

Andrew Ashcroft  
Planning Inspector  
c/o Christine Tetlow  
Hart District Council

12 April 2019

Dear Inspector,

**Re: Hartley Wintney Neighbourhood Development Plan**

**Environment Agency response to the Independent Examiner's Clarification Note titled 'Questions for the Environment Agency'**

Thank you for your letter dated 28 March 2019.

We can confirm that we did not provide a formal response to Hart DC relating to this Neighbourhood Plan. Due to the large number of Neighbourhood Plan consultations that we received from 28 local council areas, we seek to prioritise our responses by focusing on those Neighbourhood Plans in areas not yet covered by a post-NPPF local plan. We acknowledge that the Hartley Wintney Neighbourhood Development Plan does fall within this category. However, due to other work priorities including several local plan and planning appeal public inquiries and EU Exit work we have not managed to respond to this consultation. We do apologise for not highlighting this sooner with you and the planning team at Hart DC. We trust that the information below provides beneficial clarification but should you have any further queries please contact us.

**a) Have any equivalent discussions on flood risk taken place between the owners of the Nero Brewery site (HWS1) and the Agency?**

Our records indicate that we have we received a request for flood data from consultants Odyssey Markides on 21 October 2016. We were unable to provide a 'product 4' flood data package as we do not hold detailed flood modelling for the site. The email also noted a request for pre-application advice but no forms or other documentation were attached. Our Customers and Engagement team replied to the customer on 28 October 2016 providing some PDF maps from our Flood Map for Planning for their reference and advised them to contact the Sustainable Places team with the request and documents (proposed development details, etc...) for pre-application advice. Our records indicate that no further request was received.

**b) In any event is the Parish Council's conclusion in paragraph 5.4.8 of the submitted Plan correct and evidence-based?**

We understand that the Parish Council's conclusion at paragraph 5.4.8 of the plan states: "*With the two sites in such close proximity as shown in fig.6, it follows because the application for re-classification of Pools Yard has been successful then it will automatically re-classify the portion of Nero Brewery at present in Flood Zone 3 as Flood Zone 2 to create a uniform categorisation across the whole of the site to allow development subject to sequential testing.*"

Cont/d..

This is not a factual statement. We accept that the Environment Agency's planning response of 7 September 2018 (our reference WA/2017/124447/04-L01) states that we accept that site-specific modelling undertaken by the applicant shows the site to be outside the 1 in 100 climate change flood extent. However, this is not the same as a formal reclassification of the site by ourselves to a lower risk flood zone. For such a reclassification to happen, an Evidence Led Review (previously known as a flood map challenge) would need to be submitted to the Environment Agency, and that challenge would need to meet the thresholds of the modelling and associated criteria and subsequently be deemed successful by our Modelling and Forecasting team. Only then would the Flood Map for Planning be altered in that area. We are seeking clarification from colleagues but at this time, we are not aware that any such challenge has been submitted to us in relation to this site, and we are not aware of any Environment Agency intention to amend the flood map for planning at this location.

Furthermore, it does not follow that a neighbouring site will automatically be subject to the same level of flood risk. Many factors need to be taken into consideration when determining site specific flood risks. These include, but are not limited to: ground levels/site topography; any existing buildings or structures, and boundary treatments. A site specific flood risk assessment would therefore need to accompany any planning application or pre-application enquiry submitted for that site. It may be that further flood modelling needs to be undertaken to assess risks at the site.

**c) Are there any in-combination effects of the proposed residential development of both HWS1 and HWS3 that the examination process should consider?**

In relation to flood risk, the Environment Agency would expect any site to be able to be developed so as not to cause any adverse impacts elsewhere. This is required by paragraph 163 of the National Planning Policy Framework (NPPF).

If any part of the site(s) is/are still within areas at risk, then we would expect mitigation measures to be incorporated into the development to offset any potential impacts. For fluvial flood risk, this could be flood plain compensation (ie lowering ground levels on a 'level for level' basis in an area of land adjacent to and outside the area at risk by an equivalent amount to the area lost to development) to ensure that there is no loss of flood storage capacity locally. It could also include measures such as raising the ground floor level of any new building(s); providing voids beneath those buildings and ensuring that those voids remain open and unobstructed to allow for the free flow of flood water for the lifetime of the development.

For surface water flood risk, this could include providing suitable sustainable drainage features on site in order to control run-off to a rate equivalent to that seen at the site before development although under the Flood and Water Management Act 2010 this is now a matter for the Lead Local Flood Authority (Hampshire County Council) to consider.

We hope the above information and clarification is beneficial. Should you have any queries please contact us.

Yours sincerely,

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