs to be sustainable and not detrimental to the value of the site for wildlife in accordance with its designated status.

PS33 - Northwest of Berkeley

It is mentioned that development here will incorporate the existing watercourse; there will be a need to ensure it is given space and sensitively enhanced where appropriate. (This comment is for completeness and accords with our advice at the planning application stage.)

PS36 - Sharpness New settlement

We note the provision of a new nature reserve and welcome this, we have been involved in pre-planning discussions relating to this site and how best it can be developed sustainably and provide benefits for wildlife both locally and in relation to the adjacent estuary (see comments in flood risk section).

We welcome the mention within Policy PS36 (under criterion 9) of landscaping buffers incorporating existing and new native hedgerows and trees linking with existing green infrastructure, although this needs to be done sensitively using appropriate species.

Wotton Cluster:

Kingswood (page 204): We welcome reference to the Ozleworth Brook being a Key Wildlife Site. This watercourse is important for water voles, a fully protected species so this needs to be considered when assessing proposals that might affect the watercourse.

PS47 - Land west of Renishaws New Mills:

We note the reference in the third paragraph of policy PS47 to 'Structural landscaping buffers….provided…..between development and the Marlees brook'. It is important to retain a natural corridor and the floodplain. Landscaping should be undertaken in a sustainable and sensitive manner, and be in-keeping with the other polices in the plan particularly Policy ES4: Water resources, quality and flood risk.

Wotton-under-Edge:

Whilst recognising that there are no proposed allocations in Wotton-under-Edge, it is

important that any windfall development has due regard to the need to retain/enhance floodplain capacity through the town and seek enhancements for biodiversity.

We would welcome Minor Modifications in due course on the above points where considered relevant and necessary.

GROUNDWATER AND CONTAMINATED LAND

Having consulted with our Groundwater and Contaminated Land teams across the geography of the PSD we consider that the comments made previously (in the 'Groundwater, Hydrology and Contaminated Land' section of our 22 January 2020 letter) are generally still relevant and are therefore upheld.

We would welcome Minor Modifications in due course on these aspects where considered relevant and necessary.

WATER RESOURCES AND QUALITY

We previously commented on Water resources, the Water Framework Directive (WFD) and Water Quality, including the need to ensure the Plan is supported by an appropriate evidence base.

Due to resources we have not been able to undertake a review across the whole geography of the PSD at this time from a water resources and quality perspective. Our comments below on the evidence base also include aspects relating to some of the District based on anecdotal knowledge from our local Environment Officer.

Evidence Base – Infrastructure Delivery Plan (IDP) - Waste Water Infrastructure:
Prior to the consultation on the PSD, we were contacted by Arup regarding a potential detailed bespoke review of elements of the latest version of the IDP. There was however insufficient time for this to take place. Accordingly we have not undertaken a fully bespoke review of the IDP Main Report dated 1 June 2021, but we have had regard to it during the consultation period, and have made brief comments below.

We do have some concerns over whether the IDP is sufficiently detailed with regards to waste water treatment infrastructure. Clearly consultation has taken place with the relevant water companies, as per our previous advice, and this is welcomed. There is however a tendency to rely on the development management stage for detailed assessment of available infrastructure and what upgrades will be necessary (e.g. the comments on p156 of the IDP). We nevertheless acknowledge that the tables on pages 156-159 are useful as they do identify red, amber, green risks and are broken down into the various allocations and areas. These tables identify a number of high and medium risk areas. We are also aware anecdotally that sewage treatment infrastructure will need upgrading significantly, including the sewage treatment works at Coaley, Stanley Downton and Netheridge. We are aware there is work afoot to improve the unsatisfactory sewerage system in Stroud (a £25 million project) subject to Severn Trent Water's Asset Management Plan (AMP).

We would reiterate the comments we made previously, including that new development should not be allocated in areas that are not currently served by mains foul drainage, unless it is intended to provide new mains drainage in the area prior to development coming forwards. This is also the case for development where the evidence base identifies a need for new or upgraded infrastructure. In such cases policy wording and/or phasing of development is required.

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We welcome and support therefore that where the IDP has identified wastewater constraints, the allocation policies include specific criteria to address this; e.g. the following wording appears in most of the allocations policies:

- "Adequate and timely infrastructure to tackle wastewater generated by the development, in agreement with the relevant water company;"

- "Any associated infrastructure enhancements required and identified in the Stroud Infrastructure Delivery Plan in this location;"

We fully support the inclusion of these criteria in the policies. These are considered necessary to make the Plan sound.

In the interests of ensuring that the Plan, and the development it will deliver, takes a precautionary and evidence-led approach to delivering sustainable development we concur with the recommendations/indications in the IDP that on-going dialogue with the water companies should continue and any updates to either the Plan or the IDP should occur in tandem. If necessary, **there may be a need for Minor Modifications to policy wording** at the appropriate time should new or updated infrastructure information become available. (See section below on Water resources - "serious water stress")

Finally, we also have anecdotal awareness of current capacity and drainage issues for existing houses (approximately 20 houses) at Dock Road, Sharpness. It is understood these issues may result in raw sewage discharging to the Estuary. Accordingly there is an opportunity for development at the Docks and/or more widely at Sharpness to resolve this existing infrastructure problem. We are not aware that this has been specifically picked up in the IDP, nor the Plan itself, but we anticipate that the above-mentioned policy wording could capture that requirement, and would certainly if this matter is included in any updated IDP. **You may see fit to undertake a Minor Modification in due course in relation to this point.**

Water Resources – "Serious Water Stress":
Earlier this month (July 2021) Defra announced that the Severn Trent Water geographical area is now considered to be in "serious water stress" for the purposes of water resource planning. This means that the company has to consider compulsory customer water metering as part of its next Water Resource Management Plans. Further information is available at: https://www.gov.uk/government/publications/water-stressed-areas-2021-classification

Previously in Gloucestershire there has not been the same water stress or demand for supply that would necessitate higher water efficiency standards than normal in proposed development. Guidance indicates that primary sources of evidence which might support a tighter water efficiency standard for new dwellings are:

-The Environment Agency '**Water Stressed Areas Classification (2013)**' which identifies areas of serious water stress where household demand for water is (or is likely to be) a high proportion of the current effective rainfall available to meet that demand.

(Please note the above link is to previous water stressed areas classification from 2013, and is in part now superseded by this latest July 2021 update.)

Accordingly we consider this new designation now provides support and evidence to require higher/tighter standards of water efficiency in Local Plan policy.

We note that **Policy ES4 Water resources, quality and flood risk** has the following criteria (no 3):

> *Improve water efficiency through incorporating appropriate water conservation techniques including rainwater harvesting and grey water recycling.*

Given the policy refers to "appropriate" water conservation techniques, you may consider the policy wording itself is sufficient to cover this latest evidence and the need for better standards in water efficiency. It may be necessary to update the supporting text to the policy to give further advice on what is meant by "appropriate". Or you might consider that the place for this is within an update to the IDP. Alternatively you may consider the policy needs a bigger change to ensure it reflects the need for new development to deliver higher/tighter standards of water efficiency. This could be a reference to the litres used per person per dwelling per day. Whichever route is considered appropriate, we would wish for some alterations to be made to the Plan in relation to this.

If you consider this can be dealt with as a Minor Modification at a later stage we would be supportive of this. If however this is considered to be a more significant change to policy then we would register this as a soundness objection. This would be on the basis that without appropriate water efficiency standards the Plan is not **justified** by a robust evidence base, and not **effective** in delivering sustainable development. (We have completed the representation forms to reflect the above.)

I trust the above will assist at this stage. Please do not hesitate to contact me if you have any queries. We look forward to discussing the points made in this response with you in due course.

Yours sincerely

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Enclosures:

- SDCLPR Reg 19 Response form – EA Representations 21July21- un-redacted version for contact details only
- SDCLPR Reg 19 Response form – EA Representations 21 July21- redacted version (detailing potential soundness objection to policy ES4 relating to Water Resources - "Serious Water Stress")

End