

Tonbridge and Malling Borough Council

**LOCAL DEVELOPMENT FRAMEWORK
DEVELOPMENT LAND ALLOCATIONS DPD**

**SUPPLEMENTARY POSITION STATEMENT
No DLA03A**

Other Employment Issues

Branbridges, East Peckham

Veremead: 258.02/03

TONBRIDGE AND MALLING LOCAL DEVELOPMENT FRAMEWORK

Supplementary Position Statement No DLA03A

Branbridges, East Peckham

1 Background

- 1.1 The Borough Council's position in relation to supporting the representations by Veremead Ltd. (258.02 and 258.03) in Position Statement No DLA03 was based on information current at the time Position Statement No DLA03 was finalised. In particular, it was based on preliminary verbal information from Environment Agency officers and from planning and engineering flood consultants representing Veremead Ltd. to the effect that the flooding objections to development on the site could be overcome and that it could therefore be considered suitable for development for employment purposes.
- 1.2 The Environment Agency has, in writing, now advised the Borough Council of a change in circumstances such that the site is now not considered suitable for development for employment purposes. (Copy of letter dated 17 August 2007 from the Environment Agency attached at **Annex A**.) This requires a change to the Borough Council's position in relation to the representations by Veremead Ltd.
- 1.3 This Supplementary Position Statement sets out these changed circumstances.

2 Changed Circumstances

- 2.1 The preliminary verbal information from the Environment Agency indicated that the Environment Agency was, subject to certain conditions, inclined to support the development of the site for employment purposes due to negotiations between the Environment Agency and Halcrow, Veremead's engineering flood consultants.
- 2.2 However, the Environment Agency has reviewed its position in relation to the flood risk relating to the site. Notwithstanding the possibility of engineering solutions which could overcome the flood risks on the site, the Environment Agency is now not inclined to support the development of the site for Employment Purposes.
- 2.3 The main reasons given by the Environment Agency for the changed circumstances are as follows:
 - Modelling of the River Medway at the site indicates that it is subject to a 1 in 20 year flood event;
 - The site falls within Flood Zone 3b and is therefore highly vulnerable to flooding;
 - The site is classified as a functional flood plain, which permits only appropriate water-compatible development.

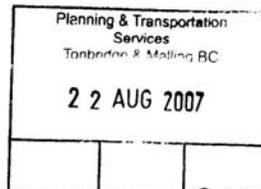
- The recent floods in Yorkshire and the West Midlands have shown the flood risk to commercial premises. In addition, the flood risk to employees is extremely hazardous, even if the buildings themselves are shown to be safe.

The considered opinion of the Environment Agency is therefore that the site should not be included in the Development Land Allocations DPD as an employment site, as it must be considered to be functional floodplain and therefore is not suitable for commercial development.

3 Borough Council's Response

- 3.1 The only reason for the Borough Council not supporting the allocation of the site for employment purposes is flooding. IT is otherwise suitable in land use terms for employment development as reflected in the Tonbridge and Malling Borough Local Plan.
- 3.2 The Environment Agency will present evidence in support of its position not to support the allocation of the site for Employment Purposes at the Public Examination and this will be included in the Council's Rebuttal Statement to be prepared in response to any further submission made by Veremead.
- 3.3 The Borough Council's position at the Preferred Options and at the Submission Stage not to allocate the site for employment purposes was informed by advice at that time from the Environment Agency. For the reasons given by the Environment Agency above, the Borough Council must, once again, accept the advice of the Environment Agency and revert to its original position which was that the site should not be allocated for employment purposes. The Borough Council's position in regard to the allocation of the site for employment purposes therefore remains the same as at the Preferred Options and Submission stage, that is not to support the allocation of the site for employment purposes.
- 3.4 The Borough Council cannot therefore now recommend, as it did in Position Statement DLA03 that Policy E1(i) be amended to include the site as being safeguarded for employment purposes under Policy E1(i). Furthermore, the extent of Policy E3(o) should not be amended to include the site.

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Mr Bruce Stewart
Tonbridge & Malling Borough Council
Policy & Conservation
Gibson Building Gibson Drive
Kings Hill
West Malling
ME19 4LZ

Our ref: KT/2007/102892/01-L01
Your ref: PES/PO/258
Date: 17 August 2007

Dear Mr Stewart,

TOWN AND COUNTRY PLANNING ACT 1990

ENQUIRY RE: DELETION OF SITE - LAND ADJ. TO THE RIVER MEDWAY AT EAST PECKHAM (BRANBRIDGES)

LAND ADJ MEDWAY: BRANBRIDGES, EAST PECKHAM

Thank you for your letter dated 12th July. Please accept our apologies for the delayed response. The Environment Agency would like to offer the following advice.

It is correct that Halcrow has submitted a revised Flood Risk Assessment for the phase 3 site at Branbridges and that consideration has been given to the proposed floor levels, land raising and flood compensation. There is some further analysis required, as the flood risk has not been determined for climate change whilst the area proposed for flood compensation has been reduced from that agreed with the other sites. However, in theory there may be engineering solutions which could overcome the flood risk issues if the land was deemed to be in flood zone 3a.

However, the modelling of the River Medway at this location indicates that the land would be flooded for the 1 in 20 year flood event and as such this would classify the land as being functional floodplain and only appropriate water-compatible development should be permitted in this zone. This moves the land category from 3a to 3b and this has not been taken in to consideration by the consultants.

Whilst it may still be feasible to construct buildings that would be safe from flooding in this area, the functional floodplain will be subject to frequent flooding and it is difficult to predict how providing compensatory flood storage at a different location will impact on local flood levels.

Environment Agency
Orchard house, Endeavour Park, London Road, Addington, West Malling, Kent, ME19 5SH.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk
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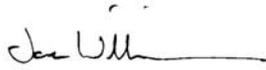
The recent floods in Yorkshire and the West Midlands have shown how commercial premises in flood risk will also create risks for employees, as access to and from these buildings through deep flood water can be extremely hazardous, even if the buildings themselves are shown to be safe.

It is therefore our considered opinion that the land in question should not be included in the Development Land Allocations, as it must be considered to be functional floodplain and therefore is not suitable for commercial development.

The Environment Agency would be pleased to provide evidence to a Public Examination to support our reasons for excluding this land from the Development Land Allocations.

Please contact Martin Blenkarn or Karrie Doust, direct line 01732 223237, if you have any further queries.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Joe Will', with a long horizontal line extending to the right.

Joseph Williamson
Planning Liaison Officer