

Rother District Council
Development Control
Town Hall London Road
Bexhill-on-Sea
East Sussex
TN39 3JX

Our ref: KT/2017/123032/01-L01
Your ref: RR/2017/382/P

Date: 30 August 2017

Dear Sir/Madam

98 NO. RESIDENTIAL DWELLINGS (USE CLASS C3), NON-RESIDENTIAL FLOORSACE COMPRISING 280 SQM (USE CLASS A3) AND 920 SQM (USE CLASS B1), AND ASSOCIATED ACCESS, CAR/CYCLE PARKING, OPEN AMENITY SPACE, STRATEGIC LANDSCAPING AND GREEN INFRASTRUCTURE AND RESTORATION WORKS TO THE MILL BUILDING AND OAST HOUSE.

**HODSON'S MILL, NORTHBRIDGE STREET, SALEHURST/ROBERTSBRIDGE
TN32 5NY**

With regard to the **Flood Risk** perspective of the Environment Agency:

We stated in our original response we generally do not get involved with the details of the Sequential Test (ST). However, in this case, given the low standard of defence, potential flood depths and lack of safe access we believe a detailed and robust ST is required in order to demonstrate that there are no other reasonably available sites in a lower flood risk area. Once the LPA has reviewed the ST document and received consultee responses we would request the LPA confirms to us whether or not they are satisfied that the information provided is sufficient for them to make a decision on the ST. We will then be able to update our position in relation to the original objection.

3.3

The site is defended to a **maximum of 1:75 year**. Under the 1:100 year (1% annual probability) defended situation the site floods in excess of 1m.

5.8

The LPA needs to decide if there are other more suitable sites in FZ1 that could meet the requirements of the proposed development. We would also consider it reasonable to take into account not only the flood zones but the issue of safe access associated with the site, i.e. if there are other sites available in FZ1 with no access issues we would think it reasonable to sequentially prioritise those sites above this site which could potentially be cut off in a flood event.

5.13

Environment Agency
Orchard House Endeavour Park, London Road, Addington, West Malling, Kent, ME19 5SH
Customer services line: 03708 506 506
Email: enquiries@environment-agency.gov.uk
www.gov.uk/environment-agency



INVESTOR IN PEOPLE

This is a reminder that the LPA's own policy, which mirrors NPPF, states that development in FZ3 should be exceptional.

6.3

When development contains different elements of vulnerability NPPF (PPG Table3) states that the highest vulnerability category should be used (when assessing the suitability of sites) unless the site is to be considered in its component parts. Given that there is no evidence in support of the ST to demonstrate the unviability of the site without developing in FZ3, it would seem reasonable to assess the FZ1 element separately if this is desirable. Is the LPA able to do this with the application as submitted?

6.12

The Sequential Test is primarily centred on the comparison of flood risk on 'available' sites. Neither the Practice Guide nor the EA's own standing advice suggests that safer sites should be discounted on the grounds that they are 'greenfield'. This is a decision for the LPA but we would suggest that this is only a consideration if it accords with other policies in the Local Plan. The ST requires low risk sites to be developed in preference to those in FZ2 & 3 and therefore unless there are other material planning considerations that prevent alternative sites from being 'available' the ST should be followed based on flood risk only.

With respect to the Neighbourhood Plan we would suggest that until such time any sites included have been sequentially tested and the plan has been adopted that this bears little relevance to the ST for this site.

Exception Test

7.3

Salehurst and Robertsbridge Neighbourhood Plan – to our knowledge the sites included in the plan have not yet been sequentially tested.

7.5

We have confirmed that the proposed floor levels are sufficiently above the design flood level to remain dry in a 1% AEP climate change event. However, the development hasn't fully complied with the requirement for the site itself to be sequentially tested (placing more vulnerable development in the lower risk area).

Additional comments

The first part of the Exception Test requires LPAs to decide if the submitted application scores positively against the aims and objectives of the Sustainability Appraisal and/or Local Plan policies.

Access and egress forms part of the Exception Test. Access and egress should be designed to be functional for the lifetime of the development (100 years for residential development). The LPA will need to confirm they are content with both the access as proposed together with a satisfactory flood warning and evacuation plan in order for the ET to be passed.

Environment Agency

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Yours faithfully

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