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Our Ref: KRS.0572.001.R.006.A
LPA Ref: 2022/3525
EA Ref: WA/2023/130267/02-L01

Date: 26th September 2023

Re: Development Comprising 3 Detached Buildings Containing 74 Residential Units With Underground And Surface Level Car And Cycle Parking, Mechanical Plant, Soft And Hard Landscaping And Associated Diversion Of Thames Water Pipe Following Demolition Of Existing Buildings.

The Molesey Venture Sundial House Orchard Lane East Molesey Surrey KT8 0BN

Introduction

This note is written in order to pre-emptively address the submission of representations from the Environment Agency the receipt of a letter dated 25/09/2023 (ref: WA/2023/130267/02-L01 objecting to the planning application on the grounds that the Flood Risk Assessment (FRA) is not compliant with national planning policy guidance.

The purpose of this note is therefore to set out the Appellant's position which is to the effect that the Local Planning Authority may place reliance on the findings of the FRA in determining this planning application notwithstanding any representations to the contrary which may be placed before them by the Environment Agency.

Environment Agency Data

The Environment Agency has provided the most up to date modelled floodplain water levels for the site, which supersedes the Environment Agency data within the FRA. This new data has been reviewed and the following has been confirmed:

1) There is an error in the original data that the Environment Agency supplied for the adjacent River Mole. The Environment Agency mixed up the flood levels back in 2021, the flood levels for the 1 in 100 year (+20%) and 1 in 1000 year event were the wrong way round within the data. Table 1 shows a comparison of the site modelled water levels for the 2021 data and the 2023 data, this shows that the new data for the 1 in 100 year (+20%) event is lower than the 2021 data.

   The 2021 data used within the FRA provides a more conservative estimate of flood risk at the site compared to the 2023 data.

Table 1 - River Mole Maximum Modelled Water Levels (mAOD)

Return Period (yrs)	Environment Agency Data 2021	Environment Agency Data 2023
100 (+20%)	8.88 – 8.96	8.14
1000	8.14	8.88 – 8.96

2) The Environment Agency have made available data for the River Thames which they did not supply back in 2021. This is from modelling undertaken in 2019. The 1 in 100 year (+15%) water level for the site is 8.84mAOD.

   Because of the error made by the Environment Agency with the original data (as discussed above) we have designed the site based on a higher flood level of 8.96mAOD. The 2021 data used within the FRA provides a more conservative estimate of flood risk at the site compared to the recently made available for the River Thames.

There are slight variations within the modelled water levels between these different data sets however, the original Environment Agency data from 2021 provides a more conservative estimate of flood risk at the site because the flood levels are higher.

Impact of the Proposed Development on Flood Risk

The site is not located within the 1 in 100 year flood outline, therefore as per the Elmbridge Borough Council Flood Risk Supplementary Planning Document (SPD) floodplain compensation is not required (see para. 3.4.20 of the SPD). Furthermore, the proposed buildings will not be located within the 1 in 100 year (+12%) (i.e. the design flood event) and the 1 in 100 year (+20%) flood outlines for the site.

The site is currently occupied by existing buildings, the overall direction of the movement of water will be maintained within the developed site and surrounding area. The conveyance routes (flow paths) will not be blocked or obstructed. The topography of the site will not be altered therefore; the overland flow routes will not be altered.

A minimum of an 8m buffer zone adjacent to the top of the River Ember will be retained. Along the majority of the river reach a buffer zone of greater than 8m is achieved with the majority of structures being over 10m away from the river and all new buildings being over 9.30m from the river. The existing building/s to be demolished are located within 7m of the top of bank of the River Ember. The proposed development will provide betterment compared to the existing situation by increasing the size of the buffer zone.

The proposed development proposes minimal new structures compared to the existing situation and will therefore allow floodwater to pass through the site with minimal effect on the conveyance routes. Therefore, mitigation measures are not required.

Finished Floor Level

The finished floor levels of the buildings and landscaped areas immediately adjacent to the buildings will be raised to 9.45mAOD and the basement entrance/s will have a threshold level of 9.40mAOD these will provide more than adequate freeboards above the floodwater levels as the original Environment Agency data provides a more conservative estimate of flood risk at the site.

Summary

The design of the proposed development provides a more conservative assessment of the effect of flooding than is currently required by the use of the original Environment Agency data which provides higher estimate of flood risk at the site compared to the 2023 data.

The application demonstrates that flood risk policy is fully understood and the application meets the requirements of the NPPF (paragraph 159) to prevent an increased risk of flooding. The proposed development will be safe from flood risk without increasing flood risk elsewhere (paragraph 164).

The proposed development would be operated with minimal risk from flooding, would not increase flood risk elsewhere and is fully compliant with the requirements of the NPPF when taking into account the updated Environment Agency modelled water levels and does not require further

design changes. The development should not therefore be precluded on the grounds of flood risk.

We trust that the details presented herein are self-explanatory and clear. If, for any reason you should have any queries or comments, please do not hesitate to contact us.

Yours sincerely

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KRS Enviro