



Environment
Agency



Charnwood

CHARNWOOD LOCAL PLAN 2021-2037

Statement of Common Ground between:

- Charnwood Borough Council
- Environment Agency

November 2021

**CHARNWOOD LOCAL PLAN
STATEMENT OF COMMON GROUND BETWEEN THE ENVIRONMENT AGENCY AND
CHARNWOOD BOROUGH COUNCIL**

1. INTRODUCTION

- 1.1 This statement identifies the areas of common ground based on cooperation and joint working between the Environment Agency and Charnwood Borough Council, in respect of those policies contained in the Pre-Submission Draft Charnwood Local Plan.
- 1.2 The statement should be read alongside the representations to the Pre-Submission Draft Charnwood Local Plan. It is made without prejudice to the participation in the formal examination of any participant and the views that may then be expressed. Nevertheless, this Statement of Common Ground reflects the agreed position between Charnwood Borough Council and the Agency for submission to the Inspector for the Local Plan Examination of the Draft Local Plan.

2. PURPOSE

- 2.1 The Statement of Common Ground addresses strategic matters and shared issues between the parties. It provides a framework for the delivery of the Duty to Co-operate duties and obligations arising from Section 110 of the Localism Act 2011 and paragraphs 24 to 27 of the National Planning Policy Framework (2019).
- 2.2 The National Planning Policy Framework places a duty on local planning authorities and other bodies to cooperate with each other to address strategic issues relevant to their areas. The duty requires ongoing constructive engagement on the preparation of the local plan and other activities related to the sustainable development of land.
- 2.3 This Statement of Common Ground is an agreed written record which demonstrates how the duty to cooperate has been fulfilled.
- 2.4 Charnwood Borough Council is a public body which is the Local Planning Authority (LPA) for its administrative area. The Environment Agency is an executive non-departmental public body, sponsored by the Department for Environment, Food and Rural Affairs with a remit to protect and improve the environment, and is a specific consultee under the Town and Country Planning (Local Development) (England) Regulations 2012.

3. JOINT WORKING

- 3.1 The Borough Council has worked with the Environment Agency at key stages during the preparation of the plan and the drafting of the plan's strategy and policies has benefited from the input of their specialist expertise.
- 3.2 The Environment Agency was a valued stakeholder throughout in the preparation of the Strategic Flood Risk Assessment and provided helpful guidance in meetings at key stages of the Assessment.
- 3.3 The two bodies are also working closely together to implement a flood risk management scheme to address flood risk in Loughborough. This will improve the lives and wellbeing of local people residing in Loughborough by providing climate resilience through enhanced flood protection and the creation of multi-purpose green space. A summary of the scheme is attached as an appendix.


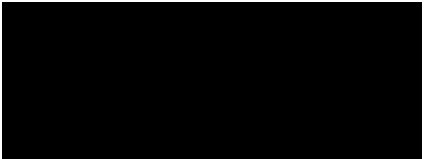
4. KEY MATTERS OF AGREEMENT

- 4.1 The Environment Agency has reviewed the Draft Local Plan and the evidence base. The Agency considers that the Charnwood Draft Local Plan passes the soundness tests and has therefore not raised any matters of soundness with respect to its areas of its responsibility covering flood risk, biodiversity and the protection of controlled waters.
- 4.2 There is agreement with respect to the following matters:
- a. that the Council's Strategic Flood Risk Assessment (SFRA) which informed the selection of site allocations, detailed criteria for sites and Policy CC1 Flood Risk is robust and fit for purpose;
 - b. that the climate change allowances which informed the SFRA are satisfactory proxies for the climate change allowances which were announced following its publication;
 - c. that Policy CC1 on Flood Risk Management provides the framework for the Borough Council and the Environment Agency to work together through the development management system to bring forward and implement a comprehensive range of solutions across river catchments including measures to reduce run off rates and provide for additional storage capacity;
 - d. that the Borough Council has taken a proactive approach to mitigating and adapting to climate change in accordance with the Planning and Compulsory Purchase Act and the NPPF;
 - e. that the plan's approach to safeguarding biodiversity in Policy EV6 sets out a positive basis for more detailed work to address the impact upon habitats and species;
 - f. that engagement with Severn Trent Water Ltd has enabled the Council to gain an informed understanding of water supply and wastewater treatment and the additional infrastructure required to address capacity over the plan period.

5. GOVERNANCE

- 5.1 In terms of governance arrangements the two parties agree to:
- review and update this Statement in light of any material change in circumstance such as: major changes to legislation or guidance; material changes to policy and strategy in the emerging plans;
 - adopt positive principles of cooperation.

6. SIGNATORIES TO THE STATEMENT

Signed on behalf of Environment Agency		Signed on behalf of Charnwood Borough Council	
			
Name	Nick Wakefield	Name	Richard Bennett
Position	Planning Specialist	Position	Head of Planning & Regeneration
Date	11 th November 2021.	Date	3 December 2021

APPENDIX A. JOINT WORKING

The following list is a summary of some of the most significant meetings, and exchanges of information, between Charnwood Borough Council and the Environment Agency during the preparation of the Draft Charnwood Local Plan and the supporting evidence base.

Event	Date	Outcomes
Environment Agency response to Draft Local Plan Regulation 18 Consultation	22/7/2016	Subsequent stages of plan preparation benefited from the Agency's detailed response to key issues.
Environment Agency response to 'Towards a Local Plan for Charnwood'.	25/5/2018	The Agency support for the Vision, Areas of Local Separation and Green Wedge allocations helped to clarify policy options. The importance of the Strategic Flood Risk Assessment in forming site allocations.
Inception Meeting of the Strategic Flood Risk Assessment	14/2/2020	The methodology was agreed with a shared understanding of data requirements and timescales. The planned approach to climate change modelling was agreed s was the importance of seeking a consistent approach to flood risk in Loughborough.
Detailed site specific consideration of draft allocations.	4/5/2020 to 28/5/2020	The Environment Agency's detailed site specific comments on flood risk, SuDS and contamination arising from landfill helped to inform the next stage of plan preparation.
Teleconference to discuss issues arising in the preparation of the SFRA.	21/9/2020	Agreement was reached on climate change allowances and the utilising the findings of the Woodbrook flood risk model
Flood risk mapping	28/9/2020	Updated flood risk mapping shared by the Agency which informed the SFRA assessment.
Woodbrook flood risk modelling work released to Borough Council's flood risk consultants.	8/1/2021	Agreement was reached on the use of the data and the way in which it would be used to inform the SFRA.
Key issues arising as part of the local plan consultation the Town Deal Project for flood risk management in Loughborough.	14/7/2021	The meeting resulted in improved joint working between planning policy, regeneration and flood risk management.
Financing flood alleviation works in the wider catchment area of Loughborough.	11/10/2021	

Appendix B.

Loughborough Wood Brook & Tributaries Flood Risk Management Scheme

Overview

Loughborough suffers frequent flooding and a number of recent flood events prompted further investigation to be undertaken to investigate the Wood Brook river system to establish whether there is a viable flood risk management scheme.

Computer modelling analysis indicates that positive benefits and outcomes would be achieved from a flood storage solution utilising an existing reservoir and creation of a new flood storage area. Additional benefits would be achieved through channel conveyance improvements downstream of the reservoirs and through natural flood management higher in the catchment. We are also working closely with Leicestershire County Council (Lead Local Flood Risk Authority) to address the risk of surface water flooding in the town.

Objectives

The Flood Risk Management (FRM) scheme options align with The Environment Agency's EA2025 vision "Creating a better place", which is underpinned by the higher-level policies of Defra and other Government departments. The FRM scheme will support the following long term goals:

- A nation resilient to climate change;
- Healthy air, land, water and;
- Green growth and a sustainable future

The scheme will seek to achieve the following aims:

- Provide enhanced protection for people and businesses in Loughborough as climate change increases the frequency and severity of flood events;
- Greater resilience to climate change, enhancing green economic growth;
- Improve biodiversity by creating new and high-quality habitats, the project will improve the river corridor along the Moat Brook and the coverage of wet grassland habitats;
- Support local community priorities to achieve the outcomes they want;
- Reduction in carbon impact of construction/ operation of schemes being delivered by the Environment Agency; and
- Strengthen partnerships with others to accomplish common goals

Benefits

The scheme will improve the lives and wellbeing of local people residing in Loughborough by providing climate resilience through enhanced flood protection and the creation of multi-purpose green space. The scheme is predicted to deliver a reduced flood risk for up to 360 residential and 101 non-residential properties with approximately £16 million in present value economic benefits over the 100 year appraisal period. Additionally, the scheme will enable the development of sites allocated in the Draft Charnwood Local Plan for housing and employment. The Draft Local Plan has allocated land for 2,242 houses and 98 hectares of land for employment in Loughborough to 2037. Some of these sites are known to present flood risk challenges. Effective mitigation is therefore essential so that the future of the town centre can be sustained, regeneration promoted and sustainable development achieved. There are opportunities to incorporate environmental and amenity improvements. Furthermore, the project will reduce the reliance on the Environment Agency to manage flood risk through debris screen clearance, thus reducing the risk and releasing resources to be effectively utilised elsewhere.

Funding

Delivery of the Loughborough Wood Brook Scheme will not be achievable within the Defra Partnership Funding policy framework without the financial support of stakeholders, such as the Loughborough Town Deal and contributions from 3rd Parties (e.g. catchment developments). In the absence of this project, significant flood risk will remain in Loughborough. This could increasingly be a barrier to delivery of many of the Town Deal aspirations and future regeneration of the town. The scheme is part of Environment Agency's plans to manage and reduce flood risk in Loughborough which includes asset maintenance, flood warning and development of future schemes. Financial support from developments in the catchment contribute towards the Environment Agency reducing flood risk today and in the future. The scheme has a partnership funding shortfall which needs to be closed by submission of the business case.

Timeframes

The Loughborough Wood Brook Flood Risk Management Scheme will be delivered through the Environment Agency's Major Projects and Programme Delivery (MPPD) team. Business cases are required to be delivered in accordance with the Government's 5 case model and assurance process. The timeframes are governed in accordance with the Loughborough Town Deal and the submission of business cases in 2022/23. Subject to successful business case assurance, scheme delivery will commence shortly after.

Further information

Further information on the scheme, latest position and flood risk management in Loughborough can be obtained through contacting the customer services line and asking to speak with the Partnership & Strategic Overview Team in the East Midlands.