

Mr Dave Barber  
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CV32 5QH

**Our ref:** UT/2007/101229/CS-  
10/SB1-L01  
**Your ref:**  
**Date:** 01 June 2016

Dear Mr Barber

## **Warwick District Local Plan**

### **Duty to Cooperate – June 2016**

The Environment Agency has the following Statement of Common Ground in relation to our collaborative work in relation to the environmental policies included within the latest version of the Local Plan and provides an update to our previous statement produced in January 2015.

The Environment Agency has the following Statement of Common Ground in relation to our comments and responses from the Council in relation to our representations in relation to the emerging Local Plan.

The Environment Agency would like to confirm that we consider Warwick District Council to have complied with the Duty to Co-operate, as set out in the Localism Act.

The duty requires that councils set out planning policies to address strategic issues and requires them to consider joint approaches to plan making.

The National Planning Policy Framework (NPPF) builds on the requirements of the Localism Act. It indicates that public bodies should:

- Co-operate on cross boundary planning issues;
- Undertake joint working on areas of common interest;
- Work collaboratively with other bodies to ensure that strategic priorities are properly co-ordinated and clearly reflected in Local Plans;
- Consider producing joint policies and strategies;
- Work collaboratively with Local Enterprise Partnerships, Local Nature Partnerships, private sector bodies, utility and infrastructure providers;

- Demonstrate evidence of effective co-operation when submitting a local plan for examination (e.g. a Memorandum of Understanding or jointly prepared strategy or evidence); and
- Satisfy the tests of soundness relating to positive preparation and effectiveness

Warwick District Council have taken a positive approach to reviewing the latest environmental data published by the Environment Agency and robustly reviewed their local plan to ensure that the proposed policies will ensure that development will not only meet the requirements for sustainable development as described by the NPPF but will also meet the requirements of EU Legislation.

In February 2016 we produced the latest River Severn River Basin Management Plan (RBMP), which builds on the evidence gathered over the last four years. Warwick District Council falls within the Avon Rural Operational Sub Catchment.

Having worked closely with Warwick D.C. for a number of years in the development of their Flood Risk and Water Environment Policies we have been carefully monitoring the environmental data the Environment Agency gathers and we have been able to review the draft policies and responses made by consultees in response to the Draft Local Plan: Focused Consultation. Our work in December 2014 carefully considered our newly published data that would be used to inform the then emerging River Severn RBMP. This allowed us to develop policies that could be consulted on widely, confident that they would respond to the required actions of the River Basin Management Plan, taking a whole catchment approach to delivering sustainable development.

Historically Warwick D.C. has a long history of flooding with the most notable events in 1998, 2007 and 2012 which resulted in District wide flooding, and again in March 2016 there was another significant flood event which caused damage to infrastructure and property, and disruption to services. These events highlighted the many issues associated with development of urban areas and modern farming practices including reducing channel and floodplain capacity, diverting watercourses, building within the floodplain, and removing or reducing woodlands and natural habitat areas.

The anticipated implications of climate change (the most recent climate change allowances were published in February 2016) highlight the districts vulnerability to flooding.

The careful development of the site allocations, in conjunction with positive policies that seek to reduce the frequency and consequences of existing flood risk, as well as develop blue and green infrastructure to support the delivery of new development improve the resilience of existing development and infrastructure from flood risk and ensures the deliverability of allocated development sites. This proactive approach has demonstrated that even with the new allowances for climate change their development plan is robust and adaptable and ensures that this new requirement for implementation for increased climate change allowances can be accommodated within the local plan without having to review the proposed site allocations.

The allocated sites proposed by this plan have been sequentially tested in line with the guidance of the NPPF, and against the data that the Environment Agency has access to. Every care has been made to develop policies that would allow windfall sites that come forward to be delivered sustainably.

We must highlight that the allocated sites have been chosen giving due consideration to

flood risk. The site allocations and policies avoid locating development within flood zones 3a and 3b and reduced as far as practical the use of flood zone 2, carefully avoiding any areas that could potentially flood and providing mitigation measures by reducing housing numbers or adapting the layout to allow for open space where this may occur.

Due to the length of time we have been working with Warwick, we helped to develop the proposed policy in relation to Sustainable Drainage Systems (SuDS). The Environment Agency used to be a statutory consultee for development within flood zone 1( over a hectare in size) to allow us the opportunity to comment of surface water management.

Although we are not a statutory consultee for flood zone 1 planning applications we maintain a strategic overview in relation to this area. This is because uncontrolled surface water poses a risk to flooding property, causing disruption, and risking the safety of people. It also places additional pressure on the capacity of rivers and flood storage areas.

When developing SuDS policies we look at how the policy could be framed to maximise ecosystem services, provide green and blue infrastructure, and support the expansion of biodiversity, moving away from more expensive hard engineered solutions

We are currently supporting the joint Water Cycle Study for Warwickshire, which is currently under development. This is an excellent example of statutory consultees for the water environment and neighbouring councils working together to ensure that future developments are appropriately located with adequate water resources and waste water infrastructure in place. This supports the River Basin / Catchment based approach enshrined within the EU Water Framework Directive and the EU Floods Directive.

We also would like to highlight the ongoing involvement both the Environment Agency and Warwick D.C. have working with the Coventry and Warwickshire Local Enterprise Partnership to support the delivery of economic growth, provide homes and infrastructure while protecting and enhancing the environment.

We trust that you will find these comments useful. Should you have any questions please do not hesitate to contact me on the number provided below.

Yours sincerely

Mrs Becky Clarke

A handwritten signature in black ink, appearing to be 'Becky Clarke', written in a cursive style.

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Countersigned by Mr Peter Clarke

A handwritten signature in black ink, appearing to read 'Peter Clarke', with a long horizontal flourish extending to the right.

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