

Statement of Common Ground between the Environment Agency and Spelthorne Borough Council – October 2024

This statement of common ground between the Spelthorne BC and the Environment Agency (EA) follows the preliminary statement of common ground which was agreed on 22 May 2023 and is mainly in relation to flood risk.

The EA provided comments on other matters within their remit for the Spelthorne Local Plan. Flood Risk, drainage capacity and impact of development on water bodies has been considered throughout the preparation of the Spelthorne Local Plan.

Modelling

Spelthorne BC and The Environment Agency have agreed the most appropriate modelling to be used in the SFRA Level 1 and Level 2 documents. Section 3.2 of the SFRA Level 1 document (July 2024) sets out the modelling used. In summary it comprises:

- Lower Thames Flood Modelling Report. WSP, Binnies. November 2023. Covering the Lower Thames from Datchet to Teddington. This model is referred to as Thames (Datchet to Teddington) 2023 Tributary Dominated’.
- River Ash Modelling Update, JBA Consulting 2019¹.
- Lower Colne Modelling and Mapping Study, Mott MacDonald, April 2012².

Spelthorne BC commitment

Spelthorne BC will obtain new modelling as soon as available and review the outputs to determine whether an update to the SFRA documents are required. Spelthorne BC commit to updating the SFRA documents promptly when required.

SFRA Versions

Specifically, the following studies have been used to support evidence on flood risk:

- Strategic Flood Risk Assessment (SFRA) Draft Interim Report, Feb 2018
- Level 1 – Strategic Flood Risk Assessment, May 2022
- Level 2 – Strategic Flood Risk Assessment Report, July 2022
- Spelthorne Water Cycle Study 2019
- Level 1 – Strategic Flood Risk Assessment Update (30 Nov 2022) (dated 2023 on website Spelthorne Takes Shape (spelthornelocalplan.info)
- Level 2 – Strategic Flood Risk Assessment Update, Feb 2023
- Level 1 – Strategic Flood Risk Assessment Update, October 2023
- Level 2 – Strategic Flood Risk Assessment Update, October 2023
- Spelthorne Strategic Sequential Test, October 2023
- Level 1 – Strategic Flood Risk Assessment Update, March 2024
- Level 2 – Strategic Flood Risk Assessment Update, March 2024
- Level 1 – Strategic Flood Risk Assessment Update, May 2024
- Level 2 – Strategic Flood Risk Assessment Update, June 2024

¹ The Thames 2023 (Tributary dominated) modelling incorporates the Ash 2019 model with some improvements. In time, the 2023 River Thames (Tributary dominated) model outputs will be used for decision making along the River Ash, however at the time of preparing this SFRA, the Ash 2019 modelling is still being used by the Environment Agency for decision making. Therefore, the Environment Agency have requested that the River Ash 2019 model outputs be included in this version of the SFRA as well.

² The Environment Agency are currently updating the Lower Colne model.

- Level 1 – Strategic Flood Risk Assessment Update, July 2024
- Level 2 – Strategic Flood Risk Assessment Update, July 2024
- Spelthorne Strategic Sequential Test, July 2024

List of dates of key revisions to the SFRA documents and reasons for these revisions

Date	Details
May 2022	Revised with reference to updated peak river flow climate change allowances
November 2022	Revised with reference to the latest PPG and DRAFT modelling outputs for River Thames (Windsor to Teddington) provided by the Environment Agency
June 2023	Updated following comments from Environment Agency and SCC, and reverting to the PUBLISHED River Thames modelling (Hurley to Teddington, 2019/2020)
March 2024	Updated following comments from Environment Agency and using PUBLISHED River Thames modelling 2023 (Datchet to Teddington)
May 2024	Updated following comments from Environment Agency
July 2024	Amended regarding points raised in EA letter dates 21 June 2024

Spelthorne BC commitment

Spelthorne BC commit to updating the SFRA documents when appropriate. This includes

- Publication of new hydraulic modelling
- Significant updates to national planning guidance on flooding

Spelthorne BC commit to producing a Supplementary Planning Document/Guidance or Supplementary Plan (as appropriate) on flood risk and safe access and egress

- SBC commit that work on this will begin immediately after the Local Plan is adopted. SBC will follow the most up to date policy and guidance from central government regarding if it should be a Supplementary Planning Document (SPD) or Supplementary Plan (SP) and this will influence the exact timescale, but it will be a priority for the Council’s Strategic Planning Team.
- We welcome the opportunity to work with the Environment Agency (and Surrey CC as the LLFA) on the SPD/SPG/Supplementary Plan.
- Timeline – If the Council are able to return to Local Plan Examination in January/February 2025, they are then likely to consult on modifications in April 2025 and hope to hear from the Inspector and then adopt the Plan summer 2025. Work could then begin on the Flooding SPD/SPG/Supplementary Plan in early autumn 2025. SBC will follow the most up to date policy and guidance from central government regarding if it should be a Supplementary Planning Document (SPD) or Supplementary Plan (SP) and this will influence the exact timescale however we would hope to begin work late summer/early autumn 2025, consult in early 2026 and adopt late spring/early summer 2026.

The SPD/SPG will guide applicants and developers to demonstrate and ensure that **all** allocated sites have safe access and egress.

Site Allocations

Source	Request	Action
Letter from the EA dated 21 June 2024	Requested removal of <ul style="list-style-type: none"> ST4/002 Bridge Street Car Park ST4/010 Riverside Car Park 	At a meeting of the Council on 18 July, the Council resolved to request a main modification to the Inspector to remove two sites. Cllr Beecher wrote to the Inspector on 23 July 2024.
Information from the EA dated 13 September 2023 and previously	<ul style="list-style-type: none"> ST4/011 Thames Lodge Hotel, Thames Street 	At a meeting of the Environment and Sustainability Committee on 29 February 2024, the Council resolved to request a main modification to the Inspector to remove the site from the Local Plan. Cllr Beecher wrote to the Inspector on 23 July.
Information from the EA dated 13 September 2023 and previously	<ul style="list-style-type: none"> ST1/029 Surrey CC Buildings, Burges Way ST1/030 Fairways Day Centre, Knowle Green 	Proposed to remove from the Local Plan prior to start of Examination due to flood risk and confirmed at a meeting of the Environment and Sustainability Committee on 29 February 2024, the Council resolved to request a main modification to the Inspector to remove the sites from the Local Plan. Cllr Beecher wrote to the Inspector on 23 July.
Information from the EA dated 13 September 2023, 2 May 2024 and 21 June 2024	<ul style="list-style-type: none"> ST4/019 35-45 High Street, Staines (Former Debenhams Site) 	At a meeting of the Council on 18 July, the Council resolved to request a main modification to the Inspector to <ul style="list-style-type: none"> move the site to Years 6-10 of the Plan Period and add the following wording to the site allocation <i>“The site will not be available for development until a safe route for access and egress can be provided and maintained during a flood event (ie the 1% AEP fluvial flood event and surface water event including an appropriate climate change allowance)”.</i> Cllr Beecher wrote to the Inspector on 23 July.
Information from the EA dated 13 September 2023, 2 May 2024 and 21 June 2024	<ul style="list-style-type: none"> ST4/026 Communications House, South Street, Staines ST4/028 William Hill / Vodafone/ 	<ul style="list-style-type: none"> At a meeting of the Environment and Sustainability Committee on 29 February 2024, the Council resolved to request a main modification to the Inspector to move the site to Years 11-15 of the Plan Period

	<p>Monsoon, 91-93 High Street, Staines</p> <ul style="list-style-type: none"> • SH1/010 Shepperton Library, High Street, Shepperton (Years 11-15) • ST1/028 Leacroft Centre, Leacroft, Staines (Years 11-15) 	<ul style="list-style-type: none"> • At a meeting of the Council on 18 July, the Council resolved to request a main modification to the Inspector to add the following wording to the site allocation <i>“The site will not be available for development until a safe route for access and egress can be provided and maintained during a flood event (ie the 1% AEP fluvial flood event and surface water event including an appropriate climate change allowance)”.</i> <p>Cllr Beecher wrote to the Inspector on 23 July.</p>
<p>Information from the EA dated 13 September 2023, 2 May 2024 and 21 June 2024</p>	<ul style="list-style-type: none"> • ST4/004 96-104, Church Street (Years 6-10) • ST4/023 Two Rivers Retail Park Terrace, Mustard Mill Road (Years 6-10) • ST4/024 Frankie & Benny’s/Travelodge, Two Rivers (Years 6-10) • SH1/015 Shepperton Youth Centre (Years 11-15) • SH2/003 Shepperton Delivery Office (Years 11-15) • ST1/028 Leacroft Centre (Years 11-15) • ST4/025 Land at Coppermill Road (Years 11-15) 	<p>At a meeting of the Council on 18 July, the Council resolved to request a main modification to the Inspector to add the following wording to the site allocation:</p> <p><i>“The site will not be available for development until a safe route for access and egress can be provided and maintained during a flood event (ie the 1% AEP fluvial flood event and surface water event including an appropriate climate change allowance)”.</i></p> <p>Cllr Beecher wrote to the Inspector on 23 July.</p>
<p>Information from the EA dated 8 July 2024</p>	<ul style="list-style-type: none"> • <u>ST1/037 – Thameside House (Years 1-5)</u> 	<p>The south-western part of the site is at a higher risk of flooding than the rest of the site. Within the area which falls within flood zone 3a (1% AEP), the built footprint of the new development should not exceed that of the existing building and where possible should be reduced.</p> <p>The SFRA Level 2 states: “Pedestrian access shown to be available at Low hazard beneath railway line, through to George Street and Kingston Road”.</p>

		<p>The Council will request a main modification to the Inspector to add the following wording to the site allocation: <i>“Within the area which falls within flood zone 3a (1% AEP), the built footprint of the new development should not exceed that of the existing building and where possible should be reduced.</i></p> <p><i>The site layout will be required to be designed to ensure all development is able to access the safe route for access and egress (shown within the SFRA Level 2) during a flood event (i.e. the 1% AEP fluvial flood event and surface water event including an appropriate climate change allowance)”.</i></p>
	<ul style="list-style-type: none"> • <u>ST4/009 The Elmsleigh Centre and adjoining land South Street (Years 11-15)</u> 	<p>The Council will request a main modification to the Inspector to add the following wording to the site allocation: <i>“In order to ensure that future development does not increase the risk of flooding to the surrounding areas, the built footprint of the new development should not exceed that of the existing building and where possible should be reduced.</i></p> <p><i>The site layout will be required to be designed to ensure all development is able to access the safe route for access and egress (shown within the SFRA Level 2) during a flood event (i.e. the 1% AEP fluvial flood event and surface water event including an appropriate climate change allowance)”.</i></p>
	<ul style="list-style-type: none"> • <u>RL1/011 Land at Staines and Laleham Sports Club, Worple Road (Years 6-10)</u> 	<p>No action required</p> <p>Notes Site is included SFRA Level 2 which states: Site is at Low and Moderate hazard. Access/egress that is dry or at low hazard during the 1% AEP event including 35% climate change allowance is available for the site, along Worple Road north to Kingston Road, and then east to the A308.</p>

	<ul style="list-style-type: none"> • <u>AT1/012 Ashford Community Centre, Woodthorpe Road (Years 1-5)</u> 	<p>The Council will request a main modification to the Inspector to add the following wording to the site allocation:</p> <p><i>“In order to ensure that future development does not increase the risk of flooding to the surrounding areas, the built footprint of the new development should not exceed that of the existing building and where possible should be reduced.</i></p> <p><i>The site layout will be required to be designed to ensure development is set back from the River Ash”.</i></p>
Letter from the EA dated 21 June 2024	<p>EA queried hazard information for three sites:</p> <ul style="list-style-type: none"> • Staines Telephone Exchange • Ashford Community Centre • Thameside Arts Centre 	<p>Aecom emailed EA on 3 July 2024 with an explanation that the issue was regarding the colour palette of map legends. EA emailed 6 August 2024 to state:</p> <p><i>We have checked our data, and we agree that there was an issue with how the hazard information was classified. We are now looking to address this issue. As you have stated in your email your maps are using the latest modelling and are following the FD2320 guidance, so the maps do not require amendment.</i></p>

Policy E3 wording

Spelthorne Borough Council, Surrey CC and the Environment Agency have agreed amended wording of policy E3. Upon agreement of this Statement of Common Ground, the Council will request a main modification to the Inspector to agree the revised wording. The wording is attached in appendix 1.

Outstanding issues/Areas of disagreement

1. In letter dated 21 June 2024 the EA requested an updated Sequential Test document. This was sent by Aecom on 6 August 2024 along with updated SFRA Level 1 and Level 2 documents. The Council are waiting for feedback.
2. We understand the Sequential Test has been updated and would be submitted with the updated SFRA Level 1 and 2 to the EA for review.

Signed

Date 13 August 2024



Councillor Malcolm Beecher
Chair of Environment & Sustainability Committee

Signed

Date 14 October 2024



Judith Montford
Planning Specialist | Sustainable Places | Thames Area
Environment Agency

Appendix 1: Policy E3: Managing Flood Risk

E3: Managing Flood Risk

- 1) To reduce the overall and local flood risk development must be located, designed and laid out to ensure that it is safe (*as defined in PPG Flood Risk and Coastal Change and the Level 1 SFRA*), flood risk is not increased elsewhere) and that residual risks are safely managed. The council would support measures to encourage a reduction in flood risk.
- 2) New development will be guided to areas of lowest flood risk from all sources of flooding through the application of the sequential approach¹. Where individual sites contain different levels of flood risk e.g. flood zones, a site-specific sequential test should be applied to locate the most vulnerable uses in the areas of lowest risk from all sources. The exception test will continue to be applied where national planning policy states that it is necessary.
- 3) All development proposals² are required to demonstrate that land drainage will be adequate and that they will not result in an increase in surface water run-off. The Council will expect incorporating SuDs (Sustainable Drainage Systems) to manage surface water drainage and provide multi-functional benefits in accordance with the NPPF, unless it can be demonstrated that they are not appropriate. SuDs should
 - a) Ensure surface run-off is managed as close to the source as possible and does not increase flood risk elsewhere;
 - b) Be in accordance with the rainwater disposal hierarchy of Building Regulations Part H3 (3);
 - c) In circumstances where it has been proved that infiltration is impractical, ensure discharge of surface water to watercourse/sewer shall not exceed the following peak rates:
 - at pre-development greenfield runoff rates on all new development;
 - as close as reasonably practicable to greenfield run off rates from all other brownfield sites;
 - d) Be designed to be multi-functional and incorporate sustainable drainage into landscaping and public realm, including maximising opportunities to establish surface water ponding areas, urban watercourse buffer areas and multi-use flood storage areas in locations of high surface water flood risk and critical drainage areas to improve flood resilience, amenity and biodiversity;
 - e) Achieve improvements in water quality through a sustainable drainage system management train;
 - f) Be designed with consideration of future maintenance and climate change; and

¹ <https://www.gov.uk/guidance/flood-risk-assessment-the-sequential-test-for-applicants>

² Excluding minor householder such as porches and conservatories

- g) Make improvements in accordance with the Council's most up to date Infrastructure Delivery Plan.
- 4) Development in Flood Zones 2 and 3a³ and on a dry island⁴ will be permitted provided that:
- (a) the vulnerability of the proposed use is appropriate for the level of flood risk on the site (see table below);
 - (b) the proposal passes the sequential and exception test (where required) as outlined in the NPPF and guidance;
 - (c) a site-specific flood risk assessment demonstrates that the development, including the access and egress, will be safe for its lifetime (taking into account the appropriate climate change allowance) without increasing flooding elsewhere⁵, and will, where possible, reduce flood risk overall;
 - (d) safe access and egress⁶ is demonstrated for all developments including residential development of one or more net additional units;⁷. Applicants and Developers should refer to and apply the details/requirements in the 'Safe Access and Egress' Supplementary Planning Document/Guidance.
 - (e) the scheme incorporates flood protection, flood resilience and resistance measures appropriate to the character of the area⁸ and;
 - (f) applications include appropriate flood warning and evacuation⁹ and site drainage systems take account of storm events and flood risk of up to 1 in 100 year event with an appropriate allowance for climate change.

³ As identified on the latest Environment Agency flood risk maps and the Council's latest Strategic Flood Risk Assessment

⁴ Defined in SFRA as Dry islands: The extensive area of floodplain within Spelthorne is relatively flat; however, there are certain areas of slightly higher ground which are less prone to flooding than the land around them. During times of flood it is possible that all the land surrounding these areas becomes flooded, resulting in this higher area becoming a 'dry island'. During prolonged periods of flooding it may prove difficult to provide resources and emergency services to those living in these areas. In order to reduce the flood risk, these 'dry islands' should be treated the same as for the level of flood risk in the area surrounding them, regardless of their size. When contemplating development, it is important to study the wider area of the flood map to ensure that there is a dry route to a point outside the floodplain

⁵ As set out in the Planning Practice Guidance (para 49) "Where flood storage from any source of flooding is to be lost as a result of development, on-site level-for-level compensatory storage, accounting for the predicted impacts of climate change over the lifetime of the development, should be provided.

⁶ See Flood risk and coastal change section of the Planning Practice Guidance and section 6.2 of the Spelthorne SFRA Level 1 for more information of safe access and egress. More detail and guidance will be provided in the forthcoming SPD/SPG/Supplementary Plan on Flood Risk.

⁷ Not required for residential extensions or replacement dwellings

⁸ Please refer to section 5.8 of SFRA Level 1 which covers measures to control and mitigate flood risk. Section 5.8 specifically addresses flood resilience and resistance measures.

⁹ <https://www.gov.uk/government/publications/personal-flood-plan>

- 5) Applications must be supported by Flood Risk Assessments where appropriate¹⁰ that demonstrate the development will be safe, not increase flood risk elsewhere, and maximise opportunities to reduce flood risk from all sources.

1 in 30 year – Flood Zone 3b

Within the 1 in 30 year¹¹ (Flood Zone 3b or functional floodplain, which includes, but is not limited to, the 3.3% AEP) extent¹²;

- (a) the provision of essential infrastructure should be avoided but will be considered if demonstrated to pass the exceptions test. Essential infrastructure should be designed and constructed to:
 - i) remain operational and safe for users in times of flood
 - ii) result in no net loss of floodplain storage
 - iii) not impede water flows and not increase flood risk elsewhere
 - (b) change of use to a higher vulnerability classification will not be permitted;
 - (c) extensions or re-development of buildings may be considered, subject to the following:
 - i) the footprint of the building should not be increased unless level for level floodplain compensatory storage can be provided,
 - ii) finished floor levels shall not be lower than the existing and where possible they should be raised¹³;
 - iii) surface water runoff rates and volumes from the site should be reduced;
 - iv) where possible, floodplain storage capacity should be increased and space created for flooding to occur by restoring functional floodplain;
 - v) flood resistance and resilience measures¹⁴ be incorporated and;
 - vi) inclusion of measures to ensure development remains safe for users in time of flood¹⁵.
 - (d) Extent basements, basement extensions, conversions of basements to a higher vulnerability classification are not permitted.¹⁶
- 6) Schemes which deliver a betterment will be supported, subject to consultation with the Environment Agency where required, and meeting other policy requirements of the Plan.

¹⁰ See NPPF footnote 59

¹¹ Existing infrastructure or solid buildings that resist water ingress are not included within the definition of Flood Zone 3b Functional Floodplain and the associated planning requirements do not apply.

¹² The definition of FZ3b being used by Spelthorne is broader than the 3.3% AEP event, it includes the use of the 2% AEP event for the River Colne. *Where a watercourse does not have modelling available for the 1 in 30 year (3.3% AEP) flood event, a conservative approach should be applied and the extent of Flood Zone 3 used to define Flood Zone 3b, until such a time as modelling is available.*

Any areas designed to flood (e.g. flood storage areas) should also be included in the definition of FZ3b in accordance with Planning Practice Guidance, Flood Risk and Coastal Change

¹³ The applicant must provide a written justification of why it is not possible for the extension/redevelopment to raise the floor level

¹⁴ Section 5.8 of Level 1 SFRA explains flood resilience measures

¹⁵ This may incorporate the timely evacuation of properties prior to the onset of flooding in accordance with an individual Flood Warning and Evacuation Plan for the site).

River Thames Scheme

- 7) The Council supports proposals for strategic flood relief measures, including the proposed flood channel through the Borough as part of the River Thames Scheme. The proposed route of the channel and the land adjacent to it, as shown on the Policies Map will be safeguarded for this purpose¹⁷.

Definitions

- 13.1 Different areas of flood risk in Spelthorne Borough are determined by definitions contained within national planning practice guidance and the Council's Strategic Flood Risk Assessment (Level 1).
- Flood resistance: Flood-resistant construction can prevent entry of water or minimise the amount that may enter a building where there is short duration flooding outside with water depths of 0.6 metres or less. This form of construction should be used with caution and accompanied by resilience measures, as effective flood exclusion may depend on occupiers ensuring some elements, such as barriers to doorways are put in place and maintained in a good state.
 - Flood resilience: Flood-resilient buildings are designed and constructed to reduce the impact of flood water entering the building so that no permanent damage is caused, structural integrity is maintained, and drying and cleaning is easier and the building can be re-occupied more quickly.
- 13.2 Planning Practice Guidance¹⁸ states that flood resistance and resilience measures should not be used to justify development in inappropriate locations.

Flood Zones (source Planning Practice Guidance Flood risk and coastal change)

Flood Zone	Definition
Zone 1 Low Probability	Land having a less than 0.1% /1 in 1,000) annual probability of river or sea flooding. (Shown as 'clear' on the Flood Map – all land outside Zones 2, 3a and 3b)
Zone 2 Medium Probability	Land having between a 1% and 0.1% (1 in 100 and 1 in 1,000) annual probability of river flooding; or land having between a 0.5% and 0.1% (1 in 200 and 1 in 1,000) annual probability of sea flooding.
Zone 3a High Probability	Land having a 1% (1 in 100) or greater annual probability of river flooding; or land having a 0.5% (1 in 200) or greater annual probability of sea flooding.
Zone 3b The Functional Floodplain	This zone comprises land where water from rivers or the sea has to flow or be stored in times of flood. The identification of functional floodplain should take account of local circumstances and not be defined solely on rigid probability parameters. Functional floodplain will normally

¹⁷ As set out in para 161 (b) of the NPPF 2021.

¹⁸ Updated 25 August 2022

	<p>comprise:</p> <ul style="list-style-type: none"> • land having a 3.3% or greater annual probability of flooding, with any existing flood risk management infrastructure operating effectively; or • land that is designed to flood (such as a flood attenuation scheme), even if it would only flood in more extreme events (such as 0.1% annual probability of flooding). <p>Local planning authorities should identify in their Strategic Flood Risk Assessments areas of functional floodplain and its boundaries accordingly, in agreement with the Environment Agency.</p>
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13.3 Note: The Flood Zones shown on the Environment Agency’s Flood Map for Planning (Rivers and Sea) available on the Environment Agency’s website, do not take account of the possible impacts of climate change and consequent changes in the future probability of flooding. Reference should therefore also be made to the [Strategic Flood Risk Assessment](#) when considering location and potential future flood risks to developments and land uses.

Flood Resistance

13.4 Flood resistance measures aim to keep water out and give occupants time to relocate ground floor contents. There are a range of flood protection devices/methods including:

- Using materials and construction with low permeability
- Landscaping e.g. creation of low earth bunds (subject to this not increasing flood risk elsewhere)
- Raising thresholds and finished floor levels (See previous section) e.g. porches with higher thresholds than main entrance
- Flood gates with waterproof seals
- Sump and pump for floodwater to remove waste water faster than it enters
- Door guards and airbrick covers

Flood Resilience

13.5 Flood resilience measures are designed to allow water in but to limit damage and allow rapid re-occupancy. There are a range of options:

- Use materials with either good drying and cleaning properties, or, sacrificial materials that can easily be replaced;
- Design for water to drain away;
- Design access to all spaces to permit drying and cleaning;
- Raise the level of electric wiring, appliances and utility metres (0.1m above flood level);
- Ground supported floors with concrete slabs coated with impermeable membrane;
- Tank basements, cellars and ground floors with water resistant membranes; and
- Plastic water resistant internal doors.

Flood Zone 3b Functional Floodplain

- 13.6 The definition of Flood Zone 3b Functional Floodplain for Spelthorne Borough Council is set out in the Strategic Flood Risk Assessment (SFRA) Level 1 document, which can be found on the Council website. It includes all buildings which have not been designed to exclude floodwater and do not resist water ingress, such as garages and warehouses, as well as roads, other linear features and other areas for car parking or recreational use which may provide important flow routes and flood storage functionality.
- 13.7 The definition of FZ3b being used by Spelthorne is set out in the Strategic Flood Risk Assessment (SFRA) Level 1 document, which can be found on the Council website. It is broader than the 3.3% AEP event, it includes the use of the 2% AEP event for the River Colne. Any areas designed to flood (e.g. flood storage areas) should also be included in the definition of FZ3b in accordance with Planning Practice Guidance, Flood Risk and Coastal Change. *Where a watercourse does not have modelling available for the 1 in 30 year (3.3% AEP) flood event, a conservative approach should be applied and the extent of Flood Zone 3 used to define Flood Zone 3b, until such a time as modelling is available.*

13.8

Flood Risk Vulnerability and Flood Zone 'incompatibility' (Source: PPG)

Flood Zones	Flood Risk Vulnerability Classification				
	Essential infrastructure	Highly vulnerable	More vulnerable	Less vulnerable	Water compat
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	Exception Test required	✓	✓	✓
Zone 3a †	Exception Test required †	X	Exception Test required	✓	✓
Zone 3b *	Exception Test required *	X	X	X	✓ *

Key:

✓ Exception test is not required

X Development should not be permitted

Notes

- This table does not show the application of the [Sequential Test](#) which should be applied first to guide development to the lowest flood risk areas; nor does it reflect the need to avoid flood risk from sources other than rivers and the sea;
- The Sequential and [Exception Tests](#) do not need to be applied to those developments set out in [National Planning Policy Framework footnote 56](#). The Sequential and Exception Tests should be applied to 'major' and 'non major' development;
- Some developments may contain different elements of vulnerability and the highest vulnerability category should be used, unless the development is considered in its component parts.

“+” In Flood Zone 3a essential infrastructure should be designed and constructed to remain operational and safe in times of flood.

“*” In Flood Zone 3b (functional floodplain) essential infrastructure that has passed the Exception Test, and water-compatible uses, should be designed and constructed to:

- remain operational and safe for users in times of flood;
- result in no net loss of floodplain storage;
- not impede water flows and not increase flood risk elsewhere.

Reasoned Justification

13.9 In Spelthorne there are areas within the 1 in 30 (Flood Zone 3b or functional floodplain, which includes, but is not limited to, the 3.3% AEP extent¹⁹) or greater flood extent that are already developed and are prevented from flooding by the presence of existing infrastructure or solid buildings. Whilst these areas may be subject to frequent flooding, it may not be practical to refuse all future development. As such, and in accordance with the PPG, in some instances the Council will consider existing building footprints, where they can be demonstrated to exclude floodwater, not to be defined as Flood Zone 3b Functional Floodplain.

13.10 The approach the Council will take to development within the 1 in 30 year (Flood Zone 3b or functional floodplain, which includes, but is not limited to, the 3.3% AEP extent) flood outline recognises the importance of pragmatic planning solutions that will not unnecessarily 'blight' areas of existing development, the importance of the undeveloped land surrounding them and the potential opportunities to reinstate areas which can operate as functional floodplain through redevelopment to provide space for floodwater and reduce risk to new and existing development.

13.11 The consideration of whether a building resists water ingress will be considered on a case-by-case basis as part of the planning application process, having regard to the

¹⁹ The definition of FZ3b being used by Spelthorne is broader than the 3.3% AEP event, it includes the use of the 2% AEP event for the River Colne. *Where a watercourse does not have modelling available for the 1 in 30 year (3.3% AEP) flood event, a conservative approach should be applied and the extent of Flood Zone 3 used to define Flood Zone 3b, until such a time as modelling is available. Any areas designed to flood (e.g. flood storage areas) should also be included in the definition of FZ3b in accordance with Planning Practice Guidance, Flood Risk and Coastal Change*

presence of existing buildings on the site and the existing routing of floodwater through the site during times of flooding.

Key Evidence

- Local Flood Risk Management Strategy (Surrey County Council, 2017) (www.surreycc.gov.uk)
- Level 1 Strategic Flood Risk Assessment (Spelthorne Borough Council, July 2024)
- Level 2 Strategic Flood Risk Assessment (Spelthorne Borough Council, July 2024)
- Spelthorne Water Cycle Study (Spelthorne Borough Council, 2019)

DRAFT