

Redbridge Local Plan: 2015-2030

**Statement of Common Ground between the London Borough of Redbridge,
and the Environment Agency**

February 2017

Introduction

This Statement of Common Ground has been prepared jointly between the London Borough of Redbridge (“the Council”) and the Environment Agency.

The purpose of this Statement of Common Ground (SoCG) is to inform the Inspector and other parties about the areas of agreement between the Council and the Environment Agency.

Background

In response to Regulation 19 Consultation, the Environment Agency sought clarification on the application of the Sequential Test to the sites identified as Development Opportunity Sites in the Pre-Submission Draft Plan. They also made a number of detailed comments and suggestions of how environmental policies could be strengthened and clarified. Officers from both organisations have subsequently met with the intention of agreeing some common ground prior to the examination hearings taking place.

Such discussions have resulted in agreement between both parties on the scope, content, and application of the Sequential Test and Exception Tests. They have also resulted in agreement on where amended wording could be provided, and where this was not deemed necessary.

Full details are provided in the schedule of responses to representations, but in terms of areas where it has been agreed that no wording changes are deemed necessary, these relate to:

- use of terminology inconsistent with requirements for planning policies to be positively worded;
- the inclusion of waste policy already sufficiently covered through the East London Waste Plan;
- matters that cannot be controlled through the planning process; i.e. plumbing misconnections.

This statement sets out amendments to the Pre-Submission Plan that both parties agree to. Subject to these amendments, there are no outstanding matters where the Council and Environment Agency are in disagreement.

In Respect of Issue	Representation Ref. No
Policy LP21 should offer stronger protection against identified flood risk and tailored to the local area utilising local evidence base	R01089/01 – R01089/14

In Respect of Issue	Representation Ref. No
Policy LP24 should include further detail on addressing water and light pollution, address sewerage/ drainage capacity, and seek the full enclosure of waste operations	R01089/15 - R01089/21
Policy LP27 should recognise the impact of tall buildings on watercourses	R01089/22
Policy LP32 should include a commitment to water efficiency, and the use of BREEAM criteria clarified	R01089/23 - R01089/25
Policy LP37 should specify the findings of the Thames River Basin Management Plan	R01089/26

Notes on agreed amendments:

1. Underlined text indicates an addition to the Local Plan text
2. ~~Strikethrough text indicates a deletion to the Local Plan text~~
 - i. **Policy LP21 should offer stronger protection against identified flood risk and tailored to the local area utilising local evidence base**

Rephrase Policy LP21 to read:

The Council will seek to ensure that development does not increase flood risk and implements opportunities to reduce the risk of flooding where possible overall.

- 1 The Council will minimise the risk to people and property from surface and fluvial flooding by:
 - (a) Safeguarding the functional flood plain (Flood Zone 3b) as land where water can flow to or be stored in times of a flood from development other than water compatible uses or essential infrastructure;
 - (ab) Directing vulnerable land uses away from areas of high flood risk. DRequiring development on land that is at risk of flooding as identified in the Council's SFRA must ~~to~~ comply with the Sequential Test and (where appropriate) the Exception Test, as set out in the NPPF and accompanying Technical Guidance. For the purpose of the sequential and exceptions test, land

identified in the SFRA as being subject to surface water flooding, shall be treated as if in Flood Zone 3a;

- (bc) Requiring a site specific Flood Risk Assessment to be provided with development on:
- i Sites of one hectare or greater in Flood zone 1 (low probability);
 - ii All new development (including minor development and changes of use) in flood zones 2 (medium probability) and flood zone 3 (high probability);
 - iii Land within flood zone 1 which has critical drainage problems (as notified by the Environment Agency); and
 - iv Land identified within the Council's Strategic Flood Risk Assessment as being subject to surface water flooding.
- (ed) Requiring Incorporating flood resistant and flood resilient measures to be incorporated into the design of new buildings in areas prone to flooding in accordance with the recommendations of the SFRA. Measures used should be informed by a site specific Flood Risk Assessment, but could include raising floor levels and power sockets, and the provision of safe access and egress points in the event of a flood;
- (ee) Utilising Sustainable Drainage Systems (SuDS) in line with the drainage hierarchy, ~~unless inappropriate,~~ to achieve a greenfield run-off rate where feasible. Where possible SuDS should also be designed to deliver other benefits, such as improved water quality, and enhancing biodiversity;
- (ef) Resisting development involving the paving over of front and rear gardens unless appropriate permeable surfaces and drainage channels are used to minimise surface water run-off;
- (fg) Resisting the further culverting of watercourses and building over culverts. All new developments on sites with existing culverts should seek opportunities to de-culvert these streams to reduce flood risk and provide conservation benefits.; and Where deculverting is financially viable but is impractical or would be of little environmental value, the Council will seek a financial contribution toward other relevant projects for the enhancement or deculverting of other sections of the waterway;
- (gh) Resisting development that poses unacceptable risk to the quality of the water catchment, ground water or surface water. Development adjoining water courses or which contains a watercourse within the site boundary should maintain a minimum 8 metre wide (riparian) buffer free of development from

the top of the bank of the water course and include measures to enhance the environment of the water course wherever possible.

- (h) Resisting developments that would compromise the function of flood defence infrastructure identified in the SFRA.

Implementation

- 1 The Council will continue to work with the Environment Agency and other relevant bodies to meet the requirements of the Thames River Basin Management Plan and Water Framework Directive, in order to address current and future flooding and water quality issues and minimise risks. This includes the potential displacement of flood water to other areas and the impact of climate change on scale and frequency of flood events.

Rephrase corresponding explanatory text as follows:

Insert to end of paragraph 4.4.2:

“Using the findings of the SFRA, a Sequential and Exception Test has been prepared to accompany the Local Plan. This demonstrates that both the strategic sites in Policy LP1, and the proposed opportunity sites listed in Appendix 1 pass these tests where necessary.”

Amend final sentence of paragraph 4.4.3 to read:

“The probability of such events recurring is likely to increase as a result of climate change, making it important to ensure new development minimises risk of flooding; both to occupiers of new buildings, but also to communities already at risk of flooding.”

Rephrase paragraph 4.5.1 to read:

“The largest river to flow through the borough is the River Roding, and the other main rivers includes its tributaries and the largely culverted Cran Brook and Seven Kings Water/ Loxford Water. The River Roding (Lower) is affected by the tide from Ilford.”

Rephrase first sentence of paragraph 4.5.2 to read:

“Both the NPPF and the London Plan (2015) require the planning process to actively manage development to minimise the likelihood of flooding such events being repeated.”

Amend paragraph 4.6.1 to read:

“Developing in areas at risk of flooding can increase the risk on and off site. In addition to the increased footprint, being at risk of flooding, buildings and other forms of development can contribute towards flooding in the first place. They can do

~~this by replacing naturally vegetated land with hard, impermeable surfaces can increase the burden on surface watercourses, culverts and drainage systems which can increase flood risk. Developments should aim to maximise floodplain storage through use of green infrastructure and sustainable drainage measures. There should be no net loss in floodplain storage, or in exceptional circumstances, providing adequate off site compensatory storage on a level for level basis. Overland flow routes should not be obstructed. that increase the rate of runoff and by altering the pattern of drainage. Forcing natural water courses into artificial channels and culverts frequently adds to these problems.~~

Rephrase first sentence of paragraph 4.6.2 to read

~~To help combat this,~~ The incorporation of Sustainable Drainage Systems (SuDS) are now being employed. into new developments is an effective way of mitigating flood risk, and as such is encouraged in policy LP21.

Environment Agency position

The Environment Agency support the proposed amendments to LP21.

- ii. Policy LP24 should include further detail on addressing water and light pollution, address sewerage/ drainage capacity, and seek the full enclosure of waste operations**

Rephrase LP24(f) to read:

Reducing the runoff of particulates and other forms of biological and chemical pollution to waterways through sustainable drainage and pollution prevention methods such as incorporation of oil interceptors

Rephrase LP24(j) to read:

Resisting development involving floodlights or other external forms of lighting (including flashing lights) that would unacceptably impact on the amenity of nearby occupiers at unsocial hours, biodiversity, including protected species and the ecology of watercourses, or be likely to distract drivers on the public highway.

Insert new policy point (l) to read:

Requiring proposals for waste facilities to adequately mitigate their impact on amenity, air quality, noise and other relevant environmental considerations by fully enclosing the facility.

Insert new paragraph 4.17.5 to read:

In addition to meeting the requirements of the East London Waste Plan (Joint Waste Development Plan 2012), it is important that new waste facilities give full

consideration to their potential impact on the local environment. To mitigate against potential adverse impacts, including to safeguard against pollution from waste fires, the Council will seek that waste storage and treatment facilities are fully enclosed.

Insert additional point (l) to read:

(m) Requiring that major new developments demonstrate through liaison with Thames Water that sufficient capacity exists within the sewerage and drainage network to serve the proposed development, and where necessary, that capacity upgrades will be secured.

Insert new paragraph 4.17.6 to read:

Water pollution can come from multiple sources, harms the natural environment, and requires a multi-agency approach to tackle. It goes beyond the design of new developments, and matters such as plumbing misconnection of new appliances can have a major impact. The Council will work with the Environment Agency to ensure their technical advice is considered where new development proposals pose a risk to water quality, and the objectives of the Water Framework Directive and Thames River Basin Management Plan are met.

Environment Agency position

The Environment Agency support the proposed amendments to LP24.

iii. Policy LP27 should recognise the impact of tall buildings on watercourses

Rephrase LP27(d) to read:

“the overshadowing effect the building has on other buildings, public spaces and open spaces and watercourses.”

Environment Agency position

The Environment Agency support the proposed amendments to LP27.

iv. Policy LP32 should include a commitment to water efficiency, and the use of BREEAM criteria clarified

Insert new policy point 3(d) to read as follows (and renumber subsequent policy points accordingly:

“minimising water consumption in accordance with the London Plan by incorporating water saving measures and equipment into new developments, and designing residential development so that mains water consumption does not exceed 105 litres per head per day;”

Rephrase policy points 4(a) and (b) as follows:

- (a) Seeking that where viable, domestic refurbishment works requiring planning permission meet BREEAM ‘Excellent’ Domestic Refurbishment Scheme Ratings, including specifically within the water efficiency category. For existing development involving more than one dwelling, or where one or more dwellings are created:
- ~~• Supporting domestic refurbishments (alterations and extensions to existing dwellings, and conversions and change of use projects to residential use), where the development achieves an ‘Excellent’ rating against the BREEAM Domestic Refurbishment scheme.~~
- (b) Seeking the achievement of BREEAM ‘Excellent’ ratings, including specifically within the water efficiency category, where viable on:
- the refurbishment of non- domestic buildings
 - new non-domestic buildings over 1000m2 in size
 - extensions to non-domestic buildings where the proposed extension is equal to or greater than 50% of the existing building floorspace. For existing non-residential development, where the resultant development (including any proposed extension) is over 1,000sqm in floorspace, and if an extension is proposed that is equal to or greater than 50% of the existing building floorspace: supporting refurbishments and/or extensions to non-domestic buildings where the development achieves an ‘Excellent’ rating against the BREEAM Non-Domestic Refurbishment scheme (or other more appropriate BREEAM scheme); and

Environment Agency position

The Environment Agency support the proposed amendments to LP32.

v. Policy LP37 should specify the findings of the Thames River Basin Management Plan

Rephrase LP37(c) to read:

“Protecting and enhancing the borough’s Blue Ribbon network, particularly supporting projects which improve water quality and biodiversity and restore parts if

the River Roding and other watercourses, in accordance with the Thames River Basin Management Plan”

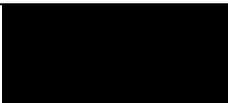
Replace final 2 sentences of paragraph 6.4.6 with new paragraph 6.4.7 to read:

“The River Roding is currently classified as having poor ecological potential and Seven Kings Water is classified as ‘moderate.’ Both watercourses need to achieve good ecological potential by 2027 under the Water Framework Directive. The watercourses are heavily modified by concrete channels and banks (culverting in places) and domestic plumbing misconnections, urban runoff and non-native species all contribute to poor water quality and ecology. It is important developments in the borough do not cause further deterioration and they make a positive contribution to improve and restore the watercourses. In addition, The Council will promote the improvement of water quality in the Blue Ribbon Network in accordance with the Thames River Basin Management Plan, by working in partnership with the Environment Agency and other partners such as the Roding, Beam and Ingrebourne Catchment Partnership. The London Rivers Action Plan (LRAP) aims to promote river restoration across London through the enhancement of riverside parks and green spaces.”

Environment Agency position

The Environment Agency support the proposed amendments to LP37.

Signed on behalf of the London Borough of Redbridge		
Name & position	Signature	Date
Ciara Whelehan Planning Policy Manager		17 February 2017

Signed on behalf of the Environment Agency		
Name & position	Signature	Date
Andy Goymer Planning Advisor		16 February 2017