

Ms Emma Tinsley
Solihull Metropolitan Borough Council
Forward Planning
PO Box 11652
Solihull
West Midlands
B91 9YA

Our ref: UT/2006/000335/SL-
02/PO2-L01
Your ref:
Date: 16 May 2013

Dear Ms Tinsley

GYPSY AND TRAVELLER SITE ALLOCATIONS DPD – SUBMISSION DRAFT
SOLIHULL LOCAL DEVELOPMENT FRAMEWORK

Thank you for referring the Submission draft of this plan, which was received on 09 April 2013.

The Environment Agency has reviewed the proposals, noting how our previous comments have been taken into account and where changes have been made.

Policy GTS2

The Environment Agency are concerned that although our Preferred Options comments regarding flood risk at Land at Old Damson Lane have been acknowledged in the '*Council's response to the Representations and Recommendations*' document, there appears to have been no additional assessment undertaken to support the inclusion of Policy GTS2 in line with our advice.

In addition to this, the proposed area for allocation has been revised from the middle section of the plot of land to the eastern end of the site – right next to the Low Brook. This area will be subject to a higher level of flooding than the area previously proposed, making the comments we made at Preferred Options stage all the more pertinent.

The Environment Agency considers that the allocation of this site would be unsound, due to the lack of supporting evidence base to confirm it is possible to deliver the proposed level of development, and be in line with national planning policy.

Indicative flood mapping shows this site to lie predominantly within low risk Flood Zone 1. However, this is only because the J-flow flood modelling has not been undertaken on this stretch of the watercourse due to its catchment being smaller than 3km² - it does not mean that there is no flood risk at this location. This is acknowledged within

Environment Agency
Sentinel House (9) Wellington Crescent, Fradley Park, Lichfield, WS13 8RR.
Customer services line: 03708 506 506
www.environment-agency.gov.uk

Cont/d..

paragraph 3.4 of your Strategic Flood Risk Assessment, and it is recommended that for sites such as this an 8m easement is observed to allow for potential flood risk impacts. The Low Brook has a modelled floodplain that stops just upstream of this site. Should the floodplain continue to extend out from the watercourse in a similar manner to the land directly upstream, a significant portion of this site would lie within high risk Flood Zone 3. In this instance we do not consider that an 8m easement would be adequate and require that a Level 2 Strategic Flood Risk Assessment (SFRA) is undertaken to ascertain the extent of flood risk across the site.

In line with Table 2 of the NPPF Technical Guide, caravan sites are classified as being Highly Vulnerable to the effects of flooding. Table 3 goes on to state that such development is only appropriate in Flood Zone 1 or in Flood Zone 2 if the Exception Test is passed. A residential caravan site would be in direct conflict with the NPPF if it was located Flood Zone 3. It would also be contrary to your Draft Local Plan Policy P6(iii).

In light of this, a Level 2 SFRA needs to be undertaken PRIOR to this site's allocation in order to correctly determine how the Flood Zones 2 and 3 affect this site and to inform whether development in Flood Zone 2 would pass the Exception Test or not. This will fundamentally affect whether the site should be allocated or not.

The inclusion of the third bullet point within the policy, and paragraph 7.5.2 is insufficient to address this issue. This is because it may be determined through the undertaking of a Flood Risk Assessment post-allocation that the whole of the site is subject to too high a level of flood risk, and no pitches would be suitable on this site, regardless of layout. In this instance, it would be evident the site should not have been allocated, and we would recommend that planning permission is not granted.

In the absence of a level 2 SFRA supporting this site, Policy GTS2 should be removed from the plan and replaced with an alternative site which lies confidently in low risk Flood Zone 1.

Policy GTS5

Information held by the Environment Agency indicates that The Haven is located above a historic landfill site. This was not reflected within the Preferred Options draft, and as such we raised it as an issue that should be included. However, your Authority is responsible for maintaining the record of historic landfills and our records for this site were discussed with Phil Kershaw (Places Directorate – Solihull MBC) as a result of these comments in January 2013. We recommend that it is clarified with Phil Kershaw whether the site is located on a historic landfill site or not, and any mitigation measures that may be necessary for the protection of human health added accordingly.

Page 20 of the 'Council's response to the Representations and Recommendations' document shows that our concerns had been noted, but gives no indication as to any actions that have arisen from this.

Yours sincerely

Mr Paul Gethins
Sustainable Places Team Leader

Please ask for: Jane Field

Cont/d..

Direct Dial: 01543 404878

Direct Fax: 01543 444161

Direct email: jane.field@environment-agency.gov.uk