

Economy Reg 19

Submitted by: Anonymous user

Submitted time: 29 Jul 2024, 13:55:15

Name/Organisation

Environment Agency

Email Address

[REDACTED]

What type of respondent are you?

Statutory consultee (excluding Councillors and Parishes)

2. What Economy policy you are commenting on

EA1 - Employment Allocation: Land to the east of Pan Lane, Newport

3. Does your comment relate to a specific paragraph(s)? if yes which paragraph does this relate to?

NA

4. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be legally compliant?

Yes

5. Please give details to support your answer to question 4

- **Yes_consistent_with_national_po**

6. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be sound?

Yes - consistent with national policy

8. What modifications do you think are needed to make the Island Planning Strategy legally compliant and/or sound?

We are pleased to see that our previous comments in relation to this policy and its supporting text have been taken into account. We support the addition of bullet points f and g which not only require a site specific flood risk assessment to explore betterment for downstream communities but also requires maintaining a suitable buffer zone to the river. We also welcome the addition of paragraph 8.12 in the supporting text requiring a sequential approach to be taken.

9. Do you have any comments on the policies map?

No

11. Do you wish to request to appear at the hearing sessions that will take place?

No

12. Please outline why you would like to attend?

NA

Environment Reg 19

Submitted by: Anonymous user

Submitted time: 29 Jul 2024, 12:25:57

Name/Organisation

Environment Agency

Email Address

[REDACTED]

1. What type of respondent are you?

Statutory consultee (excluding Councillors and Parishes)

2. What Environment policy you are commenting on

EV2 - Ecological Assets and Opportunities for Enhancement

3. Does your comment relate to a specific paragraph(s)? if yes which paragraph does this relate to?

No

4. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be legally compliant?

Yes

5. Please give details to support your answer to question 4

- **Yes_consistent_with_national_po**

6. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be sound?

Yes - positively prepared

8. What modifications do you think are needed to make the Island Planning Strategy legally compliant and/or sound?

We support the inclusion of this policy within the plan. We are pleased to see the incorporation of the principle of net gain for biodiversity. We are also pleased to see the recognition of the importance of not just the designated sites themselves but also the importance of the habitats and features outside of the sites that make a significant contribution to their biodiversity and the links between them. We are also very supportive of the recognition of the importance of appropriate buffer zones along with their security for the lifetime of development to prevent encroachment into important river corridors.

9. Do you have any comments on the policies map?

No

11. Do you wish to request to appear at the hearing sessions that will take place?

No

12. Please outline why you would like to attend?

N/A

Environment Reg 19

Submitted by: Anonymous user

Submitted time: 29 Jul 2024, 12:29:25

Name/Organisation

Environment Agency

Email Address

[REDACTED]

1. What type of respondent are you?

Statutory consultee (excluding Councillors and Parishes)

2. What Environment policy you are commenting on

EV4 - Water Quality Impact on Solent Marine Sites (Nitrates)

3. Does your comment relate to a specific paragraph(s)? if yes which paragraph does this relate to?

No

4. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be legally compliant?

Yes

5. Please give details to support your answer to question 4

- **Yes_consistent_with_national_po**

6. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be sound?

Yes - consistent with national policy

8. What modifications do you think are needed to make the Island Planning Strategy legally compliant and/or sound?

We are pleased to see that our previous comments in relation to this policy and its supporting text have been taken into account. We support the addition of paragraph 4.50 which makes it clear that we have a presumption against private sewage treatment plants in sewered areas and will always seek connection to the mains sewer where possible and practicable. An Environmental permit from the Environment Agency maybe required and nitrate neutrality is not a justification for gaining a permit.

9. Do you have any comments on the policies map?

No

11. Do you wish to request to appear at the hearing sessions that will take place?

No

12. Please outline why you would like to attend?

N/A

Environment Reg 19

Submitted by: Anonymous user

Submitted time: 29 Jul 2024, 12:32:44

Name/Organisation

Environment Agency

Email Address

[REDACTED]

1. What type of respondent are you?

Statutory consultee (excluding Councillors and Parishes)

2. What Environment policy you are commenting on

EV13 - Managing our Water Resources

3. Does your comment relate to a specific paragraph(s)? if yes which paragraph does this relate to?

N/A

4. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be legally compliant?

Yes

5. Please give details to support your answer to question 4

- **Yes_consistent_with_national_po**

6. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be sound?

Yes - consistent with national policy

8. What modifications do you think are needed to make the Island Planning Strategy legally compliant and/or sound?

We are supportive of the inclusion of this policy in the plan. It recognises and requires many of the key issues relating to the water environment that we would want development to take account of. We particularly support the inclusion of the implementation of measures to restrict predicted internal potable water consumption to 100 litres per person per day. As noted in the supporting text this will help the Island move towards its aspiration of self-sufficiency and looking at it holistically, if less water is used then it also reduces the amount of foul water needing to be treated at waste water works.

We are also pleased to see the requirements to ensure no negative impact upon the Island's rivers and aquifers as well as the promotion of enhancement. We support the change of the word 'relevant' to 'possible' as suggested in our Regulation 18 response.

9. Do you have any comments on the policies map?

No

11. Do you wish to request to appear at the hearing sessions that will take place?

No

12. Please outline why you would like to attend?

N/A

Environment Reg 19

Submitted by: Anonymous user

Submitted time: 29 Jul 2024, 12:34:31

Name/Organisation

Environment Agency

Email Address

[REDACTED]

1. What type of respondent are you?

Statutory consultee (excluding Councillors and Parishes)

2. What Environment policy you are commenting on

EV14 - Managing Flood Risk in New Development

3. Does your comment relate to a specific paragraph(s)? if yes which paragraph does this relate to?

N/A

4. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be legally compliant?

Yes

5. Please give details to support your answer to question 4

- **Yes_consistent_with_national_po**

6. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be sound?

Yes - consistent with national policy

8. What modifications do you think are needed to make the Island Planning Strategy legally compliant and/or sound?

We support the inclusion of this policy in the plan and feel it is a key aspect in ensuring that development on the Island can be delivered safely in terms of flood risk.

It should be noted that para 4.110 of the supporting text provides a definition of 'safe' (in terms of flood risk) which we support, but consideration should be given as to whether the site allocations being put forward in the IPS can meet this definition of safe and therefore whether the Plan is compliant with its own policy requirements. Please see our site-specific comments for further detail regarding this point.

9. Do you have any comments on the policies map?

No

11. Do you wish to request to appear at the hearing sessions that will take place?

No

12. Please outline why you would like to attend?

N/A

Environment Reg 19

Submitted by: Anonymous user

Submitted time: 29 Jul 2024, 12:36:31

Name/Organisation

Environment Agency

Email Address

[REDACTED]

1. What type of respondent are you?

Statutory consultee (excluding Councillors and Parishes)

2. What Environment policy you are commenting on

EV18 - Improving Resilience to Coastal Flooding and Coastal Risks

3. Does your comment relate to a specific paragraph(s)? if yes which paragraph does this relate to?

N/A

4. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be legally compliant?

Yes

5. Please give details to support your answer to question 4

- **Yes_consistent_with_national_po**

6. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be sound?

Yes - consistent with national policy

8. What modifications do you think are needed to make the Island Planning Strategy legally compliant and/or sound?

We are supportive of the inclusion and wording of this policy, which is critical to the delivery of the necessary future coastal defence improvements on the Island

9. Do you have any comments on the policies map?

No

11. Do you wish to request to appear at the hearing sessions that will take place?

No

12. Please outline why you would like to attend?

N/A

Growth Reg 19

Submitted by: Anonymous user

Submitted time: 29 Jul 2024, 12:39:59

Name/Organisation

Environment Agency

Email Address

[REDACTED]

1. What type of respondent are you?

Statutory consultee (excluding Councillors and Parishes)

2. What Community policy you are commenting on

G3 - Developer Contributions

3. Does your comment relate to a specific paragraph(s)? if yes which paragraph does this relate to?

N/A

4. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be legally compliant?

Yes

5. Please give details to support your answer to question 4

- **Yes_consistent_with_national_po**

6. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be sound?

Yes - consistent with national policy

8. What modifications do you think are needed to make the Island Planning Strategy legally compliant and/or sound?

We support the inclusion of bullet (f) 'Coastal and flood risk reduction, water management'. This provides a framework that will ensure any infrastructure required to guarantee development can be made safe from flood risk, will be provided or contributed to.

9. Do you have any comments on the policies map?

No

11. Do you wish to request to appear at the hearing sessions that will take place?

No

12. Please outline why you would like to attend?

N/A

Housing Reg 19

Submitted by: Anonymous user

Submitted time: 29 Jul 2024, 13:49:25

Name/Organisation

Environment Agency

Email Address

[REDACTED]

1. What type of respondent are you?

Statutory consultee (excluding Councillors and Parishes)

2. What Housing policy you are commenting on

H2 - Sites Allocated for Housing

3. Does your comment relate to a specific paragraph(s)? if yes which paragraph does this relate to?

NA

4. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be legally compliant?

No

5. Please give details to support your answer to question 4

- **No_not_consistent_with_National**

6. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be sound?

No

7. If no to question six is this because?

- **Not consistent with national policy**

8. What modifications do you think are needed to make the Island Planning Strategy legally compliant and/or sound?

The IPS refers to the Level 2 SFRA Detailed Site Summary Tables for the flood risk management requirements for each site.

1. In some instances, the Site Summary Sheets do not provide a clear, accurate and robust assessment of flood risk. As stated in our comments provided in 2021, this does not provide the necessary understanding of the flood risks to all of the proposed housing allocations or enable the identification or feasibility of appropriate mitigation to be determined.

2. Related to the comment above, and also previously raised, is the approach to assessing the impact of climate change. The proportion of the sites at risk is only estimated up to 70 years into the future, and it is not always clear if this is based upon UKCP09 or UKCP18 allowances. There is not a consistent approach to assessing the future risks of flooding using the appropriate climate change allowances for all sources of flooding. The Council should satisfy themselves that insufficient consideration of potential climate change impacts has not led to potential development sites being omitted from the necessary assessment process, as well as inadequate assessment of those that have been identified.

In summary, there is an absence of sufficiently robust evidence to demonstrate that the proposed housing allocations are compliant with the NPPF in relation to flood risk. The Summary Sheets do not appear to have been updated as a result of our 2021 comments.

HA018 – Green Gate Industrial Estate

We do not believe that the Level 2 Site Summary Sheet and Summary Maps provide a suitable basis for concluding that this site can be delivered safely in the context of flood risk. The Level 2 SFRA Detailed Site Summary Table suggests that development should sequentially be located in Flood Zone 1, which is estimated to cover 40% of the site at the present day. The Council should confirm that this is achievable, particularly for the residential element. As far as we are aware there is currently no evidence to demonstrate that this is achievable.

The primary source of flooding to the site is tidal flooding from the River Medina. The Guidance for site design and making development safe section of the Summary Table doesn't seem to reflect the nature of the risk and focuses on the management of fluvial and surface water flooding. Safe access and egress should be demonstrated in the 0.5% plus climate change event and not the 1% event as suggested. The Summary Table additionally doesn't provide an estimate of the predicted design tide level using current sea level rise allowances, and so does not estimate the likely depths, velocity, frequency and duration of flooding. Appropriate mitigation measures, and the deliverability of such measures cannot therefore be identified on the basis of the current information. It is not therefore clear if the site can be developed safely in the context of flood risk.

HA120 – Red Funnel

This is a new allocation that has been added to the regulation 19 version of the Island Planning Strategy. There is an absence of evidence to demonstrate that the site can be delivered safely in relation to flood risk. There is no Level 2 SFRA Site Summary Sheet. This site has significant flood risk issues, including a lack of safe access and egress, which are unlikely to be mitigated sufficiently by the sea wall and coastal defence improvements required by the site-specific requirements in the IPS due to outflanking and potential economic viability issues. Residual risk must also be considered.

Medina Yard

It is unclear as to what status this site has within the Island plan. It is not listed in appendix 2 as an allocated site however it is included within Appendix 3 and has site specific development requirements. If it is an allocation within the plan we would highlight that there is an absence of up-to-date evidence demonstrating that the site can be delivered safely in relation to flood risk.

There is no Level 2 SFRA Site Summary Sheet. We are aware that the site has previously received planning permission for a mixed-use development. However, we have not provided flood risk advice for Medina Yard since 2016. Please note that the flood risks facing this development may be greater than in 2016 due to improvements in flood risk modelling and changes to climate change projections. Policy changes will also have been put in place. The flood risk evidence supporting this allocation should therefore be revisited to demonstrate that it remains deliverable in the context of the IPS.

9. Do you have any comments on the policies map?

No

11. Do you wish to request to appear at the hearing sessions that will take place?

No

12. Please outline why you would like to attend?

NA

Housing Reg 19

Submitted by: Anonymous user

Submitted time: 29 Jul 2024, 13:50:43

Name/Organisation

Environment Agency

Email Address

[REDACTED]

1. What type of respondent are you?

Statutory consultee (excluding Councillors and Parishes)

2. What Housing policy you are commenting on

H3 - Housing Development General Requirements

3. Does your comment relate to a specific paragraph(s)? if yes which paragraph does this relate to?

NA

4. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be legally compliant?

Yes

5. Please give details to support your answer to question 4

- **Yes_consistent_with_national_po**

6. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be sound?

Yes - consistent with national policy

8. What modifications do you think are needed to make the Island Planning Strategy legally compliant and/or sound?

We support bullet (e) within this policy which requires biodiversity net gain for sites, including appropriately sized buffers around rivers.

We also welcome and support the addition of bullet (b) that requires a sequential approach to flood risk. This was something we requested in our previous Reg 18 response to make sure that a sequential approach is taken on individual sites ensuring that risk is not increased either on or off site.

9. Do you have any comments on the policies map?

No

11. Do you wish to request to appear at the hearing sessions that will take place?

No

12. Please outline why you would like to attend?

NA

Housing Reg 19

Submitted by: Anonymous user

Submitted time: 29 Jul 2024, 13:52:37

Name/Organisation

Environment Agency

Email Address

[REDACTED]

1. What type of respondent are you?

Statutory consultee (excluding Councillors and Parishes)

2. What Housing policy you are commenting on

KPS2 - Key Priority Site: Newport Harbour

3. Does your comment relate to a specific paragraph(s)? if yes which paragraph does this relate to?

NA

4. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be legally compliant?

No

5. Please give details to support your answer to question 4

- **No_not_consistent_with_National**

6. In relation to the policy or paragraph you are commenting on, do you consider the Island Planning Strategy for submission to be sound?

No

7. If no to question six is this because?

- **Not consistent with national policy**

8. What modifications do you think are needed to make the Island Planning Strategy legally compliant and/or sound?

The site boundary for this allocation has significantly changed since the previous version of the IPS which was consulted on in 2021

It is difficult to assess the risk of flooding associated with the development as the flood risk assessment information provided is based on a site boundary that is much larger than that being proposed in the IPS. It is not clear how the site summary sheet and 'Newport Harbour Flood Risk Assessment (JBA 2021)' interact. The site summary sheet is not sufficiently accurate or detailed to be used as a basis for robustly assessing the risk. The 'Newport Harbour Flood Risk Assessment (JBA 2021)' provides a greater level of detail than the site summary sheet and our comments are therefore focussed on this document. It does also, however, contain deficiencies which result in it being an unsuitable basis for demonstrating that the flood risks to and from the Newport Harbour site can be safely managed.

Assess

The site boundary is entirely within areas of land that are presently, or are predicted to become, at risk of flooding over the development lifetime due to the effects of climate change. Flood Zone 3b is defined by the NPPF as comprising land where water from rivers or the sea has to flow or be stored in times of flood, normally considered to be land having a 3.3% (c.1 in 30) or greater annual probability of flooding with any existing flood risk management infrastructure operating effectively. It appears that the 'Newport Harbour Flood Risk Assessment (JBA 2021)' may have used 1 in 20 water levels as a proxy but it is not clear how these have been derived and whether they represent fluvial or tidal flood extents. The information provided does not provide sufficient confidence that functional floodplain (Flood Zone 3b) has been accurately identified. A clear and robust understanding of the 3.3% AEP extent from rivers and the sea is essential as development (apart from water compatible development) should not be permitted in Flood Zone 3b. For any development within Flood Zone 3a, impacts on flood flow routes or storage capacity must be considered and suitable floodplain compensatory storage areas identified. This is not assessed in sufficient detail within the 'Newport Harbour Flood Risk Assessment (JBA 2021)' and it cannot therefore be demonstrated that development within the Newport Harbour site boundary will not increase flood risk to third parties. Figure 4-1 does not appear to reflect the full extent of the fluvial risk to the site as depicted in the current Flood Zone map and we cannot support the comment on p.17 of the 'Newport Harbour Flood Risk Assessment (JBA 2021)' that 'fluvial flood risk on its own to the site is generally low'. We welcome the acknowledgement of flood risk from a combination of fluvial and tidal sources. This interaction is likely to be complex and has not been modelled and so is poorly understood. Identification of appropriate mitigation to ensure not only the safety of the development but to safeguard against an increase in flood risk to third parties will not therefore be possible with sufficient confidence. Climate change is not accurately or sufficiently assessed, most likely being based on superseded UKCP09 climate change allowances which are likely to underestimate the risk.

Avoid

The 'Newport Harbour Flood Risk Assessment (JBA 2021)' or SFRA factsheet do not provide any information about flood hazard variations across the site now or into the future and does not therefore provide a suitable basis for enabling the sequential approach to locating development to be adopted. This is particularly important as the site boundary has been revised and there are now very few areas of the site that are not at risk of flooding over the development lifetime. Under the previous site boundary, sequentially locating development across Flood Zones was a key element of the approach to risk management which is now not possible. We note the intention to take measures that will avoid risk vertically by locating the most vulnerable uses on upper storeys and allowing ground floor uses to flood. However, flood hazards (depths and velocities) and therefore the safety of proposed ground floor uses is not clear and careful consideration should be given to the sustainability of, and appetite for, businesses to be located where they could be increasingly frequently disrupted by intentional internal flooding. These concerns could be allayed

by identifying the potential scale of flooding and estimation of the frequency with which these units could be affected by flooding.

Control/mitigate

It is not clear if there are to be any more vulnerable/residential uses at ground floor level. If so, the Council should be confident that it will be possible to raise floor levels above the design flood level – there is currently insufficient information in terms of anticipated flood depths to establish this. For more vulnerable/residential uses at first floor and above, flood hazard should be understood so that the ability for residents to obtain safe access and egress is clearer. As set out above, altering land levels and placing new development within areas at risk of flooding has the potential to increase risk to others and is only permissible if suitable floodplain compensatory storage can be provided.

In summary, we do not consider that the proposed allocation of Newport Harbour is compatible with IPS Policy EV14 or the NPPF.

9. Do you have any comments on the policies map?

No

11. Do you wish to request to appear at the hearing sessions that will take place?

No

12. Please outline why you would like to attend?

NA