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Our ref: SL/2006/100135/OT-08/EW1

Your ref: Email

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Dear Pauline Butcher,

MERTON ESTATES LOCAL PLAN INDEPENDENT EXAMINATION

DRAFT MATTERS, ISSUES AND QUESTIONS IDENTIFIED BY THE INSPECTOR.

Thank you for consulting the Environment Agency on the above. Having been involved in the previous consultations, we consider that the Estates Local Plan (ELP) is positively prepared, justified, effective and consistent with national policy as set out in paragraph 182 of the National Planning Policy Framework (NPPF).

Matter 1- The Overall Plan (including certain issues and policies common to all three estates)

In setting out the ELP, reference has been made to the London Plan, Merton's Core Planning Strategy and the Sites and Policies Plan, as well as the NPPF. For matters relating to flood risk, the NPPF sets the overarching framework while the Merton's Preliminary Flood Risk Appraisal (PFRA) and Strategic Flood Risk Assessment (SFRA) further define the management of flood risk within the Borough.

Question 11

On the whole, the Design Principles are useful and are important in setting out the overarching aspects necessary to consider as part of the redevelopment of the Estates. It is noted that there are two design principles which make reference to environmental aspects, 'Promoting Biodiversity' (2.41) and 'Promoting Sustainable Development' (2.43). We would ask whether it is possible to consider adding a reference to the management of flood risk, from both fluvial and surface water, into the 'Promoting Sustainable Development' Design Principle. For example, wording such as 'effective management of flood risk from all sources whilst ensuring no increase in flood risk elsewhere' would be useful to include. This emphasises the point that flood risk, from all sources, should be a key consideration when designing the layout and form of any development.

Matter 2- Eastfields Estate (Policies EP E1 – EP E8 inclusive)

Matter 3 - High Path Estate (Policies EP H1 – EP H8 inclusive)

Question 5

The inclusion of a policy related specifically to Environmental Protection is welcome. The Eastfields and High Path Estates are shown as being at risk to surface water flooding on our Environment Agency

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Risk of Flooding from Surface Water mapping and in addition, has been shown as being located within a Critical Drainage Area identified by Merton Council. The inclusion of requirements related to SUDS and the control, management and reduction of post development runoff rates are important factors and all of which are highlighted by this Policy. Specific reference is made in the Policy to the London Plan and its requirements for surface water management.

Reference should be made to the need to ensure that the design of the development and therefore the surface water drainage takes into account climate change. We are aware that Merton are proposing to make some slight additions to the wording of the Policy to ensure that the latest climate change guidance is specifically mentioned. We welcome this addition, as this is one important factor to be taken into account to ensure a development remains safe in terms of flood risk for its lifetime.

We would consider Policy EP E6 and EP H6 are consistent and effective in accordance with local, regional and national policies and guidance on flood risk and sustainable drainage.

Matter 4 – Ravensbury Estate (Policies EP R1 – EP R8 inclusive)

The Ravensbury Estate is in close proximity to the River Wandle and is shown as being located within Flood Zone 3a by the latest flood risk modelling for the area. Therefore, the risk to fluvial, as well as surface water flooding, must be fully taken into account as part of any development proposal for this estate.

It is vital that any development takes a sequential approach to managing flooding risk in line with the guidance in the NPPF and PPG, as well as within Merton's SFRA. The development would also need to take into account the latest guidance on climate change to ensure that the development could be considered safe against all sources of flooding for its lifetime. The fluvial flood extents taken from the latest modelling suggest that the site can easily be designed to ensure development with the highest vulnerability classification, i.e. residential, is located on those areas of the site with the lowest flood risk and flood hazard. Buildings should also be developed with flood risk in mind and incorporate flood resistant/resilient measures.

For point a) within Policy EP R6, this demonstrates that all tiers of Policy regarding the management of flood risk should be considered as part of the development process. Whether it would be appropriate for reference to be made to the need for development to be designed with a sequential approach to flooding risk in mind (e.g. locating the most vulnerable development at the areas of the site at lowest risk to flooding wherever possible) or if it is felt that this is emphasised by the text already within point a) is an aspect we would be happy to be put forward to further consideration.

For point e), as the site is at risk from fluvial flooding from the River Wandle, reference should be made to the determination/preservation of potential flood flow paths. The following wording may therefore be appropriate 'Potential *fluvial and surface* water flow paths should be determined and appropriate solutions proposed to minimise the impact of development, for example by configuring road and building layouts to preserve existing *fluvial and surface water* flow paths and improve flow routing.....'

With respect to further guidance, mention has been made within this Policy to ensuring that flood risk elsewhere is not increased as a result of this development. It will be essential as the plans for the redevelopment progress that flood risk elsewhere is fully accounted for and modelled as part of site specific flood risk assessments. Currently, due to the early stage of the proposal, it is difficult to know how possible development could affect adjacent areas.

Points a) and e) make reference to the use of local, regional and national Policy as well as the requirement to design the development with flood risk in mind. Until any plans are progressed further, the potential impacts elsewhere are not understood. National policy on flood risk and the local requirements of the planning process will require on and offsite flood risk to be fully considered, so there are options further through the planning process to cover these aspects in the required level of detail.

Having taken the above proposed into consideration, we would consider Policy EP R6 is consistent and effective in accordance with local, regional and national policies and guidance on flood risk and sustainable drainage.

Please do not hesitate to contact me should you wish to discuss this further.

Yours sincerely,

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