

Planning Policy
Gosport Borough Council

Our ref:

Date: 13th January 2022

By Email Only

Dear Planning Policy

RE: Consultation on draft Gosport Local Plan

Thank you for consulting the Environment Agency and giving us the opportunity to comment on your draft Local Plan. Whilst we are pleased to see the positive thinking regarding the environment and some strong policies on issues such as water quality, water resource and biodiversity, we have some significant comments to make with regard to flood risk issues that the plan has raised. We have not repeated our comments for each individual site as the general flood risk comments below apply to many of the proposed allocations, especially around the harbour regeneration area. We understand that this is a draft plan and that the flood risk evidence is a work in progress, but feel that at this point it would be helpful to highlight our main areas of concern and hopefully provide an explanation of the further work that we feel is required.

General Comments

Flood Risk

In relation to flood risk we have reviewed both the plan and the supporting information that was provided including the interim strategic flood risk assessment (iSFRA) (September 2021). This provides supporting information for the proposed allocations within the plan. We have the following comments to make based on the information provided

Climate change allowances

Climate change allowances in '[Flood risk assessments: climate change allowances](#)' should be used to inform the preparation of Strategic Flood Risk Assessments (SFRAs) to ensure development plan documents and development proposals meet planning policy requirements to be safe for its lifetime without increasing flood risk elsewhere.

The Interim Strategic Flood Risk Assessment (iSFRA) acknowledges that there's a gap in available climate change data for Gosport. The borough council has used the climate change data from the PUSH SFRA (2016) to prepare the iSFRA. This does not take into account the latest UKCP18 Climate Change predictions.

iSFRA paragraph 1.3 states that a consultant has been commissioned to update the existing data taking into account the latest UKCP18 Climate Change predictions and the project is expected to be complete in winter/spring 2022. iSFRA Paragraph 2.27 notes that updated Climate Change allowances will be taken into account in the new PFSH SFRA and will inform the Council's revised SFRA for the Regulation 19 version of the draft Gosport Borough Local Plan 2038 (GBLP2038). We welcome and support this.

The LPA should be satisfied that there is sufficient time to consider the impact of the updated allowances as part of the plan preparation process. This is particularly important for sites which are very sensitive to flood risk. We need to take a pragmatic approach to incorporating the updated climate change allowances so LPAs can keep their local plan production processes on track however in the absence of appropriate assessment, it may be difficult for the LPA to demonstrate they have complied with their [legal duty on climate change](#).

The LPA will need to consider the implications of the updated allowances to ensure site allocations are appropriate in the context of planning policy. As a minimum, we expect a high level assessment of future flood risk to be made by adopting a suitably precautionary allowance for climate change impacts to understand implications of the updated allowances.

Once the work to update flood risk data using the updated climate change allowances is complete, the future extents for FZ2 and 3 should be used to identify if any proposed site allocations currently classed as FZ1 would be classed as FZ2 or 3, or a site currently classed as FZ2 would be classed as FZ3.

Prospect of safe delivery

1. Assessment of present day flood risk

The approach to updating existing data with updated climate change allowances does not preclude the LPA from providing an assessment of present day flood risk to the sites (e.g. likely depth, extent, speed of onset, velocity and duration of flooding). The iSFRA provides a flood level for each of the site allocations (e.g. paragraphs 4.137, 4.263, 4.369) but fails to compare this with existing ground levels on the site. In the absence of this information, we don't consider that site allocations and supporting policies are underpinned by sufficient understanding of present or future flood risk to allow us to be confident that the allocated development type and scale can be delivered.

We would expect to see an assessment of predicted flood levels compared with existing ground levels. Environment Agency flood risk data and LiDAR datasets are available. The iSFRA considers that the proposed site allocations have a "reasonable prospect of delivery" however it is unclear how this conclusion has been drawn and suitable measures to address flood risk identified in the absence of an assessment of the potential flood risk implications to development allocations proposed.

For each site, the iSFRA specifies the requirement for further detailed assessment to be prepared as part of a planning application to make up for the shortfall in any existing data in order to demonstrate that proposed buildings will remain safe for users and future occupants. However, the iSFRA/Local Plan need to set out what is considered to be 'safe'. This includes those sites where the exception test is not required (e.g. policy SS1). This should be based on best available information/data.

2. Safe access and egress including flood warning and evacuation procedures

For the majority of sites, there's a footnote within the iSFRA which states that "*Future safe access and egress for some areas of the site may not be possible during an extreme tidal flood event, therefore occupants will be reliant on the provision of safe internal refuge. Any residential development will need to demonstrate that safe internal refuge, above the 1:200 year design tide level*". This is contradictory to Policy D7 which states "There may be some exceptional circumstances where it may not be possible to provide a safe access route" (paragraph 2.8.14). Reliance on temporary refuge is bottom of the access and egress hierarchy as outlined in [Gosport Borough Council's Guidance for New Development in Flood Risk Areas](#).

In addition, it is unclear how the need for a safe refuge has been established without presentation of flood depths within the iSFRA. The iSFRA defers this assessment to site-specific FRAs. However, the local

plan/iSFRA should demonstrate what plans Gosport Borough Council have in place to support any stay in place strategy. The LPA should consider what they need to do to facilitate this as an authority. For sites where developments are very sensitive to flood risk such as Blockhouse and Haslar, we would expect the LPA to take ownership at a strategic level to prevent planning objections on issues which could be explored during local plan preparation process. The LPA should be confident that these sites can be managed by means of a robust flood risk management plan.

3. Flood risk mitigation measures

For each of the sites, the iSFRA outlines some options for addressing flood risk including off-site strategic measures, on-site strategic measures and adjacent off-site measures (paragraphs 4.46 – 4.55 for Gosport Waterfront for example). In addition, Section 6.0 sets out a broad summary of flood protection/mitigation issues which have been identified for the allocated sites where this is known. However, these measures lack detail and are largely repetitive for all sites. The iSFRA puts onus on developers to complete the assessment through site-specific FRA. For example, the iSFRA recommends that a quantitative assessment of defence standards, defence failure scenarios and overland flood flow due to flood hazard being very high at the sites at Blockhouse and Haslar Gunboat Shed (Policy SS4), Fort Blockhouse, Royal Haslar Hospital, Haslar Barracks, The Piggeries and Land at Fort Road (former QinetiQ). iSFRA paragraph 4.107 asks the developer to consider raising infrastructure levels i.e. raising Mumby Road to allow for safe exit and entry for site users and emergency services for strategic sites SS1, SS2 and SS3 (Gosport Waterfront and Gosport Town Centre strategic sites). However, the technical feasibility has not been discussed. Due to the absence of information on flood depths (as discussed above), it is unclear how critical this infrastructure measure is to the safety of occupants and thereby the prospect of reasonable delivery of these sites.

The iSFRA makes a general statement for many of the sites that the provision of new flood risk mitigation measures will be required (See paragraphs 4.183, 4.261, 4.327, 4.416, 4.494, 5.47, 5.113, 5.281). There is no assessment of technical feasibility of the proposed mitigation measures. For example, has the space for new flood defences be allocated in the local plan? Is the space adequate in size and access? Is it practical to raise floor levels or retrofit other flood risk mitigation measures? The LPA should be confident of and present the evidence through the local plan to demonstrate that these options have a reasonable prospect of delivery.

The iSFRA refers to the need for a flood risk management strategy across the plan period (Paragraph 4.51 for example). The LPA need to ensure there are adequate planning controls in place through the local plan policies and allocations that would help deliver any strategy. We're pleased to see that policy D11 point 3 sets out the requirement to provide the required infrastructure prior to occupation of the new development. Policy D11 point 3 states that a phased approach may be acceptable. The LPA should ensure there won't be a delay in implementing flood risk management measures to prevent the development being exposed to unmanageable risk.

The economic viability of the flood risk mitigation options has not been discussed. Paragraph 4.275 suggests the developer could improve defences within the boundary of the site at Fort Blockhouse and raise the Standard of Protection (SOP) on the western side of the site and on the northern frontage of the site at Portsmouth Harbour. Paragraph 4.283 warns that the potential costs associated in delivering option 2 may be high. The iSFRA considers that with sufficient funding measures in place this would be feasible to protect the site.

Paragraphs 4.41 & 4.183 state that "new mitigation measures which solely benefit new development should not call on the public purse as a means to secure funding". We wish to point out that new defences will not attract Central Government Funding (Grant in Aid). Development after 1 January 2012 cannot be included

in a bid for a grant. A flood defence scheme can only bid for a grant if it benefits existing properties (built prior to 1 Jan 2012).

For sites in current FZ2 or 3, where the Exception Test is required based on current risk, we recommend the LPA includes site specific policies to demonstrate how the development can contribute to the reduction of flood risk overall. The iSFRA goes some way towards this by stating that any proposals that come forward will need to contribute positively to the River Hamble to Portchester Flood & Coastal Erosion Risk Management Strategy amongst other objectives (Paragraph 4.48 for example). However, this strategy is from 2016 so it's unclear if this is still reflective of infrastructure requirements. We consider that there's scope to be more prescriptive with the infrastructure requirement. For example, for Policy SS8 The Piggeries, paragraph 4.342 states that "the proposed open space within the draft allocation will contribute towards the overall package of flood risk management measures to be delivered on-site". It's unclear what is being inferred here.

There is mentioned within the iSFRA of planned flood defence schemes at Alverstoke, Seafield and Forton. Paragraph 4.43 refers to coastal partner's website for information on progress. The website notes that construction is planned to commence in spring 2021 with no recent update. It's not clear how these projects are related in terms of geography and flood risk reduction provided to the site allocations. This needs to be clear as the planning inspector will not necessarily be familiar with the area.

In addition, the local plan policy should clearly stipulate which climate change allowances should be used to inform flood levels that the development should be resilient to for its lifetime. The iSFRA states "It would generally be expected to deliver a standard of safety to keep people safe from the 0.5% probability tidal flood event in 2115" (Paragraphs 4.51, 4.114, 4.200, 4.277, 4.342, 4.431, 4.509, 5.61, 5.128, 5.192, 5.294). This refers to the epoch used under the previous climate change guidance. The local plan should be consistent in referring to the current climate change guidance in 'Flood risk assessments: climate change allowances' where the 2069 and 2125 epochs should be used for sea level rise allowances.

In summary, in relation to flood risk, we have concerns regarding some of the proposed allocations in the local plan and the supporting iSFRA evidence which is currently inadequate for the following reasons:

- Different climate change allowances have been used to assess future flood risk than those advised in ['Flood risk assessments: climate change allowances'](#),
- The requirement for flood risk mitigation measure in site specific policies is vague and doesn't provide the evidence to demonstrate that proposed measures will ensure development will be safe for lifetime based on the vulnerability of the development.
- It has not been demonstrated that the proposals in site specific policies are robust (e.g. demonstrate there's space allocated for future flood defences). It's not clear how this will be secured through planning or be relied upon to be delivered when needed.

Policy Specific Comments

Development Strategy and Strategic Development Sites

Policy D1 – We are really supportive of this policy and its intentions, especially the inclusion of bullets (d) and (e) addressing flood risk and sustainable water management along with securing biodiversity net gain.

Policy D3 – Within this policy we are pleased that both flood risk, nature conservation and land contamination have been recognised as key local issues for developments within the 3 urban regeneration areas. These are key topics that will need to be addressed in these areas. We recognise that the approach to flood risk is highlighted in the supporting text but please see our general comments on flood risk above with regard to the evidence that we feel is necessary in order for development to be allocated in these

challenging flood risk areas. We are supportive of the supporting text that lays out what will be required, in terms of flood risk, from any application that comes forward in these areas, including the recognition of potential contributions to flood risk management infrastructure and safeguarding of land for future flood risk management. The highlighting of infrastructure being delivered in an efficient and timely manner, along with relevant maintenance arrangements is valuable along with the recognition that flood risk management isn't just about hard defences but can include a range of hard and soft engineering solutions.

Policy D4 – This policy provides a good holistic approach to green infrastructure that will contribute towards addressing climate change and improving biodiversity in Gosport. Further links to flood risk management could be recognised here as many of these green spaces may also be suitable for flood risk management in terms of natural flood management/flood storage.

Para 2.5.9 – It may be more suitable for the Lead Local Flood Authority (LLFA) to be mentioned here rather than the Environment Agency as they have the responsibility for surface water.

Policy D7 – Generally we think that this is a well worded policy that covers all relevant aspects of flood risk. We have a couple of minor comments to aid clarity. In bullet 3 it may be worth making it clear whether FRA's are required in current day flood zone 2 and 3 or whether you are looking at future flood risk too. In terms of bullet 5 we would suggest that it's not just major developments that should incorporate sustainable drainage systems. The use of more natural systems should be the default for all development unless there is a good reason why this isn't possible. We are pleased to see that you have included a point on whole life management and maintenance of drainage systems, as this can often be problematic. It is also really positive to see the recognition of the potential requirement for developer contributions to flood risk management measures.

Policy D11 – We support the specific mention of both flood risk management measures and green infrastructure within this policy.

SS6: Royal Haslar Hospital

There appears to be an increase in residential allocation at SS6: Royal Haslar Hospital compared to outline consent (Ref: 12/00591/OUT).

Proposed Yield	Outline consent (Ref: 12/00591/OUT)	POLICY SS6: ROYAL HASLAR HOSPITAL
Residential units	286	300 residential dwellings and a hotel or 360 residential dwellings.
Self-contained retirement units	244	305

The LPA will need to revisit supporting evidence in light of this change to ensure the site can be made safe for its lifetime.

The following site allocations do not appear to have been discussed individually within the iSFRA:

- SS9 – Haslar Marine Technology Park
- SS10 - HMS Sultan

General Development Policies

DE1 – We strongly support this policy, especially with regards to the water efficiency target it contains. The inclusion of this water efficiency standard acknowledges the water resource sensitivity of South Hampshire

and should help ensure that sustainable growth can be achieved throughout the Local Plan period. Reducing the amount of water entering the treatment works and receiving environments is also a key way of helping mitigate issues around the capacity of waste water treatment works and receiving environments, especially in relation to the discharge of Nitrogen into the surrounding harbours.

LE2 – Within this policy we would request that a further bullet is added in relation to the protection of groundwater. It is essential for cemetery development to ensure that the water environment, in this case groundwater, is protected. Relevant assessments will be required prior to any cemetery development to ensure that a proposed location is suitable for such development and will not lead to the pollution of groundwater.

LE8 – We are supportive of the inclusion of this policy and its contents.

LE10 - We are supportive of the inclusion of this policy and its contents.

LE13 - We strongly support this policy, especially with regards to the water efficiency target it contains. The inclusion of this water efficiency standard acknowledges the water resource sensitivity of South Hampshire and should help ensure that sustainable growth can be achieved throughout the Local Plan period. Reducing the amount of water entering the treatment works and receiving environments is also a key way of helping mitigate issues around the capacity of waste water treatment works and receiving environments, especially in relation to the discharge of Nitrogen into the surrounding harbours. We are also pleased to see the reference to protecting water quality, ensuring that proposals are not detrimental to the water environment whilst also seeking opportunities to enhance it, helping achievement of Water Framework Directive objectives.

We are pleased to see that the phasing of sewage infrastructure alongside development is addressed to ensure that necessary sewage infrastructure is in place in a timely manner.

If you have any queries regarding the above please do not hesitate to contact me.

Yours sincerely

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