

Mid Devon Local Plan Review

Statement for Hearing 2 15/02/19 on S11

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1 Personal Statement

I am a chartered geologist and chartered water and environmental manager by profession and I ran a significant water and environmental engineering consultancy working across the water industry and its regulators until 2006. I am not an expert in flooding, but I have been involved in very significant studies for the Environment Agency (for example in their Managed Retreat programme). I am writing as a local resident of Kentisbeare who has experienced fluvial flooding and its impact (2012) and I am also a parish councillor until the next elections in May 2019.

2 Background and Context

2.1 The focus on concentrating new housing allocations on Crediton, Tiverton and Cullompton is a strategic choice that MDDC have made in order to preserve the rural character of Mid Devon. The choice of how new housing allocations will be distributed across the 3 towns does not appear to have been challenged but it is argued that the 50% allocation to Cullompton is too high in overall terms and specifically in relation to the catchment in which the development is proposed.

2.2 MDDC have also specifically chosen to engage with the Greater Exeter Strategic Plan (GESP) – to take pressure off housing allocations in and around Exeter – but it is unclear how, when and where any additional housing allocations might be placed in relation to the current MDLPR under review. This is a cause for concern as any GESP allocation will require additional flood risk assessment.

2.3 The MDLPR is now completely overshadowed, in the case of housing allocations East of Cullompton, by the subsequent and parallel process of the Culm Garden Village Scheme (not under examination). The Local plan phase 1 allocation of 1,750 houses East of Cullompton could become 5,000 houses under the Garden Village proposal and could be further increased if GESP allocations are also placed in the proposed Garden village scheme. These future choices have very significant flood impact potential (which will need study) but knowledge of them now renders the original 2014 Strategic Flood Risk Assessment (SFRA) at least “out of date” but also flawed as it did not adopt a catchment based approach from the outset and site

specific FRA's cannot possibly take into account the potential wider third party impacts.

2.4 The J27 policy and the Garden Village Scheme both post-date the 2014 SFRA and their impacts will need a full catchment based approach to properly consider their placement in the catchments proposed. The scale of these 2 developments is such that the 2014 SFRA looks hopelessly out of date and not fit for purpose (even in relation to the phase 1 allocation of 1,750 houses East of Cullompton).

3 Issues

3.2 Does the option for East Cullompton (policy CU7) have sufficient regard for the nature of the catchment in which it is proposed to be built? This is known to be a "flashy" catchment and there is a very long history of soil stabilization issues further up the catchment and north of Kentisbeare. The 2014 SFRA makes no significant references to the nature of the catchment, the problems of soil stabilization or the impact this may have going forward in relation to water and silt ingress to ageing sewer assets. There is also no mention of sewer separation schemes or how surface water management will be expedited once the new development is built out – there are references to Sustainable Urban Drainage Schemes (SuDs) but no detail on the types of scheme, their placement or their scale – has NPPF (2012) Para 94 been reasonably taken into account?

3.3 Why was the 2014 SFRA undertaken as a hybrid approach (of the level 1 or level 2 options available) and who made the decision and what was this decision based on at the time? Why was a catchment-based approach NOT undertaken from the outset particularly given the subsequent J27 and the Garden Village proposals which have arisen post 2014? This is a fundamental flaw which has huge impact on the overall strategy and where housing allocations should be "placed" within/across catchments. This is compounded by the proposed west to east phasing of development given that major infrastructure development to enable the scheme to work (J28A and the relief road) are both in the Functional Floodplain and there is little mention made of creation of compensatory floodplain or where such "new" floodplain would be created. Have NPPF (2012) Para's 99 and 100 been given sufficient consideration?

3.4 Why was the 2014 SFRA undertaken using 2008 Generalised JFlow data for the modelling undertaken? Why did the modelling not also look at outputs using more recent data and the actual flood data for Cullompton for the November 2012 flooding incident? (An incident which had serious impact on Cullompton). The SFRA is undermined by NOT using best available data; there are absolutely no references to readily available research papers on water cycle management and absolutely no reference to Natural Flood Management techniques and exemplar schemes from other parts of the UK (all of which were available at the time of writing). In combination it is contended that the whole approach is not giving due weight to the

flooding issues across the catchments where housing will be allocated so ALL the policies which rely upon the 2014 SFRA are undermined. How can the 2014 SFRA be used to look at the changing nature of flood events across the development areas when there isn't a catchment based approach? Again, I contend that NPPF (2012) Para's 99 and 100 have not been given due consideration.

3.5 The 2014 SFRA has little to say in respect of critical drainage assets such as the pump station at Stoneyford (in the Functional floodplain and which has experienced significant outage events requiring tankering) or the sewage treatment works in Cullompton (in the Functional Floodplain and nothing on capacity issues in relation to proposed developments). I do know that South West Water have independently looked at the capacity and asset life of sewerage assets between Kentisbeare and Cullompton and it is well known that the age and state of these assets means there is significant water ingress to them – and silt as well in such a flashy catchment. This work sits outside the SFRA but it is unbelievable that MDDC have not sought to fully understand local critical assets given that Crediton, Tiverton and Cullompton are all classified as Critical Drainage Area's with known and recorded histories of flooding events.

3.6 The North West and East Cullompton developments in MDLPR do not meet the “create space for flooding” or the “restore Functional Floodplain” aspirations of NPPF – quite the opposite given that the major enabling infrastructure needs to be built in the Functional Floodplain and the 2014 SFRA has little to say on compensatory floodplain – where, how much, and how it will work to compensate lost floodplain. I know that the later 2018 Arcadis FRA report discusses specific compensation floodplain for the proposed relief road but again the FRA was specific to the scheme under consideration with nothing to say at the catchment level or how the relief road scheme will interact with the phase 1 housing allocation once it is built out, or, whether the flooding identified with the relief road scheme will be likely to increase once this development is completed.

4 Concluding Remarks

4.1 Why have MDDC assiduously avoided a catchment based approach to flooding in terms of the potential impact arising from the housing allocations proposed in MDLPR and in North West and East Cullompton in particular and why has the piecemeal approach to FRA's continued with the recent Arcadis Report on flooding in relation to the relief road options? What is the benefit of a piecemeal approach other than to reduce the scale at which flood impacts are assessed and in so doing reducing consideration of third party impacts as well?

4.2 The policy decision to concentrate housing developments in Crediton, Tiverton and Cullompton needs to be assessed in relation to current flood risk and modelled future flood risk. It is suggested that this assessment should have been catchment based given the scale of the proposed developments. The MDLPR is flawed because the 2014 SFRA is flawed and the continued piecemeal approach to flooding by MDDC underplays the significance of potential flood risks and is weak in relation

to flood mitigation measures (at every level). For this reason I contend that the strategic policies are flawed.