



SOCG3

Wyre Forest District

Site Allocations and Policies Plan and Kidderminster Central Area Action Plan

Examination

Statement of Common Ground 3 (SOCG3)

Environment Agency

14th January

**WYRE FOREST DISTRICT SITE ALLOCATIONS AND POLICIES AND
KIDDERMINSTER CENTRAL AREA ACTION PLAN EXAMINATION IN
PUBLIC
STATEMENT OF COMMON GROUND – ENVIRONMENT AGENCY**

This “Statement of Common of Ground” has been developed in response to representations received from the Environment Agency on the Pre-Submission Publication version of the Site Allocations and Policies and Kidderminster Central Area Action Plan DPD.

Officers from Wyre Forest District Council and representatives from the Environment Agency held a meeting on 11/12/2012 at which the representations listed below were discussed.

Site Allocations and Policies

- SALPP161
- SALPP162
- SALPP163
- SALPP164
- SALPP165
- SALPP166
- SALPP165
- SALPP166
- SALPP167
- SALPP168
- SALPP169
- SALPP170
- SALPP171
- SALPP172
- SALPP173
- SALPP174
- sALPP175
- SALPP176
- SALPP177
- SALPP178
- SALPP180
- SALPP182
- SALPP184
- SALPP185
- SALPP186
- SALPP188
- SALPP190

The table attached at Appendix 1 outlines those areas where agreement has been reached on common ground for the Site Allocations and Policies. It also outlines areas where it is considered that further discussion and clarification is required during the relevant hearing sessions.

Appendix 1 also sets out some proposed modifications to the Site Allocations and Policies in order to address the representations and establish Common Ground.

Appendix 1 – Site Allocations and Policies - Actions arising from discussion with the Environment Agency relating to the establishment of common ground.

**WYRE FOREST DISTRICT SITE ALLOCATIONS AND POLICIES AND
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Kidderminster Central Area Action Plan

- KCAAP96
- KCAAP97
- KCAAP98
- KCAAP99
- KCAAP100
- KCAAP101
- KCAAP102
- KCAAP103
- KCAAP104
- KCAAP105
- KCAAP106
- KCAAP107
- KCAAP108
- KCAAP109
- KCAAP110

The table attached at Appendix 2 outlines those areas where agreement has been reached on common ground for the Kidderminster Central Area Action Plan. It also outlines areas where it is considered that further discussion and clarification is required during the relevant hearing sessions.

Appendix 2 also sets out some proposed minor amendments to the Kidderminster Central Area Action Plan in order to address the representations and establish Common Ground.

Appendix 2 – Kidderminster Central Area Action Plan - Actions arising from discussion with the Environment Agency relating to the establishment of common ground.

APPENDIX 1 – WYRE FOREST DISTRICT SITE ALLOCATIONS AND POLICIES EXAMINATION IN PUBLIC
STATEMENT OF COMMON GROUND – ENVIRONMENT AGENCY

Environment Agency's Representation	Paragraph / Policy	Director of Economic Prosperity and Place Response	Resulting Minor Amendment to the Site Allocations and Policies?	Response from Environment Agency	Common Ground Established?
<p><u>SALPP179</u></p> <p>Two of the documents listed are not available for review and we understand that they are still being undertaken by the Council to inform the evidence base.</p> <p>There appears to be no clear cross reference with the evidence base as the Sequential Testing (Flooding) document and Infrastructure Delivery Plan are still being completed. It is difficult to comment on the soundness of the plan as we have not seen the contents of these two key evidence base documents.</p> <p>As the Sequential Testing (Flooding) and Infrastructure Delivery Plan are still being completed it is unclear whether the plan is the most appropriate strategy, when considered against reasonable alternatives, and whether the plan is deliverable over its period i.e. flood risk, environmental infrastructure requirements etc.</p>	<p>All</p>	<p>Comments are noted. The Council have now finalised a District wide Infrastructure Delivery Plan which will prioritise infrastructure. This has been used to inform the preparation of the Plan. Furthermore, work has been undertaken in conjunction with the County Council in terms of infrastructure planning and these documents are available to view on the County Council's website. The sequential test has also been used to develop the plan; this document has helped to justify the site selection process. Both documents have been further updated to reflect conversations held with the Environment Agency. The documents have also been updated t</p>	<p>N/a</p>	<p>The Environment Agency has now had the opportunity to review the Council's Infrastructure Plan and Sequential Testing (Flooding) document.</p> <p>We are satisfied that the Council's Sequential Testing (Flooding) document provides a detailed review of flood risk, utilising the work undertaken in their Level 2 Strategic Flood Risk Assessment, to demonstrate the Sequential Testing of sites. Where development has been identified as necessary within Flood Zone 2 and 3,</p>	<p>Yes</p>

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		<p>to utilise new information that has been provided since their first publication. These documents have been circulated to the Environment Agency for their comment.</p>		<p>consideration has been given to the Sequential Approach and flood risk vulnerability classification of development, in locating more vulnerable uses in areas of lower flood risk.</p> <p>We have reviewed the environmental infrastructure sections of the Infrastructure Plan and acknowledge the detail provided to support the deliverability of development within the District.</p> <p>In particular the Waste water section of the Plan has acknowledged the constraints to</p>	<p>Yes on the understanding that Severn Trent Water Ltd are satisfied with the detail of the plan.</p>

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				existing wastewater treatment works identified within the Council's Water Cycle Strategy and provided further detail to clarify the deliverability of sites within the plan. We understand that this work has been undertaken in consultation with Severn Trent Water Limited and on this basis we have no further comments to make.	
<p><u>SALPP184</u></p> <p>It is unclear whether the allocation and phasing period for residential sites, shown in the table under paragraph 4.8, has been informed by an Infrastructure Delivery Plan.</p> <p>Paragraph 1.9 of the Development Plan Document (DPD) refers to background studies and technical reports that have been produced to inform the decisions made regarding sites in the DPD. There appears to be no clear</p>	Paragraph 4.8	Comments are noted. The Council have now finalised a District wide Infrastructure Delivery Plan which will prioritise infrastructure. This has been used to inform the preparation of the Plan. Furthermore, work has	N/a	The Environment Agency has now had the opportunity to review the Council's Infrastructure Plan and Sequential Testing (Flooding) document.	

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<p>cross reference with the evidence base as the Sequential Testing (Flooding) document and Infrastructure Delivery Plan are still being completed. It is difficult to comment on the soundness of the plan as we have not seen the contents of these two key evidence base documents. The Infrastructure Delivery Plan and Sequential Testing (Flooding) reports should be finalised and published so that they can be viewed and commented on. It should be clear how the plans have been used to inform and support the policy, site allocations (Sequential Approach) and deliverability of the plan, providing transparency and a clear link to the evidence base.</p>		<p>been undertaken in conjunction with the County Council in terms of infrastructure planning and these documents are available to view on the County Council's website. The sequential test has also been used to develop the plan; this document has helped to justify the site selection process. These documents have now been circulated to the Environment Agency for their comment.</p>		<p>We are satisfied that the Council's Sequential Testing (Flooding) document provides a detailed review of flood risk, utilising the work undertaken in their Level 2 Strategic Flood Risk Assessment, to demonstrate the Sequential Testing of sites. Where development has been identified as necessary within Flood Zone 2 and 3, consideration has been given to the Sequential Approach and flood risk vulnerability classification of development, in locating more vulnerable uses in areas of lower flood risk.</p>	<p>Yes</p>

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				<p>We have reviewed the environmental infrastructure sections of the Infrastructure Plan and acknowledge the detail provided to support the deliverability and phasing of development within the District.</p> <p>In particular the Waste water section of the Plan has acknowledged the constraints to existing wastewater treatment works identified within the Council's Water Cycle Strategy and provided further detail to clarify the deliverability of sites within the plan. We understand that this</p>	<p>Yes on the understanding that Severn Trent Water Ltd are satisfied with the detail of the plan.</p>

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				work has been undertaken in consultation with Severn Trent Water Limited and on this basis we have no further comments to make.	
<p><u>SALPP186</u></p> <p>In considering the rural nature and size of the sites, we would recommend including a reference to appropriate drainage infrastructure within this policy, such as:</p> <p>Appropriate arrangements for sewerage treatment must be submitted as part of the application in addition to satisfactory drainage measures, in protecting the water environment.</p>	Policy SAL.DPL2	Comments are noted. Include suggested wording as part of a Minor Amendment to the policy.	<p>SALMOD05</p> <p>Add additional criteria to Policy DPL.2 as follows:</p> <p><u>Appropriate arrangements for sewerage treatment must be submitted as part of the application in addition to satisfactory drainage measures, in order to protect the water environment.</u></p>	Proposed amendment is as recommended in our representation.	Yes

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<p><u>SALPP186</u></p> <p>We accept that your Council have undertaken extensive consultation in establishing the preferred site allocations. However we would like the following representation to be noted:</p> <p>It is disappointing that of the four gypsy/traveller sites selected for allocations, Site J and L are located within Flood Zone 3 ('high risk' floodplain), Site E within Flood Zone 2 and 3 and Site K is located within Flood Zone 2 (medium probability) with the sites vehicular access within Flood Zone 3.</p> <p>Policy SAL.DPL8 is in conflict with Policy CP06 of your Council's adopted Core Strategy. CP06 lists a number of criteria that new sites would need to accord with in meeting the specific needs of gypsies, travellers and travelling showpeople sites within the District. Criteria 5 of this policy states <i>'the site should not fall within areas at higher risk of flooding such as Flood Zone 2 and 3 and its exact location should take account of the Strategic Flood Risk Assessment'</i>.</p> <p>The two sites located within Flood Zone 3 (Site J - Land adjacent Nunn's Corner and Site L - Land opposite the Gatehouse) have recently been subject to planning applications approved by your Council, one for an extension and the other a temporary period for gypsy /</p>	<p>Policy SAL.DPL8</p>	<p>Comments are noted. However, as pointed out by the representations, these sites now benefit from planning permission and the decision to allocate these sites reinforces the decisions made by members of the Planning Committee.</p> <p>The Council has undertaken an extensive consultation on potential new sites and the proposed site allocations reflect the outcome of that consultation.</p>	<p>None proposed.</p>	<p>Our previous representation is still relevant and we would leave this for the Inspector to consider at the Examination in Public.</p>	<p>No</p>

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<p>traveller use. As a statutory consultee, we were consulted on both planning applications and objected on flood risk grounds. Notwithstanding the Sequential Test requirement (for consideration by your Council in this instance given the scale of the proposal), we raised concerns that it had not been demonstrated that the development could be made safe for occupiers in this location.</p> <p>It was assessed that flooding on site would be approximately 800mm deep during a 100 year plus climate change flood event. The vehicular access would also be flooded to a similar depth for Site J and to more than 1m deep for Site L.</p> <p>Your Planning Officer recommended the planning application for Site L was refused on flood risk and the Sequential Test. Your planning committee determined to approve both applications contrary to advice.</p> <p>We are likely to provide similar comments on any future planning application for the above sites, in considering flood risk and safe development requirements.</p>					
<p><u>SALPP188</u></p> <p>We support the inclusion of point ii. and vii. within the policy, which refer to the approval of sites for travelling showpeople where they are not located within areas of higher risk of flooding and where appropriate</p>	<p>Policy SAL.DPL9</p>	<p>Comments are noted and support is welcomed.</p>	<p>N/a</p>	<p>N/a</p>	<p>Yes</p>

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arrangements for sewerage treatment and drainage have been provided, in ensuring sustainable development.					
<p><u>SALPP182</u></p> <p>Paragraph 6.30 refers to a locally tailored version of the West Midlands Sustainability Checklist being developed to assist developers in achieving targets, as referred to in section 6.11 of the adopted Core Strategy. Whilst we understand the checklist is being developed after the Site Allocations and Policies DPD, it is still unclear when the checklist will be produced and what weight the document will have.</p>	Paragraph 6.30	Comments are noted. The Council are envisaging that the locally tailored version of the Sustainability Checklist will be adopted as an SPD.	N/a	<p>We acknowledge the clarification provided on the mechanism for undertaking the locally tailored version of the sustainability checklist. We would welcome the opportunity to work with the Council on the draft SPD as it progresses.</p> <p>A reference within paragraph 6.30 to the local sustainability checklist being delivered through an SPD would further clarify and strengthen this requirement.</p>	Yes

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<p><u>SALPP185</u></p> <p>We support the inclusion of this policy and welcome the inclusion of our suggested amended wording (at the preferred options stage) for the SuDS section and paragraph 6.45.</p> <p>We welcome the inclusion of a Water Quality section within this policy, with reference to no deterioration, in line with an objective of the Water Framework Directive (WFD). In considering other objectives of the WFD we would recommend the policy also refers to development improving and enhancing the status of water bodies under the objectives of WFD.</p> <p>Recommended wording: Development proposals will be permitted which:</p> <ul style="list-style-type: none"> • do not lead to deterioration of EU Water Framework Directive water body status, • do not have a negative impact on water quality, either directly through pollution of surface or groundwater, or indirectly through overloading of Wastewater Treatment Works. • help to conserve and enhance watercourses and riverside habitats, where necessary and feasible, through management and mitigation measures 	<p>Policy SAL.CC7</p>	<p>Comments are noted and support is welcomed. Please see Minor Amendment for suggested change.</p>	<p>SALMOD26 Proposed minor amendment to the policy, including changes to the format, as follows:</p> <p>Water Quality: Development proposals will be permitted which:</p> <ul style="list-style-type: none"> • <u>Do not lead to deterioration of EU Water Framework Directive water body status,</u> • Do not have a negative impact on water quality, either directly through pollution of surface or groundwater, or indirectly through overloading of Wastewater Treatment Works. 	<p>Proposed amendment is as recommended in our representation.</p>	<p>Yes</p>

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<p>for the improvement and/or enhancement of water quality and habitat of any aquatic environment in or adjoining the development site.</p>			<ul style="list-style-type: none"> • <u>Help to conserve and enhance watercourses and riverside habitats. Where necessary this should be through management and mitigation measures for the improvement and/or enhancement of water quality and habitat of any aquatic environment in or adjoining the development site.</u> 		
<p><u>SALPP180</u></p> <p>We support the inclusion of text on 'Water Quality' with paragraphs 6.52 - 6.54. The text in paragraph 6.52 makes reference to River Quality Objectives (RQOs), taken from the Water Cycle Strategy (WCS). However, RQOs are no longer used in water quality classification as we have now moved to using Water Framework Directive classification. This classification system incorporates both chemical and ecological elements.</p>	<p>Paragraph 6.52 – 6.54</p>	<p>Comments are noted and support is welcomed. Include proposed changes as part of the Minor Amendments, both in relation to the updating of information and in relation to the additional</p>	<p>SALMOD26</p> <p>Include additional text as follows:</p> <p><u>The District area overlies a principal aquifer of regional strategic importance.</u></p>	<p>We note from the Council comments that the water quality data and WFD paragraph are to be updated and the inclusion of the additional text is as</p>	<p>Yes</p>

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<p>We welcome the reference in paragraph 6.54 to ensuring that developments meet the 'no deterioration' objective of the WFD. Another objective of the WFD is to achieve at least good status for all waters by 2015. Where this is not possible, and subject to the criteria set out in the Directive, aim to achieve good status by 2021 or 2027.</p> <p>We would recommend a paragraph on groundwater in explaining its context for the District and justification for its inclusion within the Water Quality policy, which we support.</p> <p>We would recommend that paragraph 6.52 is updated to refer to the current classification system. In relation to paragraph 6.54, we would recommend a reference to development contributing to improving the status of water bodies in assisting the WFD objective to achieve good status for all waters by 2027. In relation to groundwater, we would recommend the following text:</p> <p><i>The District area overlies a principal aquifer of regional strategic importance. The majority of the sites fall within the combined total source protection zone of a number of public water supply boreholes. The southern extent of the Kidderminster Town centre lies within the inner and outer protection zone of a public water supply borehole. The depth to water table across the area is variable, however many of the sites fall within the valley of the Stour where</i></p>		<p>paragraph relating to groundwater.</p>	<p><u>The majority of the sites fall within the combined total source protection zone of a number of public water supply boreholes. The southern extent of the Kidderminster Town centre lies within the inner and outer protection zone of a public water supply borehole. The depth to water table across the area is variable, however many of the sites fall within the valley of the Stour where the water table is shallow. The area is therefore located in a sensitive hydrogeological setting and new development must put measures in place to protect the water environment.</u></p>	<p>recommended in our representation.</p>	

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<i>the water table is shallow. The area is therefore located in a sensitive hydrogeological setting and new development must put measures in place to protect the water environment.</i>					
<p><u>SALPP163</u></p> <p>We support the inclusion of this policy, particularly part 1(i) on the delivery and enhancement of the River Severn and River Stour Corridors.</p> <p>Similar corridors are also essential along the tributaries of the Severn and Stour. Smaller watercourses offer essential linkages through the landscape and are as important locally as the large Severn and Stour Corridors.</p> <p>A reference to blue infrastructure in the first paragraph for all water bodies, including the tributary corridors, in the District, would address this in working towards the Objectives of the Water Framework Directive.</p>	Policy SAL.UP3	Comments are noted and support is welcomed. Please see Minor Amendment for suggested change.	<p>SALMOD31 Proposed minor amendment to the policy as follows:</p> <p>Proposals should enhance and retain open space and of green/<u>blue</u> infrastructure or provide improved compensatory provision...</p>	Proposed amendment is in line with our representation.	Yes
<p><u>SALPP162</u></p> <p>We support the inclusion of criteria vi - to ensure appropriate drainage and flood risk mitigation can be provided. A reference to safe development after flood risk mitigation would further clarify the requirements:</p> <p>vi. That appropriate drainage and flood risk mitigation, including safe development requirements, are available for the lifetime of the development.</p>	Policy SAL.UP11	Comments are noted and support is welcomed. Please see Minor Amendment for suggested change.	<p>SALMOD45 Proposed minor amendment to the policy as follows:</p> <p>vi. That appropriate drainage and flood risk mitigation, <u>including</u></p>	Proposed amendment is as recommended in our representation.	Yes

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			<u>safe development requirements, are available for the lifetime of the development.</u>		
<p><u>SALPP161</u></p> <p>We support the reference to the floodplain within paragraph two and three in managing the location of chalets and acknowledging the more vulnerable nature of chalet type development</p> <p>For sites that are located within the floodplain, consideration should be given to relocating the caravan(s) to an area of lower flood risk and it must be demonstrated that the development can be made safe for the lifetime of the development.</p>	Policy SAL.UP12	Comments are noted and support is welcomed. Please see Minor Amendment for suggested change.	<p>SALMOD48</p> <p>Proposed minor amendment to the policy as follows: For sites that are located within the floodplain, consideration should be given to relocating the caravan(s) to an area of lower flood risk and it <u>must be demonstrated that the development can be made safe for the lifetime of the development.</u></p>	Proposed amendment is as recommended in our representation.	Yes
<p><u>SALPP165 / SALPP166 / SALPP165 / SALPP166 / SALPP167 / SALPP168 / SALPP169 / SALPP170 / SALPP171 / SALPP172 / SALPP173 / SALPP174 / SALPP175 / SALPP176 / SALPP177 / SALPP178</u></p>					

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<p>There is currently some inconsistency within the plan on how contaminated land has been picked up for each site, in terms of the wording used the policies it has included in. For consistency we would prefer the following wording to be used for the identified policies.</p> <p>- Ensure they incorporate appropriate remediation, building and drainage design in order to deal with any land contamination.</p>	<p>Policies: SAL.SK2 SAL.KSS1 SAL.STC1 SAL.STC2 SAL.STC3 SAL.STC4 SAL.EA1 SAL.EA2 SAL.EA3 SAL.EA4 SAL.EA5 SAL.WS1 SAL.B1 SAL.B2</p>	<p>Comments are noted. Please see Minor Amendment for suggested change.</p>	<p>SALMOD53 Proposed minor amendment to include the following wording with the various policies identified, as follows: - <u>Ensure they incorporate appropriate remediation, building and drainage design in order to deal with any land contamination.</u></p>	<p>Proposed amendments are as recommended in our representation.</p>	<p>Yes</p>
<p><u>SALPP190</u></p> <p>The Council's Water Cycle Strategy by Royal Haskoning identifies Blakedown Nurseries as requiring a major infrastructure upgrade, which could lead to significant time and cost implications. It is currently unclear how this has been assessed as part of the Development Plan Document (DPD), to support the phasing and delivery of the site.</p> <p>Paragraph 177 of the National Planning Policy Framework states that it is 'important to ensure that there is a</p>	<p>Policy SAL.RS1</p>	<p>Comments are noted. The site is considered to be deliverable as discussions have been held with the site owners and agents who have provided comments to indicate its deliverability.</p> <p>Furthermore, the site has</p>	<p>None proposed</p>	<p>The Environment Agency has now had the opportunity to review the Council's Infrastructure Plan.</p> <p>We have reviewed the environmental infrastructure sections of the Plan</p>	<p>Yes on the understanding that Severn Trent Water Ltd are satisfied with the detail of the plan.</p>

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<p>reasonable prospect that planned infrastructure is deliverable in a timely fashion. To facilitate this, it is important that local planning authorities understand district-wide development costs at the time Local Plans are drawn up.'</p> <p>The Infrastructure Delivery Plan should be finalised and published so that it can be viewed and commented on. It should be clear how the plan has been used to inform and support the policy, site allocations (Sequential Approach) and deliverability of the plan, providing transparency and a clear link to the evidence base.</p> <p>The Infrastructure Delivery Plan should address and update the environmental infrastructure constraints identified in the Wyre Forest District Water Cycle Strategy (WCS) Final Report, March 2010. When comparing the DPD with the WCS, a number of the more rural sites, including Blakedown Nurseries, is identified as requiring one or more major infrastructure upgrades (shown as red box in table 22A-D of the WCS and referred to in paragraph 5.71 of the adopted Core Strategy for phasing and implementation). The Infrastructure Delivery Plan should further clarify the infrastructure requirements and provide an update to support the phasing and delivery of sites within the DPD. Upon receipt of this document we would be able to comment further and update our position.</p>		<p>just received planning permission for 44 residential units, and this is now in the process of being implemented.</p> <p>Therefore, the timing and deliverability of the site can be fully justified. It should be noted that the Environment Agency were consulted on this application but did not provide comments as it did not fall within their 'consultation checklist'.</p>		<p>and acknowledge the detail provided to support the deliverability and phasing of development within the District.</p> <p>In particular the Waste water section of the Plan has acknowledged the constraints to existing wastewater treatment works identified within the Council's Water Cycle Strategy and provided further detail to clarify the deliverability of sites within the plan, including the site at Blakedown Nurseries. We understand that this work has been undertaken in consultation with</p>	

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				Severn Trent Water Limited and on this basis we have no further comments to make.	
<p><u>SALPP164</u></p> <p>The Councils Water Cycle Strategy by Royal Haskoning identifies land at Clows Top as requiring major infrastructure upgrades, which could lead to significant time and cost implications. It is currently unclear how this has been assessed as part of the Development Plan Document (DPD), to support the phasing and delivery of the site.</p> <p>Paragraph 17.8 of the Site Allocations and Policies DPD refers to redevelopment providing a suitable drainage solution to help alleviate known infrastructure issues within the village. It is unclear how this has been assessed as the Infrastructure Delivery Plan is not available for review and we understand that this document is still being undertaken by the Council to inform the evidence base.</p> <p>As the Infrastructure Delivery Plan is still being completed it is unclear whether the plan is the most appropriate strategy, when considered against reasonable alternatives, and whether the site is deliverable over its period i.e. environmental</p>	Policy SAL.RS2	<p>Comments are noted. Discussions with the landowners and agents of the site have helped to identify that the site is considered to be deliverable.</p> <p>In terms of the Water Constraints highlighted, it should be noted that Severn Trent Water have not raised any objection to this proposed allocation. Furthermore, improvements to the Rock Sewage Treatment Works to help accommodate this development have recently received planning permission (as of 2nd August 2012). The</p>	None proposed	<p>The Environment Agency has now had the opportunity to review the Council's Infrastructure Plan.</p> <p>We have reviewed the environmental infrastructure sections of the Plan and acknowledge the detail provided to support the deliverability and phasing of development within the District.</p> <p>In particular the Waste water section of the Plan has acknowledged the</p>	Yes on the understanding that Severn Trent Water Ltd are satisfied with the detail of the plan.

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<p>infrastructure requirements etc.</p> <p>When comparing the DPD with the WCS, a number of the more rural sites, including land at Clows Top, is identified as requiring one or more major infrastructure upgrades (shown as red box in table 22A-D of the WCS and referred to in paragraph 5.71 of the adopted Core Strategy for phasing and implementation).</p> <p>The Infrastructure Delivery Plan should further clarify the infrastructure requirements and provide an update to support the phasing and delivery of sites within the DPD. Upon receipt of this document we would be able to comment further and update our position.</p>		<p>Planning Statement accompanying this planning permission identified that: <i>"The solution identified for the Rectory Lane STW involves the abandonment of the existing undersized treatment streams and the development of an enlarged treatment works sized to take the flows from both existing sewerage catchments and the proposed residential housing development in Clows Top."</i></p> <p>Severn Trent Water has also provided the following response in relation to the works at Rock:</p> <p><i>"With respect to our plans for the Treatment Works at Rock, it is in the process of being completely rebuilt with completion in yr 4 of</i></p>		<p>constraints to existing wastewater treatment works identified within the Council's Water Cycle Strategy and provided further detail to clarify the deliverability of sites within the plan, including the site at Clows Top.</p> <p>We note that your Council have given the site a longer phasing period (2011-21) to reflect identified infrastructure constraints and planned upgrades to the Rock (Rectory Lane) wastewater treatment works.</p> <p>We understand that this work has been</p>	

APPENDIX 1 – WYRE FOREST DISTRICT SITE ALLOCATIONS AND POLICIES EXAMINATION IN PUBLIC
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		<p><i>this AMP period (April 2013-Mar 2014). The existing works shares a site with a separate sewage works that is owned and operated by Wyre Forest Community Housing. These two works are being combined into a single new Severn Trent facility that will also include some capacity for growth. This is a relatively small works serving a small community and should there be doubt as to whether the additional capacity is sufficient we will make sure capacity is provided under the obligations of the Water Industry Act."</i></p> <p>Therefore, the Council are satisfied that the site can come forward in a sustainable fashion. To help enable the redevelopment of the site</p>		<p>undertaken in consultation with Severn Trent Water Limited and on this basis we have no further comments to make.</p>	

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Environment Agency's Representation	Paragraph / Policy	Director of Economic Prosperity and Place Response	Resulting Minor Amendment to the Site Allocations and Policies?	Response from Environment Agency	Common Ground Established?
		<p>and being mindful of viability issues, the Council have included flexibility within the policy framework to allow market housing within this area to come forward, in order to help fund the drainage improvements that are required. This is an approach that has been welcomed by the land owners. The site is considered to be consistent with the Core Strategy and the development plan. The Council's IDP and Water Cycle Strategy both identify that there are concerns relating to drainage within this area and this has been reflected in the policy wording included in the plan and has been taken into account when setting the phasing period.</p>			

APPENDIX 2 – WYRE FOREST DISTRICT KIDDERMINSTER CENTRAL AREA ACTION PLAN EXAMINATION IN PUBLIC
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<p><u>KCAAP98</u></p> <p>Two of the documents listed are not available for review and we understand that they are still being undertaken by the Council to inform the evidence base.</p> <p>There appears to be no clear cross reference with the evidence base as the Sequential Testing (Flooding) document and Infrastructure Delivery Plan are still being completed. It is difficult to comment on the soundness of the plan as we have not seen the contents of these two key evidence base documents.</p> <p>As the Sequential Testing (Flooding) and Infrastructure Delivery Plan are still being completed it is unclear whether the plan is the most appropriate strategy, when considered against reasonable alternatives, and whether the plan is deliverable over its period i.e. flood risk, environmental infrastructure requirements etc.</p>	<p>All</p>	<p>Comments are noted. The Council have now finalised a District wide Infrastructure Delivery Plan which will prioritise infrastructure. This has been used to inform the preparation of the Plan. Furthermore, work has been undertaken in conjunction with the County Council in terms of infrastructure planning and these documents are available to view on the County Council's website. The sequential test has also been used to develop the plan; this document has helped to justify the site selection process. Both documents have been further updated to reflect conversations held with the Environment Agency. The documents have also been updated to utilise new information</p>	<p>N/a</p>	<p>The Environment Agency has now had the opportunity to review the Council's Infrastructure Plan and Sequential Testing (Flooding) document.</p> <p>We are satisfied that the Council's Sequential Testing (Flooding) document provides a detailed review of flood risk, utilising the work undertaken in their Level 2 Strategic Flood Risk Assessment, to demonstrate the Sequential Testing of sites. Where development has been identified as necessary within Flood Zone 2 and 3, consideration has</p>	<p>Yes</p>

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		<p>that has been provided since their first publication. These documents have been circulated to the Environment Agency for their comment.</p>		<p>been given to the Sequential Approach and flood risk vulnerability classification of development, in locating more vulnerable uses in areas of lower flood risk.</p> <p>We have reviewed the environmental infrastructure sections of the Infrastructure Plan and acknowledge the detail provided to support the deliverability of development within the District.</p> <p>In particular the Waste water section of the Plan has acknowledged the constraints to existing wastewater treatment works</p>	<p>Yes on the understanding that Severn Trent Water Ltd are satisfied with the detail of the plan.</p>

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Environment Agency's Representation	Paragraph / Policy	Director of Economic Prosperity and Place Response	Resulting Minor Amendment to the KCAAP?	Response from Environment Agency	Common Ground Established?
				identified within the Council's Water Cycle Strategy and provided further detail to clarify the deliverability of sites within the plan. We understand that this further work has been undertaken in consultation with Severn Trent Water Limited and on this basis we have no further comments to make.	
<p><u>KCAAP110</u></p> <p>We support the inclusion of Objectives number 6, 7, 8 and 9, in protecting and enhancing the water environment. However we would recommend amended wording for objective number 9 on flood risk and water management.</p> <p>Recommended wording:</p> <p>"9. Improve the resilience of Kidderminster by reducing and managing flood risk and taking account of the impacts of climate change by ensuring good water management".</p>	Paragraph 2.16	Comments are noted and support is welcomed. Please see Minor Amendment for suggested change.	<p>KCAPMOD03 Replace Objective 9 with the following:</p> <p>9. <u>Improve the resilience of Kidderminster by reducing and managing flood risk and taking account of the impacts of climate change by ensuring good water</u></p>	Proposed amendment is as recommended in our representation.	Yes

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Environment Agency's Representation	Paragraph / Policy	Director of Economic Prosperity and Place Response	Resulting Minor Amendment to the KCAAP?	Response from Environment Agency	Common Ground Established?
			<u>management.</u>		
<p><u>KCAAP96</u></p> <p>We support the inclusion of paragraph 5.44 in considering the environment setting of the industrial sites identified within policy KCA.GPB5. However we would recommend some additional wording in considering the justification for this statement as follows:</p> <p><i>"Any new industrial development will need to consider the potential impact on ground water protection in the area.</i></p> <p>Types of activities, drainage and building design should be in line with the Environment Agency's Groundwater Protection Policy and Practice Guidance. Tighter controls are likely to be required in line with this guidance, as the sites overlie a principal aquifer with a relatively shallow water table. The aquifer is of regional strategic importance in terms of water supply and the sites fall within close proximity (Inner, Outer and Total Source Protection Zone) of a public water supply source."</p>	Paragraph 5.44	Comments are noted and support is welcomed. Please see Minor Amendment for suggested change.	<p>KCAPMOD10</p> <p>Include additional wording in paragraph 5.44 as follows:</p> <p><i>"Any new industrial development will need to consider the potential impact on ground water protection in the area. <u>Types of activities, drainage and building design</u> should be in line with the Environment Agency's Groundwater Protection Policy and Practice Guidance. <u>Tighter controls are likely to be required in line with this guidance, as the sites overlie a principal aquifer with a relatively shallow water table. The aquifer is of regional strategic importance in</u></i></p>	<p>Proposed amendment is as recommended in our representation.</p> <p>Our GP3 Guidance was updated in November 2012. We would recommend the title reference is changed to reflect the new document as follows:</p> <p>'...Environment Agency's Groundwater Protection: Principles and Practice guidance'.</p>	Yes

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			<i>terms of water supply and the sites fall within close proximity (Inner, Outer and Total Source Protection Zone) of a public water supply source."</i>		
<p><u>KCAAP97</u></p> <p>We acknowledge the aspirations of the Council to regeneration the KCAAP area with mixed use development. However, a flood risk policy is considered necessary for the following reasons:</p> <ul style="list-style-type: none"> -The majority of the KCAAP area lies within an area at risk of flooding from the River Stour. - Although flood risk within the area has been reduced by the Kidderminster Flood Alleviation Scheme (FAS), should the FAS be breached or its design capacity exceeded then the flood hazard is likely to be significant, due to the low lying nature of the town and the proximity of parts of the KCAAP area (proposed allocations) to the FAS reservoir area. The Level 2 Strategic Flood Risk Assessment (SFRA) by Royal Haskoning (dated February 2010) undertook breach and overtopping scenarios to confirm the above. The report (section 7, page 53) concluded 'it is essential that this residual risk is appreciated and sufficiently mitigated against...' - The Water Management Policy (CP02) in the Council's adopted Core Strategy includes a general flood risk policy 	Paragraph 6.4	Comments are noted. A meeting has been held with the Environment Agency to discuss the inclusion of a flood risk policy within the KCAAP area. The proposed policy and reasoned justification is included at Appendix 1 to this statement.	<p>KCAPMOD16</p> <p>Please see Appendix 1 for further information in regard to this particular representation.</p>	<p>We are satisfied that the Council's proposed flood risk policy and accompanying reasoned justification provided in Appendix 1 for inclusion within the KCAAP is suitable to mitigate and manage flood risk in the Kidderminster town centre area. The proposed policy addresses our representation.</p> <p>We also welcome the agreement of the Council to develop a Flood Risk Developer</p>	Yes

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<p>for the District area. It does not address the specific flood risk (identified above) for the KCAAP area.</p> <p>The policy should be relevant to the KCAAP area and address:</p> <ul style="list-style-type: none"> - safe development (design and layout) requirements to mitigate for actual and residual risk from the towns flood defences and reservoir overtopping or failing; -the importance of adequate emergency planning to cater for new development, particularly higher flood risk uses; -opportunities offered through new development to manage and reduce flood risk i.e. through provision or maintenance/improvement of flood risk management structures (some of these measures would need to be delivered strategically, working with other partners and development sites); -the amount of surface water run-off from the town centre/opportunities for retro fitting SuDS (we understand that a Surface Water Management Plan is in progress for the Wyre Forest District, being undertaken by the Lead Local Flood Authority, that could link into this policy). <p>We would be happy to meet with your Council to assist with the specific wording of a flood risk policy.</p>				<p>Guidance Note for the Kidderminster town centre area, to assist developers in meeting the policy requirement.</p>	
<p><u>KCAAP99</u></p> <p>We support the inclusion of a paragraph on contaminated land. However, we would recommend it is</p>	<p>Paragraph 6.6</p>	<p>Comments are noted and support is welcomed.</p>	<p>KCAPMOD17 Include additional</p>	<p>Proposed amendment is as</p>	<p>Yes</p>

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<p>reworded as follows, in fully explaining its context and importance in relation to the District:</p> <p>Paragraph 6.6:- The former industrial nature of parts of the town centre means that there is high potential for contamination issues to arise. Disturbance of any such contamination during re-development can mobilise pollutants and adversely impact on the groundwater and the wider water environment including the rivers, canals and wetlands. The KCAAP area overlies a principal aquifer which is of strategic importance for water supply and the area falls within the Source Protection Zone of a public water supply borehole. The water table is relatively shallow, particularly within the Stour valley. It is therefore essential that ground and water contamination must be addressed as part of any redevelopment and suitable remediation measures taken. Part B of this document identifies sites where this risk is known to be particularly apparent; however a desk study will be required for most sites to assess this potential . New development should be in line with the Environment Agency's Groundwater Protection Policy and Practice Guidance (GP3).</p>		<p>Please see Minor Amendment for suggested change.</p>	<p>wording in paragraph 6.6 as follows: The former industrial nature of parts of the town centre means that there is high potential for contamination issues to <u>arise. Disturbance of any such contamination during redevelopment can mobilise pollutants and adversely impact on the groundwater and the wider water environment including the rivers, canals and wetlands. The KCAAP area overlies a principal aquifer which is of strategic importance for water supply and the area falls within the Source Protection Zone of a public water supply borehole. The water table is relatively shallow, particularly</u></p>	<p>recommended in our representation.</p> <p>Our GP3 Guidance was updated in November 2012. We would recommend the title reference is changed to reflect the new document as follows:</p> <p>‘...Environment Agency’s Groundwater Protection: Principles and Practice guidance’.</p>	

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			<p><u>within the Stour valley. It is therefore essential that where appropriate ground and water contamination must be addressed as part of any redevelopment and suitable remediation measures taken.</u></p> <p>Part B of this document identifies sites where this risk is known to be particularly apparent; <u>however a desk study will be required for most sites to assess this potential.</u> New development should be in line with the Environment Agency's Groundwater Protection Policy and Practice Guidance (GP3).</p>		
<p><u>KCAAP106</u></p> <p>We support the inclusion of core design principle (I) relating to blue and green infrastructure of the town</p>	<p>Policy KCA.UP1</p>	<p>Comments are noted and support is welcomed.</p>	<p>KCAPMOD18 Include additional</p>	<p>Proposed policy amendment is as</p>	<p>Yes</p>

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<p>centre, in particular the River Stour. We would suggest a minor change to the wording:</p> <p>The word enhance could be added i.e. 'respect and enhance the blue and green infrastructure of the town centre...'</p>		Please see Minor Amendment for suggested change.	<p>wording in Policy UP1 as follows:</p> <p>'respect <u>and enhance</u> the blue and green infrastructure of the town centre...'</p>	recommended in our representation.	
<p><u>KCAAP107</u></p> <p>We support the inclusion of part g. of this policy for new and/or improved public streets and spaces to incorporate SuDS to improve surface water drainage. Carefully designed SuDS can improve water quality and biodiversity in addition to managing and improving surface water run-off, in line with the objectives of the Water Framework Directive.</p>	Policy KCA.UP2	Comments are noted and support is welcomed.	N/a	N/a	Yes
<p><u>KCAAP108</u></p> <p>We support the reference to enhancing the canal's role as part of the green infrastructure and biodiversity network in point viii. However, we would recommend that this point also includes a reference to the canal's water environment, in ensuring that new development contributes to the objectives of the Water Framework Directive.</p> <p>Recommended wording: "viii. Where appropriate, enhance the canal's water environment and role as part of the green infrastructure</p>	Policy KCA.UP5	Comments are noted and support is welcomed. Please see Minor Amendment for suggested change.	<p>KCAPMOD23 Include additional wording in Policy UP5 as follows:</p> <p>viii. Where appropriate, enhance the canal's <u>water environment and</u> role as part of the green infrastructure and</p>	<p>Proposed policy amendment is as recommended in our representation.</p> <p>Suggested paragraph for reasoned justification has not been included, but was provided to support the</p>	Yes

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and biodiversity network."			biodiversity network."	proposed policy amendment.	
<p><u>KCAAP109</u></p> <p>We support the inclusion of a policy on the River Stour. However, we would suggest the following changes to the wording in strengthening the policy: New developments adjacent to the River Stour should contribute to the improvement of the water environment by :</p> <p>i. Providing a positive relationship to the water's edge.</p> <p>ii. Making on-site improvements to the green infrastructure links.</p> <p>iii. Enhancing the biodiversity value of the river and riverside areas as part of a wildlife corridor.</p> <p>iv. Improving the morphology of modified sections of the river, where appropriate, to recreate more natural conditions and better habitat (i.e. de-culverting, re profiling and buffer strips).</p> <p>v. Putting in place measures to protect and improve water quality (including groundwater).</p> <p>vi. Providing flood risk betterment where practical.</p>	Policy KCA.UP6	Comments are noted and support is welcomed. Please see Minor Amendment for suggested change.	<p>KCAPMOD25 Include additional wording in Policy UP6 as follows:</p> <p>New developments adjacent to the River Stour <u>should contribute to the improvement of the water environment by:</u></p> <p>i. <u>Providing</u> a positive relationship to the water's edge.</p> <p>ii. <u>Making</u> on-site improvements to the green infrastructure links.</p> <p>iii. <u>Enhancing</u> the biodiversity value of the river and riverside</p>	Proposed amendments are as recommended in our representation.	Yes

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<p>vii. Providing opportunities for promenading and interaction with the environment of the River Stour.</p>			<p>areas as part of a wildlife corridor.</p> <p><u>iv. Improving the morphology of modified sections of the river, where appropriate, to recreate more natural conditions and better habitat (i.e. de-culverting, re-profiling and buffer strips).</u></p> <p><u>v. Putting in place measures to protect and improve water quality (including groundwater).</u></p> <p><u>vi. Providing flood risk betterment where practical.</u></p> <p>vii. Providing opportunities for promenading and interaction with the environment of the River Stour.</p>		

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			<p>Added Reasoned Justification:</p> <p><u>The River Stour is currently classified as poor ecological status and failing good chemical status, as reported in the Severn River Basin Management Plan. Two of the objectives of the Water Framework Directive (WFD) are: to prevent deterioration in the status of aquatic ecosystems, protect them and improve the ecological condition of waters; and to achieve at least good status for all waters by 2015. Where this is not possible, and subject to the criteria set out in the Directive, aim to achieve good status by 2021 or 2027. New</u></p>		

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			<u>development should contribute towards improving the River Stour to assist the UK in meeting its objectives of the WFD.</u>		
<p><u>KCAAP100</u></p> <p>The Sequential Testing (Flooding) report should be finalised and published so that it can be viewed and commented on. It should be clear how the report has been used to inform and support the policy, site allocations (Sequential Approach) and deliverability of the plan, providing transparency and a clear link to the evidence base. The flood risk sequential approach must be fully utilised in selecting sites for development and the appropriate type of development in considering flood risk vulnerability. Upon receipt of this document we would be able to comment further and update our position.</p> <p>Subject to the above, the inclusion of policy wording on flood risk should be detailed within policy KCA.Ch7, and/or the site boundary altered, so that it is clear that only a small area of the site is likely to be developable. In relation to contaminated land and the environmental constraints associated with this site, as a minimum the following policy wording is recommended for KCA.Ch7:</p> <p>'New development should demonstrate appropriate</p>	<p>Policy KCA.Ch7</p>	<p>The sequential test has been used to develop the plan; this document has helped to justify the site selection process.</p> <p>The Sequential Test has been circulated to the Environment Agency for their comment.</p> <p>Please see Minor Amendment for suggested change.</p>	<p>KCAPMOD33 Include the additional wording in Policy KCA.Ch7, as follows:</p> <p><u>'New development should demonstrate appropriate remediation, building and drainage design in order to deal with any contaminated land and to protect the water environment.'</u></p>	<p>Flood Risk: We acknowledge that the site has been Sequentially tested and the eastern part of the site has been identified by your Council for development as the area of lowest flood risk.</p> <p>In light of the above, we would recommend another sentence is added to paragraph 9.42 on flood risk with regards to the developable area of the site as follows:</p>	<p>Yes</p>

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<p>remediation, building and drainage design in order to deal with any contaminated land and to protect the water environment.'</p>				<p>'A site specific FRA will further define the developable area of the site'.</p> <p>Water Environment: The proposed additional wording is as recommended in our representation.</p>	
<p><u>KCAAP101</u></p> <p>The location and industrial history of the area means that there is a high potential for ground/water contamination issues that will need to be considered and addressed. We welcome the reference to this in paragraph 12.4. There is a typo in the last sentence of paragraph 12.4 which refers to our G3 guidance - this should be GP3. We welcome the reference to this document.</p> <p>Notwithstanding the above, there is currently limited reference to the areas sensitive hydrogeological setting. There are likely to be restrictions for new development on the drainage, building designs (foundations) and land uses. The level of desk study, and if necessary, site investigation and remediation will be high. We would recommend that wording is added to policy KCA.CW1 as follows:</p>	<p>Policy KCA.CW1</p>	<p>Comments are noted. Please see Minor Amendment for suggested change.</p>	<p>KCAPMOD43 Include an additional paragraph in the policy, as follows:</p> <p><u>x. Take full account of the Groundwater Source Protection Zone that exists within this area, in safeguarding groundwater supply.</u></p> <p>Added Reasoned Justification:</p> <p><u>The site sits on a</u></p>	<p>Proposed amendment is as recommended in our representation.</p> <p>Our GP3 Guidance was updated in November 2012. We would recommend the title reference is changed to reflect the new document as follows:</p> <p>'...Environment Agency's Groundwater</p>	<p>Yes</p>

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<p>x. Take full account of the Groundwater Source Protection Zone that exists within this area, in safeguarding groundwater supply.</p> <p>Reasoned Justification</p> <p>The site sits on a Groundwater Source Protection Area (SPZ1 and 2). SPZ1 is the inner zone and is highly sensitive to land use / contamination. Therefore the type of development and activities that can take place within this zone need to have full regard to the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document. In addition to control of land use, drainage and building design (i.e. foundations), tight control of the investigation and remediation of any land contamination issues would also be required within this location.</p>			<p><u>Groundwater Source Protection Area (SPZ1 and 2). SPZ1 is the inner zone and is highly sensitive to land use / contamination. Therefore the type of development and activities that can take place within this zone need to have full regard to the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document. In addition to control of land use, drainage and building design (i.e. foundations), tight control of the investigation and remediation of any land contamination issues would also be required within this location.</u></p>	<p>Protection: Principles and Practice guidance'.</p>	

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<p><u>KCAAP102</u></p> <p>We support the inclusion of paragraph 15.4, acknowledging the area's industrial history and the high potential for ground/water contamination issues. In light of this, we would recommend the inclusion of a reference within the policy wording as follows:</p> <p>'New development should incorporate appropriate remediation, building and drainage design in order to deal with any contaminated land and to protect the water environment.'</p> <p>There is a typo in the last sentence of paragraph 15.4 which refers to our G3 guidance - this should be GP3. We welcome the reference to this document</p>	Policy KCA.HP1	Comments are noted and support is welcomed. Please see Minor Amendment for suggested change.	<p>KCAPMOD45 Include additional wording in Policy HP1 as follows:</p> <p><u>New development should incorporate appropriate remediation, building and drainage design in order to deal with any contaminated land and to protect the water environment.</u></p>	Proposed amendment is as recommended in our representation.	Yes
<p><u>KCAAP103</u></p> <p>We support the inclusion of point ii of policy KCA.HP2 and paragraph 15.13 for new development to contribute to the improvement of the riverside environment and enhancement of the green infrastructure.</p> <p>We acknowledge that the policy looks to retain the existing building frontage. There is an extension structure, which does not appear to be in keeping with the adjacent façade, built over the bank of the River Stour on the site. We would wish to see this structure removed and any new development to be set further back from the bank of the River Stour, in line with policy KCA.UP6</p>	Policy KCA.HP2	Comments are noted. It is the ambition of the policy only to retain the facade of the building and it is agreed that the extensions to the rear should be removed as part of any redevelopment.	None proposed.	We accept that the intention of the policy, to improve the riverside environment, includes setting the development back from the bank of the River Stour and this is further supported by the proposed amendments to the	Yes

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Environment Agency's Representation	Paragraph / Policy	Director of Economic Prosperity and Place Response	Resulting Minor Amendment to the KCAAP?	Response from Environment Agency	Common Ground Established?
(River Stour). We would welcome the inclusion of a specific reference to the above in paragraph 15.13.				River Stour policy (KCA.UP6).	
<p><u>KCAAP104</u></p> <p>We fully support the inclusion of point vi. in this policy, for any redevelopment of the site to take full account of the groundwater Source Protection Zone, and welcome the explanation provided in paragraph 15.18 of the reasoned justification, in safeguarding the water environment. We would suggest minor additions to the wording as follows (shown in bold), in providing further clarification:</p> <p>Policy: vi. Take full account of the Groundwater Source Protection Zone that exists within this area, in safeguarding groundwater supply.</p> <p>Paragraph 15.18: In addition to control of land use, drainage and building design (i.e. foundations), tight control of the investigation...</p>	Policy KCA.HP3	Comments are noted and support is welcomed. Please see Minor Amendment for suggested change.	<p>KCAPMOD47 Include additional wording in Policy HP3 as follows:</p> <p>vi. Take full account of the Groundwater Source Protection Zone that exists within this area, in <u>safeguarding groundwater supply.</u></p> <p>Include additional wording at Paragraph 15.18:</p> <p>In addition to control of land use, <u>drainage and building design (i.e. foundations)</u>, tight control of the investigation and remediation of any land contamination issues would also be</p>	<p>Proposed amendment is as recommended in our representation.</p> <p>Our GP3 Guidance was updated in November 2012. We would recommend the title reference is changed to reflect the new document as follows:</p> <p>'...Environment Agency's Groundwater Protection: Principles and Practice guidance'.</p>	Yes

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Environment Agency's Representation	Paragraph / Policy	Director of Economic Prosperity and Place Response	Resulting Minor Amendment to the KCAAP?	Response from Environment Agency	Common Ground Established?
			required within this location.		
<p><u>KCAAP105</u></p> <p>The Bus Depot site is located within a similar environmental setting to the Green Street Depot site (policy KCA.HP3). These sites are located in very close proximity to a public water supply pumping station, within the inner Source Protection Zone and are therefore located in an extremely sensitive location. The above matter is covered within the policy for Green Street Depot but not for the Bus Depot site. Therefore we would recommend that similar wording is added to policy KCA.HP4 as follows:</p> <p>Policy:</p> <p><i>iv . Take full account of the Groundwater Source Protection Zone that exists within this area, in safeguarding groundwater supply.</i></p> <p>Reasoned Justification:</p> <p><i>The site sits on a Groundwater Source Protection Area (SPZ1 and 2). SPZ1 is the inner zone and is highly sensitive to land use / contamination. Therefore the type of development and activities that can take place within this zone need to have full regard to the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document. In addition to control of land use, drainage and building design (i.e. foundations), tight</i></p>	<p>Policy KCA.HP4</p>	<p>Comments are noted. Please see Minor Amendment for suggested change.</p>	<p>Include an additional paragraph in the policy, as follows:</p> <p><u>x. Take full account of the Groundwater Source Protection Zone that exists within this area, in safeguarding groundwater supply.</u></p> <p>Added Reasoned Justification:</p> <p><u>The site sits on a Groundwater Source Protection Area (SPZ1 and 2). SPZ1 is the inner zone and is highly sensitive to land use / contamination. Therefore the type of development and activities that can take place within this zone</u></p>	<p>Proposed amendment is as recommended in our representation.</p> <p>Our GP3 Guidance was updated in November 2012. We would recommend the title reference is changed to reflect the new document as follows:</p> <p>'...Environment Agency's Groundwater Protection: Principles and Practice guidance'.</p>	<p>Yes</p>

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Environment Agency's Representation	Paragraph / Policy	Director of Economic Prosperity and Place Response	Resulting Minor Amendment to the KCAAP?	Response from Environment Agency	Common Ground Established?
<p><i>control of the investigation and remediation of any land contamination issues would also be required within this location.</i></p>			<p><u>need to have full regard to the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document. In addition to control of land use, drainage and building design (i.e. foundations), tight control of the investigation and remediation of any land contamination issues would also be required within this location.</u></p>		

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Draft Flood Risk Policy for inclusion within the Kidderminster Central Area Action Plan

Replace sections 6.4, 6.5 and 6.6 with the following:

Water Management

Flood Risk is an important issue that affects the central area of Kidderminster. The Level 2 Strategic Flood Risk Assessment, undertaken by Royal Haskoning, identified that although the flood risk within the central area of Kidderminster has been reduced by the Kidderminster Flood Alleviation Scheme (FAS), should the FAS be breached or its design capacity exceeded then the flood hazard to the town is likely to be significant, due to the low lying nature of the town. In order to understand this risk further the Level 2 SFRA undertook an assessment of potential breaches and overtopping of the FAS and concluded that this needs to be factored into decision making when considering the future development of the central area of Kidderminster. It is therefore considered important that a targeted flood risk policy is included within the Area Action Plan to help guide future development decisions.

New Policy – Water Management

All development that is considered to be at risk of flooding should demonstrate that it is safe by ensuring that:

- ***Floor levels are situated above the 1% predicted plus climate change design flood level, incorporating an allowance for freeboard. Development should also consider in the design the risk from more extreme events. In certain instances where it is not feasible or practicable to set the floor levels then other forms of flood resilience and resistance techniques may be considered as a suitable alternative;***
- ***All development that includes overnight accommodation or an educational institution demonstrates a safe pedestrian access route is available during a 1% plus climate change design flood event, with regard to hazard risk assessment. In considering this regard should be given to the evidence in the Level 2 SFRA, including breach scenarios. All other development should clarify available access and appropriate mitigation as part of a flood management plan;***
- ***Developments assess the availability of safe vehicular access ; during a flood event, its necessity for the development type and appropriate mitigation as part of a flood management plan;***
- ***Developments implement a flood management plan to manage the risk to the development itself and future users/occupiers during all flood events along with any remaining residual risks.***
- ***Developments are avoided within areas subject to Rapid Inundation from a dam breach as identified by the Level 2 SFRA***
- ***SUDS are included in all developments and are appropriate to the sensitive hydrological setting of Kidderminster;***
- ***Developments have regard to, and are in conformity with, the emerging Local Flood Risk Management Plan being prepared by Worcestershire County Council***

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Reasoned Justification

This policy should be read in conjunction with Core Strategy Policy CP02, Site Allocations and Policies Policy Sal.CC7 and Kidderminster Central Area Action Plan Policy KCA.UP6.

Kidderminster town centre is affected by flood risk. The town is protected by a flood alleviation scheme (FAS) located upstream of the town centre, which consists of an earth dam and a concrete culvert which help form a flood storage area. However, the residual risk associated with any failure of this scheme needs to be understood and factored in to new development decisions. This policy, therefore, provides criteria for developers to consider when proposing development within areas identified as being at risk of flooding within the KCAAP area.

The policy identifies the need for development proposed within flood risk areas to take account of a number of measures to ensure that the development is safe, and remains safe, in times of flood. This includes building protection, such as setting appropriate floor levels, providing flood resilience and resistance techniques, as well as ensuring that there is access and a flood management plan for people using these sites.

The policy requires developers to provide a flood management plan so that information is available for the users / occupiers of a proposed development to ensure that they are aware of appropriate procedure in times of flood.

When producing a Flood Management Plan for any development, the following information should be included:

- An identification of likely flood risk areas and sources
- Details of evacuation routes
- Important contacts, including floodline, emergency services, local authority information
- Basic strategies for protecting property and assisting recovery
- Details of key service cut off points (Electricity / Gas / Water)

Further information on producing a flood management plan can be found on the Environment Agency's website (<http://www.environment-agency.gov.uk/homeandleisure/floods/default.aspx>). Furthermore, in order to assist Developers in considering flood risk within Kidderminster the Environment agency and Wyre Forest District Council are proposing to produce a developer guidance note. This will include information on flood risk within the area and a pro-forma to assist Developers in producing a Flood Risk Assessment that meets the policy requirements. The guidance note will be based primarily on the information within the Level 2 Strategic Flood Risk Assessment, which should be considered in the first instance when looking at developing within the central area.

Many of the potential redevelopment sites identified in Part B of this document are adjacent to or within flood zones 2 and 3 as identified by the Level 2 Strategic Flood Risk Assessment. Therefore, the issue of flood risk is particularly pertinent in the KCAAP area and new development must consider the location of more vulnerable uses (e.g. housing) within the lowest risk areas.

In addition to flood risk, the former industrial nature of parts of the town centre means that there is high potential for contamination issues to arise. Where appropriate, ground and water contamination must be addressed as part of any redevelopment and suitable

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remediation measures taken. Part B of this document identifies sites where the risk is known to be particularly apparent and new development should be in line with the Environment Agency's Groundwater Protection Principles and Practice Guidance. The nature of the ground conditions and hydrogeological setting does not remove the requirement for SuDS. However developers will need to give careful consideration to the type of SuDS techniques used and their design in protecting the water environment.