Environment Agency 820038

Mr R Mapletoft
Rushcliffe Borough Council
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West Bridgford
Nottingham
NG2 5FE

Our ref: LT/2006/000353/CS-05/IS1-L01
Your ref: RM/875

Date: 24 March 2016

Dear Mr Mapletoft

Rushcliffe Local Plan Part 2: Land and Planning Policies - Issues & Options

Thank you notifying the Environment Agency of the consultation on the emerging Land and Planning Policies (LAPP) or Rushcliffe Borough, which we received 29 January 2016.

Our principal aim is to protect and improve the environment and to promote sustainable development and we welcome the opportunity to comment on your specific consultations questions in order to provide a positive contribution to the plan making process.

Main Urban Area

Question 2

WB1 – Abbey Road Depot (potential capacity around 50 homes)

The potential site option lies within an area of flood risk (flood zones 2 & 3).

The flood risk sequential test will need to be undertaken in accordance with Policy 2 of the ACS. Please also refer to question 1 of the SA consultation regarding new climate change allowances.

A site specific flood risk assessment focusing on flood risk reduction (on and off site) and sustainable surface water management is required.

WB2 – Central College (potential capacity around 90 homes)

No objection - A site specific flood risk assessment focusing on sustainable surface water management is required.

WB3 – South of Wilford Lane (potential capacity around 200 homes)

This potential site option lies within an area of flood risk (flood zones 2 & 3).

The site is adjacent to the Greythorne Dyke which is both an EA main river and local wildlife site.

The flood risk sequential test will need to be undertaken in accordance with Policy 2 of the ACS. Please also refer to question 1 of the SA consultation regarding new climate change allowances.

A site specific flood risk assessment focusing on flood risk reduction (on and off site) and sustainable surface water management is required.

WB3 is located on a Historic Landfill. Development of this site will require additional consideration and an appropriate assessment to consider in detail risks to surface and groundwater water and human health.

A 10m easement from the Greythorne Dyke must be provided to allow for future maintenance, improvements and natural river morphology. (see easement/buffer zone requirements in paragraph 1 of key information below).

The LAPP must reflect relevant EU obligations such as the Water Framework Direct (WFD) and River Basin Management Plans are identified as a source of evidence in the NPPF. The WFD encompasses the entire stream network and development of site must not cause deterioration to the quality of the Greythorne Dyke.

WB4 – Land between Lady Bay Bridge and Radcliffe Road (potential capacity around 25 homes)

This potential site option lies within an area of flood risk (flood zone 3).

The flood risk sequential test will need to be undertaken in accordance with Policy 2 of the ACS. Please also refer to question 1 of the SA consultation regarding new climate change allowances.

A site specific flood risk assessment focusing on flood risk reduction (on and off site) and sustainable surface water management is required.

The site is located on aquifer where groundwater is sensitive to pollution. The submission of an environmental assessment will be necessary to assess the historic use of the site.

Radcliffe on Trent

Question 8

RAD1 – Land north of Nottingham Road (potential capacity around 300 homes)

This potential site option lies within an area of flood risk (flood zone 2).

The flood risk sequential test will need to be undertaken in accordance with Policy 2 of the ACS. Please also refer to question 1 of the SA consultation regarding new climate change allowances.

A site specific flood risk assessment focusing on flood risk reduction (on and off site) and sustainable surface water management is required.

The site is located on aquifer where groundwater is sensitive to pollution. The submission of an environmental assessment will be necessary to assess the historic use of the site.

RAD2 – Land adjacent Grooms Cottage (potential capacity around 50 homes)

No objection - A site specific flood risk assessment focusing on sustainable surface water management is required. An holistic approach to surface water drainage is recommended with sites RAD3 & RAD4.

RAD3 – Land off Shelford Road (potential capacity around 400 homes)

The Environment Agency was consulted on the planning application reference 13/02329/OUT for this site where we raised no objections, subject to conditions. An holistic approach to surface water drainage is recommended with sites RA2 & RA4.

An ordinary watercourse runs along the site boundary. A 10 metre easement is recommended (see easement/buffer zone requirements in paragraph 1 of key information below).

The LAPP must reflect relevant EU obligations such as the Water Framework Direct (WFD) and River Basin Management Plans are identified as a source of evidence in the NPPF. The WFD encompasses the entire stream network and development of this site must not cause deterioration to the quality of the watercourse.

RAD4 – Land north of Grantham Road to north of railway line (potential capacity around 900 homes)

No objection - A site specific flood risk assessment focusing on sustainable surface water management is required.

An holistic approach to surface water drainage is recommended with sites RAD2 & RAD3.

RAD5 – Land north of Grantham Road to south of railway line (1) (potential capacity around 200 homes)

A site specific flood risk assessment focusing on sustainable surface water management is required.

An ordinary watercourse runs through the site and site RAD7. A 10 metre easement is recommended (see easement/buffer zone requirements in paragraph 1 of key information below).

An holistic approach to surface water drainage is recommended with site RAD7.

The LAPP must reflect relevant EU obligations such as the Water Framework Direct (WFD) and River Basin Management Plans are identified as a source of evidence in the NPPF. The WFD encompasses the entire stream network and development of this site must not cause deterioration to the quality of the watercourse within the site.

RAD6 – 72 Main Road (potential capacity around 7 homes)

This potential site option lies within an area of flood risk (flood zone 2).

The flood risk sequential test will need to be undertaken in accordance with Policy 2 of the ACS. Please also refer to question 1 of the SA consultation regarding new climate change allowances.

The site is located on aquifer where groundwater is sensitive to pollution. The submission of an environmental assessment will be necessary to assess the historic use of the site.

RAD7 – Land north of Grantham Road to south of railway line (2) (potential capacity around 180 homes)

A site specific flood risk assessment focusing on sustainable surface water management is required.

An ordinary watercourse runs through the site and site RAD5. A 10 metre easement is recommended (see easement/buffer zone requirements in paragraph 1 of key information below). An holistic approach to surface water drainage is recommended with site RAD5.

The LAPP must reflect relevant EU obligations such as the Water Framework Direct (WFD) and River Basin Management Plans are identified as a source of evidence in the NPPF. The WFD encompasses the entire stream network and development of this site must not cause deterioration to the quality of the watercourse within the site.

RAD8 – Land south of Grantham Road (potential capacity around 20 homes)

No objection – There are no environmental constraints within our remit.

RAD9 – Land at Radcliffe on Trent Golf Course (west) (potential capacity around 10 homes)

This site is adjacent to or incorporates a watercourse into the site boundary.
No objection - The LAPP must reflect relevant EU obligations such as the Water Framework Direct (WFD) and River Basin Management Plans are identified as a source of evidence in the NPPF. The WFD encompasses the entire stream network and development of this site must not cause deterioration to the quality of the watercourse within the site.

RAD10 – Land at Radcliffe on Trent Golf Course (east) (potential capacity around 10 homes)

This site is adjacent to or incorporates a watercourse(s) into the site boundary.

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No objection - The LAPP must reflect relevant EU obligations such as the Water Framework Direct (WFD) and River Basin Management Plans are identified as a source of evidence in the NPPF. The WFD encompasses the entire stream network and development of this site must not cause deterioration to the quality of any nearby watercourse(s).

Ruddington

Question 10

RUD1 – Land to the west of Wilford Road (south) (potential capacity around 180 homes)

This potential site option lies within an area of flood risk (flood zones 2 & 3).

Given the amount of Flood Zone that is affecting the site, we have concerns about its deliverability. Flood modelling with an allowance for climate change may affect this site.

The flood risk sequential test will need to be undertaken in accordance with Policy 2 of the ACS. Please also refer to question 1 of the SA consultation regarding new climate change allowances.

A 10m easement from the adjacent watercourse must be provided to allow for future maintenance, improvements and natural river morphology. The LAPP must reflect relevant EU obligations. The Water Framework Directive encompasses the entire stream network and this site must not cause deterioration to the quality of the watercourses adjacent. (see easement/buffer zone requirements in paragraph 1 of key information below).

An holistic approach to surface water drainage is recommended with site RUD2.

The site is located on aquifer where groundwater is sensitive to pollution. The submission of an environmental assessment will be necessary to assess the historic use of the site.

RUD2 – Land to the west of Wilford Road (north) (potential capacity around 440 homes)

The site lies partially within flood zone 3. A sequential approach should be taken within the development to avoid the flood risk areas.

This site is adjacent to a watercourse and a 10m easement from the watercourse must be provided (see easement/buffer zone requirements in paragraph 1 of key information below).

An holistic approach to surface water drainage is recommended with site RUD1.

The LAPP must reflect relevant EU obligations such as the Water Framework Direct (WFD) and River Basin Management Plans are identified as a source of evidence in the NPPF. The WFD encompasses the entire stream network and development of this site must not cause deterioration to the quality of the watercourse. (see easement/buffer zone requirements in paragraph 1 of key information below).

RUD3 – Land adjacent to St Peter's Junior School (potential capacity around 60 homes

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This site is adjacent to a watercourse and a 10m easement from the watercourse must be provided (see easement/buffer zone requirements in paragraph 1 of key information below).

RUD4 – Easthorpe House and adjacent land (potential capacity around 15 homes)

No objection – There are no environmental constraints within our remit.

RUD5 – Land south of Flawforth Lane (potential capacity around 40 homes)

No objection - A site specific flood risk assessment focusing on sustainable surface water management is required for the site if it is greater than 1 hectare in footprint.

RUD6 – Land at Loughborough Road (potential capacity around 30 homes)

No objection - A site specific flood risk assessment focusing on sustainable surface water management is required for the site if it is greater than 1 hectare in footprint.

RUD7 – Land north west of Asher Lane (potential capacity around 250 homes)

A 10m easement from the Fairham Brook must be provided (see easement/buffer zone requirements in paragraph 1 of key information below).

The LAPP must reflect relevant EU obligations such as the Water Framework Direct (WFD) and River Basin Management Plans are identified as a source of evidence in the NPPF. The WFD encompasses the entire stream network and development of this site must not cause deterioration to the quality of the Fairham Brook.

A site specific flood risk assessment focusing on sustainable surface water management is required.

RUD8 – Land west of Pasture Lane (potential capacity around 370 homes)

This potential site option lies partially within flood zone 3) and is adjacent to the Fairham Brook which is both an EA main river and local wildlife site.

We recommend that a sequential approach to flood risk be undertaken that redefines the site boundary totally within flood zone 1 to avoid the flood risk areas.

A 10m easement from the Fairham Brook must be provided (see easement/buffer zone requirements in paragraph 1 of key information below).

The LAPP must reflect relevant EU obligations such as the Water Framework Direct (WFD) and River Basin Management Plans are identified as a source of evidence in the NPPF. The WFD encompasses the entire stream network and development of this site must not cause deterioration to the quality of the watercourse.

The site is located on aquifer where groundwater is sensitive to pollution. The submission of an environmental assessment will be necessary to assess the historic use of the site.

RUD9 – Land south of Landmere Lane (potential capacity around 10 homes)

No objection – There are no environmental constraints within our remit.

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RUD10 – Land adjacent to Landmere Farm (potential capacity around 5 homes)

No objection – There are no environmental constraints within our remit.

Key information – All potential site allocations

To ensure the LAPP has regard to the Humber River Basin Management Plan (see our response to Question 1 of the SA consultation, we advise that Green Infrastructure and Biodiversity policies ensure that stream networks, (not just the Trent and Soar Strategic corridors), are identified as sensitive habitat and that development will only be acceptable where an appropriate buffer zone (10m in width from the top of bank, but no less than 8m) can be applied which is free from built development and formal landscaping. This would include, for example, formal footpaths, lighting, sports pitches and amenity grassland. These policies should also encourage the enhancement of river and stream habitats through, for example, the removal of hard engineered structures such as bank reinforcement and culverts and improvements to channel morphology and the riparian zone.

As a member of the Notts Biodiversity Action Group (Notts BAG) we would encourage and support the inclusion of the Rushcliffe Biodiversity Opportunity Map (BOM) project outputs to help inform local plan policy, specifically relating to the proposed site allocations. We would also expect these mapping outputs to inform and contribute to the forthcoming Green Infrastructure Strategy. It should ensure that future allocations do not prejudice the delivery of the habitat creation opportunities identified in the Rushcliffe BOM or degrade existing habitats. Planning policy should also ensure the sites allocated can contribute towards the delivery of the habitat creation opportunities identified in the BOM. This will ensure a strategic approach is taken to habitat enhancement and creation and will encourage the creation of well connected habitats within the wider Rushcliffe landscape benefitting both people and wildlife.

These comments should be incorporated into the site allocations, if these sites are taken forward as preferred options. We also expect that the emerging Green Infrastructure Strategy for Rushcliffe, also include this information.

All potential site allocations will require Sustainable Drainage Systems (SUDS) to be incorporated. SUDS can involve an element of land take and this should be factored in when making assumptions about the amount of housing for each potential allocation.

Our consultation response relates only to those matters that are within the Environment Agency's i.e. fluvial flooding, primarily from watercourses that we are responsible for (Main River). As part of our strategic overview of flooding, we recommend consultation with other relevant risk management authorities. This is because flooding from other sources such as ordinary watercourses (not part of a 'main river') or surface water are the responsibility of Internal Drainage Boards / Lead Local Flood Authorities and their advice should be sought. Paragraph 100 of the National Planning Policy Framework supports this approach.

Our consent is required for any development within 8m of the top of the bank of a 'Main River'. This is to allow for future maintenance, improvements and natural river morphology.

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Question 40

The LAPP should include more detailed policy in relation to the design of new development as Policy 10 in the ACS does not include the requirement to consider Sustainable Drainage Systems as part of the design and is beneficial to new developments as such systems provide amenity value, in addition to reducing flood risk, enhancing biodiversity and improving water quality.

Question 50

Rushcliffe Borough is supplied by Severn Trent Water and is not classed as a water stressed area, however we recommend trying to meet the tighter standard of 110 litres/person/day to facilitate a greater level of water efficiency in new developments.
The CLG Cost Impacts report from the Housing Standards Review demonstrates the cost of achieving 110l/p/d is just £0 - £9 per dwelling, compared to achieving the baseline building regulations standard of 125l/p/d.
(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/353387/021c_Cost_Report_11th_Sept_2014_FINAL.pdf).

An Environment Agency / Energy Saving Trust study, *Quantifying the energy and carbon effects of water saving* (EA/EST 2009) looked in greater detail at water efficiency measures in homes and particularly the relationship between hot water use and carbon emissions. According to the report, 89% of all emissions arising from the domestic water supply is attributable to use within the home. Having more efficient homes, particularly homes are that are efficient with hot water use, will save carbon and benefit new development and the environment.

http://webarchive.nationalarchives.gov.uk/20140328084622/http://www.environment-agency.gov.uk/business/topics/water/109835.aspx

Managing flood risk

Question 51

Windfall sites are subject to the application of the flood risk sequential test as shown in points 6 and 7 of policy 2 within the Core Strategy. To be acceptable these sites must demonstrate that they are safe for end users, do not increase flood risk elsewhere and where possible improve on the existing flood risk.

Question 52

With regard to the need for further policy on managing flood risk and Sustainable Urban Drainage Systems, we would like to see a policy that addressed flood risk and enhances biodiversity using opportunities for natural flood management.
Such a policy would be of benefit to the Plan, rather than considering these as separate issues. With this approach, flood risk can be very much seen as an environmental issue.

Policies that promote the deculverting of watercourses, where they are present within development sites is absent from the Core Strategy and would benefit the LAPP.

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Also, a policy requiring an easement of 10 metres (8m is a legal requirement for 'Main Rivers') from watercourses and flood defence structures within new developments would be supported. This is to allow for future maintenance, improvements and natural river morphology.

We advise that Lead Local Flood Authorities (i.e. Nottinghamshire County Council) are required to prepare Local Flood Risk Management Strategies. This information may assist in the development of locally specific flood risk policies such as surface water, where there is an established need. We therefore advise further consultation with the LLFA.

Biodiversity and water quality

Question 54

We support all the types of land uses listed that could be incorporated into the green infrastructure network**.** The incorporation of flood alleviation areas is encouraged as this brings in the important element of 'blue' or 'aquatic' infrastructure.

Question 55 (f)

The GI network should be identified within the LAPP within the proposals map and supported by a detailed policy. A stand-alone Green Infrastructure Strategy is mutually beneficial as it provides a platform to define the network in more detail. Therefore, we are of the opinion that the suggestion of a preference is not the best way forward.

Question 60

The default position should be achievement of no net loss and this is best achieved through the planning system. Whilst we support the principle of biodiversity offsetting, it must only be considered as a last resort to compensate for unavoidable damage. Therefore any biodiversity offsetting policy must state this in a clear and strong manner.

Question 66

The LAPP should include more detailed policy in relation to the contamination. Large areas of Rushcliffe Borough are underlain by Secondary Aquifers, where groundwater is sensitive to pollution. A policy that prevents contamination of any watercourse or groundwater would allow brownfield sites to be developed in a sustainable manner.

I would be pleased to discuss any aspect of this consultation response in further detail.

Yours sincerely

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