

TECHNICAL BRIEFING NOTE

Technical Briefing Note: Statement to address Environment Agency Objection Response Letter 14th May 2020 for Outline Planning Application: 200328

Vastern Court, Caversham Road, Reading

24th July 2020 | JPH

1. INTRODUCTION

1.1 The Environment Agency (EA) issued an objection response on the 14th May 2020 with regards to the submitted Flood Risk Assessment (FRA) P19-418 for Vastern Court, Caversham Road, Reading, Outline Planning Application ref:200328.

“Outline planning permission for Demolition and redevelopment to comprise up to 115,000 sqm GEA in one or more land uses comprising Residential (Class C3 and including PRS), Offices (Use Class B1(a), development in Use Classes A1, A2, A3 (retail), A4 (public house), A5 (take away), C1 (hotel), D1 and D2 (community and leisure), car parking, provision of new plant and renewable energy equipment, creation of servicing areas and provision of associated services, including waste, refuse, cycle storage, and lighting, and for the laying out of the buildings.”

1.2 The EA response letter included in *Appendix A* of this document, detailed the following reason(s) in their objection to the outline planning application;

The submitted FRA does not comply with paragraph 163 of the National Planning Policy Framework (NPPF) and the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance as the FRA does not have sufficient detail about the flood risks and mitigation measures. In particular, the FRA fails to:

- *Consider how people will be kept safe from the identified flood hazards*
- *Demonstrate how safe egress and access will be maintained during a flood event*
- *The proposed flood mitigation methods identified for compensating displaced flood water have not been adequately justified.*

1.3 This note has been drafted in response to the EAs objection and aims to provide the necessary supporting information to demonstrate compliance with the requirements of the National Planning Policy Framework (NPPF) and the Planning Practice Guidance, which have considered to be followed throughout the submitted Flood Risk Assessment P19-418.

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2. DESIGNERS RESPONSE TO OVERCOMING OBJECTIONS

2.1 Within the EA’s response letter, the below was provided as to how the objection may be overcome.

To overcome our objection, the applicant should submit additional information which addresses the points highlighted above, specifically:

- *How will the volumetric compensation be installed and what volume is being compensated*
- *Are there alternative locations to provide compensation avoiding the egress and access routes?*

2.2 The EA was consulted on the 7th July 2020 for further clarification of their comments, in which it was suggested their concern relates to the proposed compensated areas for flood storage allowed for within the principal access / egress’s of the site, in particular the safe access route to Flood Zone 1.

2.3 Within the FRA it was determined the proposed building footprint had potential to displace flood waters as the building footprints would encroach the Floodplain associated with the 1% AEP + 25% Climate Change (CC) allowance. Drawing SK01A Flood Outline Plan included in *Appendix F* of the FRA demonstrates where flood waters would be displaced as a result of an increase in building footprint / location. The EA requested further information on the difference in the proposed and existing building footprints, with the proposed development having potential for a maximum increase in building footprint of approximately 3400m².

2.4 To ensure there would be no detriment to the Floodplain as a result of the development, it was proposed in the FRA that levels would be lowered within areas of the application site to provide the necessary levels of compensation, which would ensure the capacity of the Floodplain would not be reduced. The total volume displaced by the buildings would be approximately 63m³ and as shown within the proposed flood storage volumes there is no change in volumetric totals, therefore demonstrating the displaced volumes have been compensated for on a volume for volume for basis.

2.5 Areas which have been designed for proposed flood storage are shown on SK03A within the FRA. The locations of the proposed flood storage compensation typically coincide with areas of existing flood storage shown on SK02. In carrying out the assessment of identifying areas for flood storage compensation, a set of criteria / limitations listed below, where used as a basis to ensure that any proposed compensation would be effective, appropriate, and buildable.

- Hydraulic connectivity to the floodplain
- Required Minimum Finished Floor Level set 300mm above design flood level
- Ability to accommodate displaced flood waters as close to where they are lost

2.6 The submitted FRA demonstrated existing volumes of flood storage would not be reduced and any flooded volumes which would be displaced, have been appropriately compensated for within the landscaping of the application site. It is therefore not considered necessary for other methods such as floor voids to be used as alternative for providing compensation. Whilst incorporating floor voids into the scheme could provide some benefit in terms of reducing the footprint of designated flood storage areas, there are potential issues / risk associated with the use of floor voids for flood storage. Floor voids would have the potential to become blocked overtime as a result of debris / litter if not properly maintained and therefore would present the risk of designed areas for flood storage becoming ineffective.

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- 2.7 Within the FRA a safe access / egress route to land outside the Floodplain was established, which was determined to have a very low hazard rating, with expected flood depths between 0.0 – 0.3m for the 1% AEP + 35% CC at a flood level of 38.34mAOD. As clarified above, the areas of proposed flood storage have been identified at existing areas of flood storage to ensure any displaced volumes are compensated for as close as possible to where they would be lost and hydraulic connectivity to the Floodplain is maintained.
- 2.8 The EA raised concern relating to the proposed flood storage falling along the access / egress of the application site and in particular the route to land outside the Floodplain. As the area surrounding the application site would nearly all become inundated in the event of fluvial flooding to the magnitude of the 1% AEP +25% CC, there would be no significant benefit in relocating the proposed compensation areas.
- 2.9 The levels within the application site along the proposed safe access / egress to land outside the Floodplain, closely match those situated outside the site boundary and at the front of Reading Station and have been assessed to have a very low hazard rating. Therefore, there would be negligible benefit in providing flood storage elsewhere within the site as ultimately the areas outside the application site would become flooded in the event of the design flood. On this basis the areas dedicated for flood storage are considered to be the most appropriate for the site.
- 2.10 As a further point, the history of fluvial flooding within the Central Reading area demonstrates that in the past when flooding from the River Thames has occurred, the extent has been contained to the lower Caversham area. Whilst it is not suggested it would be suitable to go of this assumption alone, some consideration should be given, along with it being demonstrated that the route to land outside the floodplain would be a very low hazard and is therefore compliant with FD2320/TR2 and NPPF requirements.

3. CONCLUSIONS

- 3.1 This technical briefing note sets out further clarification following the objection comments from the Environment Agency on fluvial flood risk to overcome their objections. It has been further demonstrated that there would be no loss in the capacity of the Floodplain for the 1% AEP +25% CC and the proposed compensation would be effective and appropriate. It is demonstrated that a safe access route with a very low hazard rating to land outside the floodplain is available. On this basis it is consider the EA's objections have been adequately addressed and supports the submitted FRA complies with the necessary requirements of the National Planning Policy Framework and Planning Practice Guidance.

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**APPENDIX A
EA OBJECTION RESPONSE LETTER**

Mr Brian Conlon
Reading Borough Council
Development Control
PO Box 17
Reading
Berkshire
RG1 7TD

Our ref: WA/2020/127794/01-L01
Your ref: 200328
Date: 14 May 2020

Dear Mr Conlon

Outline planning permission for demolition and redevelopment to comprise: up to 115,000 sqm gea in one or more land uses comprising: residential (class c3 and including prs); offices (use class b1(a); development in use classes a1, a2, a3 (retail), a4 (public house), a5 (take away), c1 (hotel), d1 and d2 (community and leisure); car parking; provision of new plant and renewable energy equipment; creation of servicing areas and provision of associated services, including waste, refuse, cycle storage, and lighting; and for the laying out of the buildings. Vastern Court, Caversham Road, Reading.

Thank you for your consultation on the above planning application.

The site lies within Flood Zones 2 and 3 in accordance with our flood map for planning. Flood Zone 3 is defined as having a high probability of river flooding in accordance with Table 1 'Flood risk' of the Planning Practice Guidance.

Environment Agency position

In the absence of an acceptable flood risk assessment (FRA) we **object** to this application and recommend that planning permission is refused.

Reason(s)

The submitted FRA does not comply with paragraph 163 of the National Planning Policy Framework (NPPF) and the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance as the FRA does not have sufficient detail about the flood risks and mitigation measures. In particular, the FRA fails to:

- Consider how people will be kept safe from the identified flood hazards
- Demonstrate how safe egress and access will be maintained during a flood event
- The proposed flood mitigation methods identified for compensating displaced flood water have not been adequately justified.

Cont/d..

Overcoming our objection

To overcome our objection, the applicant should submit additional information which addresses the points highlighted above, specifically:

- How will the volumetric compensation be installed and what volume is being compensated.
- Are there any alternative locations to provide compensation avoiding the egress and access routes?

If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted and we'll respond within 21 days of receiving it.

This objection is supported by policy EN18 Flooding and Sustainable Drainage Systems of the Reading Borough Local Plan adopted November 2019.

Notes to local planning authority regarding decision

If the Local Authority are minded to grant permission against our recommendation, we request the Local Authority reconsult us for further representation. Please note we may have comments and conditions in other areas of remit following reconsultation.

In accordance with the Planning Practice Guidance (Reference ID: 7-043-20140306), please notify us by email within 2 weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Advice to local planning authority - Flood Risk - Safe Access and Egress

The proposed development and/or the access route is located within the 1% annual probability (AP) plus an appropriate allowance for climate change flood extent.

In accordance with paragraph 163 of the National Planning Policy Framework (NPPF), you must ensure that 'the development is appropriately flood resistant and resilient' and that 'safe access and escape routes are included where appropriate, as part of an agreed emergency plan...'. This is on the understanding that you have concluded that the proposed development has passed the flood risk sequential test as required.

Within the application documents the applicant should clearly demonstrate to you that a satisfactory route of safe access and egress is achievable. It is for you to assess and determine if this is acceptable.

We enclose a copy of our safe access and egress guidance statement to assist you with your assessment. Please note we have not assessed the proposed access and egress route.

Advice to LPA - Sequential test

In accordance with the National Planning Policy Framework paragraph 158, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for you to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the National Planning Policy Framework. Our flood risk standing advice reminds you of this and provides advice on how to do this.

Final Comments

Once again, thank you for contacting us. Our comments are based on our available records and the information as submitted to us.

Please quote our reference number in any future correspondence.

If you have any queries please contact me.

Yours sincerely

Miss Michelle Kidd
Planning Advisor

Direct dial 02030259712

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cc Barton Willmore