

Surrey Heath Borough Council  
Planning Policy  
Surrey Heath House Knoll Road  
Camberley  
Surrey  
GU15 3HD

**Our ref:** WA/2011/110119/PO  
02/SB1-L01  
**Your ref:** SHBC Pre-submission Reg  
19  
**Date:** 20 September 2024

Dear Sir/Madam

**Pre Submission Surrey Heath Local Plan (2019 2038): (Regulation 19)**

Thank you for consulting the Environment Agency on the Pre-submission Surrey Heath Local Plan\_2019-2038\_Regulation 19.

Based on earlier engagement with the LPA following the regulation 18 consultation, we note that most of our previous concerns have been addressed. We thank the LPA for taking our comments into consideration.

We would also like to mention that the local plan has been well written and contains robust policies to ensure environmentally sustainable development and growth within Surrey Heath. We are therefore generally satisfied with the content and quality of the draft Pre-submission Surrey Heath Local Plan\_2019-2038\_Regulation 19.

We have reviewed the draft local plan and associated documents and, in this instance, will only comment on the following policies HA1, H11, H12, INI, E4, E6 and E7. We have provided you with suggested wording for policies H11, E4, E6 and E7 to make them clearer.

Unfortunately, due to the need to have updated evidence base to support the draft plan and the following policies listed below, we consider the draft plan to be unsound on the basis that it is not justified and consistent with national policy. We have explained this further below.

We would emphasise that based on the high quality and content of work associated with the production of the local plan to date, we do not consider that the issues we have raised will be onerous for the LPA to address in due course.

- HA1- Site Allocations,
- H12 - Site Allocations for Gypsy and Travelling Showpeople Accommodation,
- INI- Infrastructure Delivery and
- E6- Flood Risk and Sustainable Drainage.

We are committed and willing to work with the LPA to ensure that their local plan is robust and sound. Please refer to our comments below.

## Points of soundness

### Policy HA1: Site Allocations

It is stated in the draft plan that Policy HA1 'allocates sites for development within Surrey Heath to support the Local Plan's Spatial Strategy, to help meet the identified housing requirement in the Borough'. We have identified some sites (listed below) which due to the site constraints require further details in the form of site assessments before the site can be developed. This should be included in the site requirements.

#### **HA1/06- Chobham Rugby Club, Windsor Road, Chobham**

The site is for Housing Allocation- 91 units and is in flood zone 1. However, there are known significant fluvial flood issues identified to the south which could be exacerbated by development. There are also some issues with surface water in this area should be considered at design stage to avoid impacting adjacent sites. Development proposals; *must assess the risk of flooding at this site and mitigate against the impact of flood risk at this site.*

#### **HA1/11- The Deans, Bridge Road, Bagshot**

This is for Housing Allocations (20 units). The site lies to the South-west boundary 8m of Windle brook. The site is in Flood Zones 2 and 3. There is known significant fluvial flood issues identified across this site and locality; the flood risk would need to be addressed at the earliest stage of the development of the site. Updated flood model shows area at risk of flooding. We note there is no site-specific requirements for this site, we would expect that due to the site constraints, development proposals; *must consider the risk of flooding to the proposed development and mitigate against the impact of flood risk at this site.*

#### **HA1/17 Broadford, Castle Grove Road, Chobham**

This is for Housing Allocations (15 units). The Bourne which is a Water Framework Directive waterbody runs along northern boundary of the site, and the site and surrounded areas are in Flood Zones 2 and 3. There is significant fluvial flood issues identified in area which could be exacerbated by development. We note there is no site-specific requirements for this site, we would expect that due to the site constraints, development proposals are required to;

- *Include a scheme to reconnect the relic river channel and reinstate natural geomorphological features and river corridor/buffer zone which is an opportunity for significant enhancement.*
- *must assess the risk of flooding at this site and mitigate against the impact of flood risk at this site.*

#### **HA1/22 Land adjacent to Sherrard Way, Mytchett**

This is for Housing Allocations (16 units). Blackwater River which is a Water Framework Directive waterbody runs through site and the watercourse is a European Eel migratory route and the site is in Flood Zones 2 and 3. The site is on a historic landfill site (land off Coleford Farm), Bedrock and Superficial Secondary A aquifers. We note there is no site-specific requirements for this site, we would expect that due to the site constraints, development proposals are required to;

*Provide comprehensive river restoration/river corridor protection scheme at this location including reinstatement of natural geomorphological features and river corridor/buffer zone which is an opportunity for enhancement*  
*Be accompanied by a risk assessment for controlled waters and complies with paragraph 180 of the National Planning Policy Framework*

## **Policy H12: Site Allocations for Gypsy and Travelling Showpeople Accommodation**

### **HA12 - Swift Lane Extension, Swift Lane, Bagshot, GU19 5NN**

This is for 5 Gypsy and Traveller pitches. Windle Brook is adjacent to north boundary and the site is in Flood Zones 2 and 3 with significant fluvial flood issues identified across this site and locality. The site is a historic landfill site (Swift Lane Depot) and on a Bedrock Secondary A aquifer. We would expect that due to the site constraints, development proposals are required to;

*Provide comprehensive river restoration/river corridor protection scheme at this location including reinstatement of natural geomorphological features and river corridor/buffer zone which is an opportunity for enhancement.*

*must assess the risk of flooding at this site and mitigate against the impact of flood risk at this site.*

*Be accompanied by a risk assessment for controlled waters and complies with paragraph 180 of the National Planning Policy Framework*

## **Policy E6: Flood Risk and Sustainable Drainage**

We would like to thank the LPA for addressing our previous concerns on flood risk from the Regulation 18 consultation. Whilst we consider the policy wording adequate, we find the evidence (Strategic Flood Risk Assessment) supporting this policy is not up to date. We stated during the post Regulation 18 consultation engagement with you that your Strategic Flood Risk Assessment 2021 (SFRA) would need to be updated to reflect current guidance and policy and flood map updates in Surrey Heath.

We confirm that the LPA have started work on commissioning an updated SFRA, to take account of updated guidance on 'Flood risk and coastal change' in the PPG (August 2022) and updated flood map for the Borough (Addestone Catchment 2024) and that the updated SFRA is intended to be completed in the second half of 2024. The Environment Agency is committed to working with Surrey Heath Borough Council to update the SFRA to address this soundness point.

We would like to highlight that there are only a limited number of locations in Surrey Heath that are affected by fluvial flood risk, the urban areas are predominantly impacted by surface water flood risk. The risks of flooding from these two sources are closely linked. Our main concerns are in relation to deliverability and safety of some sites in the local plan. In particular we do not consider that sites - HA1/06/ HA1/11, HA1/17, HA1/22 and HA12 can be delivered without the updated evidence within the SFRA which details the acknowledgement of flood risk, evidence of the application of the sequential test to confirm if these sites can and must be delivered and then the application of the exception test which proposes mitigation measures to ensure these sites can safely be developed in regard to flood risk. Please see our comments above on these sites under Policy HA1 and H12. This is the advice in National Planning Policy Framework paragraph 167 and 168 and therefore the plan in its current form is not sound because it is not justified, and consistent with national policy.

## **INI-Infrastructure Delivery**

Whilst we consider the policy wording adequate, we find that the evidence supporting this policy is not up to date. We stated previously that an updated Water Cycle Study is required and from the evidence we hold, we confirm that this is required/needed to understand exactly how development at the allocated sites in HA1, HA2, HA3 and HA4 and at the employment sites can be delivered to support growth within the Borough.

Currently wastewater from proposed developments within all the allocations within Policies HA1, HA2, HA3 and HA4 will be going to either Lightwater, Camberley or Chobham Sewage Treatment Works which are all currently problematic (we are expecting the issues at Chobham to be resolved soon). We have this information due to our regulatory duties

HA1/01, HA1/10, HA1/11, HA1/21, HA1/23, HA1/25, HA12 goes to Lightwater Sewage Treatment Works

HA1/02, HA1/03, HA1/04, HA1/05, HA1/07, HA1/08, HA1/09, HA1/13, HA1/14, HA1/15, HA1/16, HA1/18, HA1/19, HA1/20, HA1/22, HA1/26, HA1/27, HA1/28, HA2, HA3, HA4 goes to Camberley Sewage Treatment Works.

HA1/06, HA1/12, HA1/17, HA1/24 goes to Chobham Sewage Treatment Works

To explain the evidence, we hold and how this will affect the delivery of development, please refer to the details below. In summary any additional development built before issues are resolved may lead to deteriorations in receiving waterbody which are not at good status at the moment.

#### ***Lightwater Sewage Treatment Works***

- 1) It is currently exceeding 100% of the permitted Dry Weather Flow for last three years
- 2) Our records show no headroom left for new houses. Therefore, there is no infrastructure capacity now and it needs to be upgraded to support development
- 3) Water cycle study is required as evidence to support that additional development can be accommodated.

The affected waterbody is Hale/Mill Bourne (Bagshot to Addlestone Bourne confluence near Chobham).

#### ***Camberley Sewage Treatment Works***

- 1) Effluent discharge has exceeded 100% of the permitted Dry Weather Flow in last two years
- 2) there may not be headroom available for new houses however an updated Water cycle study is required as evidence to show that additional houses can be accommodated without exceeding the permitted Dry Weather Flow but detailed assessment such as water cycle study is needed as evidence)

The affected waterbody is Blackwater (Hawley to Whitewater confluence at Bramshill).

#### ***Chobham Sewage Treatment Works***

- 1) Problematic spiller (Long term average spills > 60)
- 2) It has AMP 7 ammonia ND driver (delivery date missed)
- 3) Reported compliance failure of ammonia permit exceedance
- 4) Compliance failure associated with problems in treatment units (inlet works, filter units, land treatment), so upgradation of STW is in progress (project delivery date is 2024).

The affected waterbody is Addlestone Bourne (West End to Hale/Mill Bourne confluence at Mimbridge).

We have concerns with Lightwater and Camberley sewage treatment works in particular. These sewage infrastructure needs to be upgraded as in their current state we are confident support growth in Surrey Heath Borough over the local plan period

It is necessary for the Water Cycle Study 2017 to be updated to understand how wastewater discharge problems would be addressed. Unfortunately, we consider the plan not to be sound because it is not justified and consistent with national policy. This point is supported by paragraph 180 paragraph e of the National Planning Policy Framework.

We would like to highlight that the Environment Agency is committed to working with Surrey Heath Borough Council to update their Water Cycle Study to address this soundness point

## Points of clarity

We stated previously that we have provided you with suggested wording for the policies below to make them clearer. These are not soundness points

### Policy HA1: Site Allocations

#### HA1/10 Land rear of 192 210 London Road, Bagshot

This is for Housing Allocations (20 units) and may impact on SANG (Earles wood Park). There are issues with surface water in this area that need to be considered at design stage to avoid impacting adjacent sites. We note there is no site-specific requirements for this site, we would expect that due to the site constraints, development proposals are required to consider the risk of surface water flooding.

### Policy HA4: Mindenhurst, Deepcut Site Allocation

This site allocation is near a designated Site of Special Scientific Interest - The Basingstoke Canal which is highlighted in paragraph 6.90 of Policy E7 Watercourses and water quality. We recommend that this is referenced in policy HA4.

### Policy H11: Gypsies and Travellers and Travelling Showpeople

We have stated elsewhere that site HA12 - Swift Lane Extension, Swift Lane, Bagshot, GU19 5NN is at risk of flooding therefore ensuring sites have a *safe and convenient access to an area of safe refuge in the event of a flood will be of benefit*. Whilst paragraph 3.146 states that all proposed gypsy and Traveller sites and Travelling Showpeople yards will be required to comply with the requirements of policy E6, it will be useful to have a bullet point in the policy wording to ensure a route of safe access and egress is provided in the event of a flood. We suggest the following; Have *safe and convenient access to an area of safe refuge in the event of a flood*.

## E4 Pollution and contamination

We are pleased to see consideration given to light pollution and its impact on wildlife in paragraph 6.52. We recommend that the issue of preventing light spillage into sensitive habitats like watercourses be considered in either policy E4 or Policy E7. We will leave the LPA to decide where it is considered appropriate.

### Policy E6: Flood risk and sustainable drainage

We propose a revised wording for bullet point number 5 under policy E6. Kindly replace the existing content;

*“Development within Groundwater Source Protection Zones and Principal Aquifers will only be permitted provided if it can be demonstrated, through technical detail, that there will be no adverse impact on the quality of groundwater resource, and it does not put any risk of the ability to maintain public water supplies.”*

With

*“If the proposed development site has a history of land contamination or is designated as a special site that poses a risk of contaminating controlled waters (Groundwater), such contamination could be mobilized by surface water infiltration from the proposed SuDS. It is essential to ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. Development in either contaminated land or in sensitive controlled water locations, such as Source Protection Zones (SPZs), Principal and Secondary aquifers, or within 50 meters of known water supply resources for human consumption, will only be permitted if it is accompanied by a risk assessment for controlled waters and complies with paragraph 180 of the National Planning Policy Framework.”*

### **Policy E7 – Watercourses and water quality**

We are very pleased to see this new watercourses and water quality policy in the draft local plan. It is encouraging to see a very positive E7 Watercourses and Water Quality policy in this local plan. We suggest the following changes are made to the policy E7 to make it clearer.

E7 1: In order to protect and enhance main rivers, the Council will  
to

*In order to protect and enhance all watercourses, the Council will*

E71 a): Require development proposals to explore opportunities to improve and/or restore the flow and functioning of a watercourse.

to

*Require development proposals to explore opportunities to improve and/or restore the flow and functioning of a watercourse and remove redundant or damaging structures.*

E71 d): Not permit development proposals within this buffer zone that include hard bank revetment or prevents future opportunities for the naturalisation of riverbanks

to

*Not permit development proposals within this buffer zone that include hard bank revetment, hard landscaping, or carparks, or prevents future opportunities for the naturalisation of riverbanks.*

E71 f): Expect an appropriate buffer for ordinary watercourses that is sufficient to protect and enhance the biodiversity and amenity value of the watercourse.

to

*Expect an appropriate buffer for ordinary watercourses that is sufficient to protect and enhance the biodiversity and amenity value of the watercourse, and appropriate schemes for the removal of barriers and culverts*

E71 g): Expect development proposals to return banks back to their natural state or to install suitable natural reinforcement where ground conditions are considered unstable.

to

*Expect development proposals to return bed and banks back to their natural state or to install suitable natural reinforcement where ground conditions are considered unstable.*

### **Final Comments**

We trust the above comments are useful and we look forward to working with you to produce a sound and robust local plan.

Our comments are based on our available records and the information as submitted. If you have any questions, please do not hesitate to contact me.

Yours faithfully

**Judith Montford**  
**Planning Specialist**

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