

Runnymede Borough Council
Development Control
Civic Offices Station Road
Addlestone
Surrey
KT15 2AH

Our ref: [REDACTED]
Your ref: RU.22/0374
Date: 08 June 2022

Dear Sir/Madam

Redevelopment of "Old Town" area within theme park, to install a rollercoaster along with associated buildings and structures, ground works infrastructure and infilling of part of lake and landscaping following the demolition of existing buildings and structures.

Thorpe Park Staines Road Chertsey KT16 8PN

Thank you for consulting us on the above application, on 14 March 2022. We apologise for the delay in our response.

We have reviewed the following documents:

- Flood Risk Assessment, produced by [REDACTED] dated March 2022
- Letter from [REDACTED], dated 25 April 2022 (Additional Flood Risk Information)
- Thorpe Park Resort New Rollercoaster Ride Ecological Impact Assessment dated March 2022
- 3198: Design & Access Statement TP24-SA-XX-XX-RP-A-0001 Project Exodus

The site is adjacent to an inlet of Abbey Lake, which is fed by a main river, the Meadlake Ditch. The site is within 100 metres of Thorpe Park No. 1 Gravel Pit Site of Special Scientific Interest (SSSI), South West London Waterbodies Special Protection Area (SPA) and South West London Waterbodies Ramsar.

According to our Flood Map for Planning the site is located in Flood Zone 3 and Flood Zone 2. Flood Zones 3 and 2 are defined by the Planning Practice Guidance (PPG) as having a high and medium probability of flooding respectively. According to our detailed modelling (Thames 2019) the site lies within the 5% annual probability (AP) flood extent. The Runnymede Strategic Flood Risk Assessment (SFRA) 2018 defines the Functional Floodplain (Flood Zone 3b) as undeveloped land within the 5% AP flood extent.

The Runnymede SFRA 2018 states that within the 5% AP flood outline there are also areas of existing developments that are prevented from flooding by the presence of existing infrastructure or solid buildings. In these developed areas, existing building footprints, where it can be demonstrated that they exclude floodwater, will not be

defined as Functional Floodplain and the planning requirements associated with Flood Zone 3B will not apply.

However, we note that the Runnymede SFRA states that the land surrounding these buildings forms important flow paths and flood storage areas and properties within these areas will be subject to frequent flooding; therefore such open space within developed areas will continue to be treated as Functional Floodplain.

Whilst we acknowledge that the Runnymede SFRA distinguishes between the 'undeveloped' and 'developed' Functional Floodplain, this application is proposing development within areas of undeveloped Functional Floodplain.

Environment Agency position

We have **three objections** to the application as submitted.

Objection 01

In accordance with paragraph 159 of the National Planning Policy Framework (NPPF) **we object in principle** to the proposed development as it falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. The application is therefore contrary to the NPPF and its associated Planning Practice Guidance (PPG). We recommend that planning permission is refused on this basis.

Reason 01

The PPG classifies development types according to their vulnerability to flood risk and provides guidance on which developments are appropriate within each Flood Zone. This site lies within Flood Zone 3b Functional Floodplain, which is land defined by your Strategic Flood Risk Assessment as having a high probability of flooding.

The development is classed as 'less vulnerable' in accordance with Table 2 of the Flood Zones and flood risk tables of the PPG. Tables 1 and 3 make it clear that this type of development is not compatible with this Flood Zone and therefore should not be permitted.

Overcoming objection 01

The only way the applicant can overcome our **in principle objection** is to demonstrate that the development is not within Flood Zone 3b - Functional Floodplain.

If the applicant is able to demonstrate that the development is not within Flood Zone 3b – Functional Floodplain the following objections would need to be addressed:

Objection 02

In accordance with policy Runnymede 2030 Local Plan in the Policy EE13: Managing Flood Risk and paragraph 167 of the National Planning Policy Framework (NPPF) in the absence of an acceptable flood risk assessment (FRA) we **object** to this application and recommend that planning permission is refused.

Reason 02

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- consider how people will be kept safe from the identified flood hazards. Flood risk mitigation measures to address flood risk for the lifetime of the development included in the design are inadequate because they will not make the development resilient to the flood levels for 1% AP, plus an appropriate allowance for climate change. Consequently the development proposes inadequate flood storage compensation

Overcoming objection 02

To overcome our objection, the applicant should submit a revised FRA which addresses the points above. Specifically the FRA needs to address the following:

Loss of flood plain storage

The applicant has stated within the FRA that this development will lead to land raising and an increase in built footprint. To mitigate for this loss of flood storage they have confirmed that they will provide 'level for level' floodplain compensation.

The FRA states that this compensation has already been provided, in advance of this development, as part of the Medium Term Development Plan 2010-2016 between Runnymede Council, Thorpe Park Resort and the Environment Agency. However, this agreement has not been included in FRA. This should be provided.

If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted.

Objection 03

In accordance with Policy EE9: Biodiversity, Geodiversity and Nature Conservation of the Runnymede 2030 Local Plan and paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) we **object** to this development because it would encroach on a watercourse and lake that has significant nature conservation value. We recommend that the planning application is refused on this basis.

Reason(s) 03

This objection is supported by paragraphs 174 and 180 of the NPPF which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or as a last resort compensated for, planning permission should be refused.

Overcoming Objection 03

It may be possible to overcome our objection by submitting a detailed assessment of the proposed development and its impact on the Mead Ditch. Specifically, the assessment should include the following:

Infilling/impoundment

The Thorpe Park Gravel Pit complex, designated a SSSI, SPA and Ramsar, is 'online' to a main river, the Mead Ditch. The proposal site is north of the Thorpe Park Gravel Pit complex, is adjacent to an inlet of Abbey Lake, which is also 'online' to the Mead Ditch.

We understand the proposal seeks to reprofile the banks of the inlet in order to increase the size of the bank. It also seeks to infill the opening of the inlet in order to create footings for the new rollercoaster. It is not clear if this will cut off the inlet, separating it from the main river entirely. We require clarity regarding how much infilling will take place and what impact this will have on the river environment.

Biodiversity Net Gain

Please note, we cannot properly assess the submitted Biodiversity Net Gain calculations as they have been uploaded to the portal in PDF format. The excel calculator should be provided along with an accompanying Biodiversity Net Gain Assessment report.

We would also expect to see a river metric submitted as part of the application.

Advice to LPA – Call-in

If you are minded to approve this application for major development contrary to our flood risk objection, we request that you contact us to allow further discussion and/or representations from us in line with the [Town and Country Planning \(Consultation\) \(England\) Direction 2021](#).

This statutory instrument prevents you from issuing planning permission without first referring the application to the Secretary of State for Housing, Communities and Local Government (via the National Planning Casework Unit) to give them the opportunity to call-in the application for their own determination. This process must be followed unless we are able to withdraw our objection to you in writing. A failure to follow this statutory process could render any decision unlawful, and the resultant permission vulnerable to legal challenge.

Advice to LPA - Sequential test

In accordance with the paragraph 162 of the NPPF development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. Our flood risk standing advice reminds you of this and provides advice on how to apply the test.

Advice to LPA - Safe access and egress

In accordance with paragraph 167 of the NPPF, you must ensure that the ‘development is appropriately flood resilient and resistant, and safe access and escape routes are included where appropriate...’ This is on the understanding that you have concluded that the proposed development has passed the flood risk sequential test.

Within the application documents the applicant should clearly demonstrate to you that a satisfactory route of safe access and egress is achievable. It is for you to assess and determine if this is acceptable.

Advice to LPA/applicant - Non-Environment Agency lead priority species and habitats

Evidence shows that the proposed development poses a risk to a priority habitat or species that is listed in section 41 of the NERC Act 2006.

We strongly recommend that this is taken into account when the application is considered for approval. Failure to take relevant habitats and species into account may leave the determination of the application open to challenge.

We fully support Natural England’s request that Habitat Regulation Assessment must be carried out.

Advice to applicant – Environmental Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to applicant – Impoundment licence

If you intend to impound a watercourse then you are likely to need an impounding licence from the Environment Agency. An impoundment is any dam, weir or other structure that can raise the water level of a water body above its natural level. 'On-line' impoundments hold back water in rivers, stream, wetlands and estuaries, and consequently affect downstream flows, sediment transport and migration of fish.

Final Comments

Thank you again for consulting us on this application. Our comments are based on the best available data and the information as presented to us.

If you are minded to approve the application contrary to our objection, please contact us to explain why material considerations outweigh our objection. This will allow us to make further representations. Should our objection be removed, it is likely we will recommend the inclusion of condition(s) on any subsequent approval.

In accordance with the planning practice guidance (determining a planning application, paragraph 019), please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below. Please quote our reference number in any future correspondence.

Yours faithfully


Planning Advisor

