

Dear Mrs Black,

Thank you for sending me a copy of your letter to Katie Rodgers at Rochford District Council setting out the Agency's comments on the planning application for Stambridge Mills. On behalf of the applicants, I can respond as follows (under the headings used in your letter):-

#### HYDROLOGY, FLOOD RISK AND SURFACE WATER DRAINAGE

Sequential Test and parts a) and b) of the Exception Test

As you mention, the LPA has concluded that the Sequential Test for Stambridge Mills has been passed based on their own assessment set out in Core Strategy Topic Paper 1. In the applicants' view, it is for the LPA to be satisfied that the Sequential Test has been passed. I would also ask you to note that the applicants submitted their own detailed Sequential Test prior to the submission of the application, and this also concluded that the test was passed.

Crucially, when assessing or 'scoring' alternative sites, the LPA and the applicants justifiably gave preference to the extensive sustainability benefits of developing Stambridge Mills (see further below). These benefits contrast with the intrinsic planning harm caused by residential development in the Green Belt which is fundamentally inappropriate in planning policy terms. Stambridge Mills represents one of very few brownfield sites in Rochford district which is available for development of the scale proposed. Land subject to Green Belt protection cannot be regarded as 'reasonably available' or 'appropriate' even though the Council is confronted with the need for some release of Green Belt land because of the shortage of brownfield sites.

Following the Sequential Test, the suitability of Stambridge Mills for residential development, having regard to its position within Flood Zone 3a, needs to be assessed in the context of the Exception Test.

Under part a) of the Exception Test, the wider sustainability benefits to the community include but are not limited to (i) the protection of Green Belt land which otherwise would be lost to development, (ii) the substantial visual enhancement of the application site which occupies a prominent location within the flat estuarial landscape to the east of

Rochford, (iii) the re-use of on-site materials, (iv) the removal of contamination, (v) the removal of industrial traffic through Rochford town centre (which would otherwise be generated if the site was re-used for commercial purposes), and (vi) the improvements in flood safety for existing residents in Mill Lane and the Broomhills Nursing Home.

Part b) of the Exception Test is self-evidently passed, as you confirm.

Part c) of the Exception Test - FRA

It is noted that two areas of objection remain in respect of the FRA and the proposed flood defence improvements.

Flood risk

Your comments with regard to ground floor flood proofing measures are noted. These measures (socket positions, services etc.) would appear to be principally a matter for the applicant because they have no direct impact on flood safety.

Hydrostatic and hydrodynamic pressures

You request that calculations are provided to show what the likely pressures on the structures would be based upon the flood modelling produced, and that confirmation is provided from a Structural Engineer that the buildings could be designed to withstand the calculated pressures. In this regard, I attach a letter date 10th October 2011 from Ellis & Moore which addresses these issues.

Surface Water Drainage

You have requested details of surface water run-off rates, the volume and type of storage, and at least one workable strategy for the management of surface water. This information is provided in the attached report and appendices prepared by Ellis & Moore.

## FLOOD DEFENCES

I note that the Agency does not raise an in-principle objection to the proposed improvements to the flood defences. The Applicants trust that the improvements are welcomed by the Agency given the flood safety benefits which will accrue for existing residents in the vicinity of the application site.

With regard to the maintenance and funding of the improved flood defences, these responsibilities would fall on the developer and subsequently on a management company funded by service charges levied on the owners of the houses and flats. It is noted that the Agency would not take on responsibility for maintenance. As you suggest, responsibility for the construction and maintenance of the defences could be secured through a S.106 Agreement. The flood defence improvements would be delivered with the co-operation of all land owners, and the applicants would support the imposition of a planning condition requiring the completion of the flood defences prior to the commencement of construction of the residential accommodation. The above approach would ensure the full and satisfactory delivery of the flood defence improvements before occupation of the site, and their long-term maintenance thereafter.

Your letter also provides advice and information on a range of related matters including ecology, contamination, geo-technical issues, waste management, pollution prevention and water quality, and sustainable development. These points are noted, and will be addressed in most cases through planning conditions or under other legislation.

In particular, I can confirm that the applicants have had discussions with Anglian Water Services who have indicated that there is likely to be sufficient foul drainage capacity to serve the development. The scheme could not proceed until such capacity is shown to be available. On a separate issue, I can also confirm that the development will be constructed to a minimum of Level 3 of the Code for Sustainable Homes.

I trust that the above information, and that set out in the attachments, is of assistance but please do not hesitate to contact me in case of any further queries.

Regards,

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