

## **Environment Agency response to Main Matter 1: Legal Compliance and Procedural Requirements (including Duty to Cooperate).**

Section .1.5 - In relation to the Strategic Flood Risk Assessment (SFRA):

### **• Does the work provided to date accord with the advice contained within paragraphs 159-160 of the Framework?**

The Environment Agency can only respond to how the work in relation to planning for flood risk has taken into account Paragraph 159 a) of NPPF December 2023 which states:

*New development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change.*

The Environment Agency is yet to receive an updated version of the Level 2 SFRA. We have had a flood risk model update- Thames (Datchet to Teddington) 2023 model which is tested against climate change scenarios which Elmbridge Borough Council have agreed to take into consideration when updating their level 2 SFRA.

There has been some discussion on those models that do not have outputs to match directly with the latest climate change allowances and how best to represent this, and we expect to see further details on this aspect for review as part of the updates to the Level 2 SFRA.

### **• According to the letter of 10 November 2023 from the Council (COUDO002) the Council have been asked to update the SFRA Level 1 Assessment. What is the reason for this?**

The current SFRA Level 1 is dated 2019 with an addendum of 2021 reflecting an update to the Level 1 SFRA. We understand Elmbridge Borough Council intends to update the SFRA using an addendum. The Environment Agency advised that the SFRA level 1 is updated holistically rather than via an addendum.

There has been an update to the Flood risk section of the Planning Practice Guidance -2022 for instance in relation to the definition of functional floodplain and use of voids and climate change allowances. There has also been an update to flood model Thames (Datchet to Teddington) 2023 model which should be taken into consideration by Elmbridge Borough Council. The Level 1 addendum had sections referring to Article 4 Directions and Flood Risk Supplementary Planning Document which also need to be updated due to the changes. The SFRA level 1 will need to be updated to determine how the LPA will define functional floodplain as not all the models have the latest definition - 1 in 30.

**• Does the modelling work undertaken appropriately address all of the possible sites within the relevant flood zones? If not why not?**

Not at present. Elmbridge Borough Council are currently working on so have yet to submit their Level 2 SFRA and Sequential tests which provided details of the allocated sites and how they can be developed when taking flood risk into consideration (this includes the application of the updated model). We expect the allocated sites being brought forward to clearly include details of the type of development being proposed e.g., existing site use and vulnerability classification, proposed use and vulnerability, and proposed number of units as well as proposed mitigation which is tested against the guidance contained in the Flood risk section of the Planning Practice Guidance -2022. The risk of flooding from all sources should be fully considered, as well as the cumulative impacts of development.

**• Is there a SoCG with the Environment Agency? If not, this should be submitted with the hearing statement.**

Yes. This highlights the process taken by the Environment Agency and Elmbridge Borough Council to update the SFRA evidence base for the local plan in regard to planning for flood risk. We cannot agree to the content as we have not seen sight the SFRA level 1 or 2 or sequential test, but we are committed to working alongside the Council throughout this process.