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**Our ref:** SL/2014/113771/04-L01  
**Your ref:** 14/P4361\_September 2015  
**Date:** 24 November 2015

Dear Sabah

**Proposed demolition of existing buildings and erection of a 20,000 seat football stadium (initially 11,000 seat) with hospitality and coach parking, pedestrian street, 1,273 sq m retail unit, 1,730 sq m squash and fitness club, 602 residential units with basement parking, refuse storage, 297 car parking spaces, cycle parking, and associated landscaping/open space and servicing.**

**Wimbledon Greyhound Stadium, Riverside road, Wimbledon, London, SW17 0BL.**

Thank you for consulting us on the revised application. Based on the Flood Risk Assessment – Addendum Peter Brett Associates LLP dated April 2015 and the Technical Note by Peter Brett Associates LLP Note No: TN14A, dated 2<sup>nd</sup> September 2015 we are satisfied that development has addressed the following points raised in our previous objection.

- demonstrate sufficient flood storage compensation is available
- demonstrate surface water can be managed sustainably without increasing offsite flood risk
- demonstrate no increase in flood risk from all sources in the surrounding area
- address the opportunities presented by this development for reducing flood risk for example through the increase in flood storage

We are therefore in the position to remove our objection to the proposed development, subject to the following conditions in section 1 of this response being included on the planning permission.

We have provided further information and background to the issues covered by this response, in section 2 below.

Yours sincerely

**Joe Martyn**  
**Planning Advisor**  
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## **Section 1: Conditions**

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures as detailed in the Flood Risk Assessment, its Addendum and the Technical Note No. TN14A submitted for this application are implemented and secured by way of a planning condition on any planning permission.

### **Condition 1**

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) by Peter Brett Associates LLP dated October 2014, supported by the Flood Risk Assessment – Addendum by Peter Brett Associates LLP dated April 2015 and the Technical Note No. TN14A by Peter Brett Associates LLP dated 2<sup>nd</sup> September 2015, and the following mitigation measures detailed within these documents:

1. Implementation of the scheme for compensatory flood storage as detailed in Section 4.4 of the FRA and supported by Section 4.1, Section 4.2 and Appendix B of the Addendum, which also include details of flood openings and how they will be maintained for the lifetime of the development.
2. Ground floor finished floor levels for residential units are set no lower than 300mm above the 1 in 100 plus climate change flood level above Ordnance Datum as detailed in Section 4.1 of the FRA.
3. Soffit level of the podium structure for Blocks A and B are set no lower than the 1 in 100 plus climate change flood level above Ordnance Datum as detailed in Section 4.1 of the FRA.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

### **Reason**

To reduce the risk of flooding to the proposed development and future users, and ensure flood risk does not increase offsite.

### **Advice**

The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The Local Planning Authority may wish to secure the implementation of the submitted Flood Warning and Evacuation Plan included in Appendix D of the Addendum as a planning condition.

### **Condition 2**

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the

risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

#### **Reason**

For the protection of Controlled Waters. The site is located over a Secondary Aquifer and no information has been provided on the potential for contamination.

#### **Condition 3**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

#### **Reason**

There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

#### **Condition 4**

Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

**Reason**

Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

**Condition 5**

Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

**Reason**

Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

**Note:** We are aware that infiltration drainage does currently not form part of the proposed drainage scheme. We request this condition to ensure that any potential changes to the drainage scheme will not result in a discharge to ground which could result in a risk to groundwater.

**Condition 6**

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**Reason**

The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.



## **Section 2: Detailed comments**

### **Flood Storage compensation**

The applicant has demonstrated the proposed scheme will not result in a loss of flood storage in sections 4.1, 4.2 and Appendix B of the FRA Addendum, supported by the Technical Note No. TN14A by Peter Bretts Associates.

The original assessment and the subsequent mitigation measures proposed are based on the 2010 modelling of the River Wandle. The applicant has taken into account the latest modelling for the River Wandle to assess its implication on the development and the proposed mitigation measures. The comparison between the 2010 and 2015 modelling has been included in the Technical Note No. TN14A, and this shows a decrease in flood levels across the site. However, the applicant is still proposing to use the mitigation measures based on the initial assessment, and we accept this approach as conservative. After further consideration on the physical nature of the local circumstances, we remove our objection point on openings (previously referred to as voids). This is covered in Section 4.2.2 of the FRA Addendum.

We are satisfied that the applicant has used the correct flood risk information to inform their assessment.

We are satisfied with the applicant's assumption regarding existing non-floodable footprint on site. This is based on specific levels provided by a site survey. It was agreed in meeting between the Environment Agency and Peter Brett Associates that the stadium stands was deemed to be non-floodable. This has been confirmed following a discussion with the applicant as noted in Section 4.1 of the FRA Addendum.

### **Surface water flood risk**

In our previous response we requested further information on the surface water drainage for the site. On 15 April 2015, the responsibility for giving advice on major planning applications for surface water flood risk transferred from us to Lead Local Flood Authorities (LLFA's). We understand the London Borough of Merton is satisfied with the surface water drainage details submitted and intend to secure the implementation of proposed surface water drainage scheme by way of planning condition.

### **River Wandle Modelling and Merton's Strategic Flood Risk Assessment**

The Strategic Flood Risk Assessment (SFRA) for the London Borough of Merton was first prepared in 2008, using the 2008 Wandle Flood Risk Mapping Study. The London Borough of Merton is going through the process of updating their SFRA using the latest River Wandle modelling which was completed by us in May 2015.

We have provided the latest modelling outputs to the London Borough of Merton to support their assessment, and we have been in discussion with them about their definition of the functional floodplain in accordance with Paragraph 15 in the Planning Practice Guidance which states that "Local planning authorities should identify areas of functional floodplain in their Strategic Flood Risk Assessments in discussion with the Environment Agency and the Lead Local Flood Authority. The identification of functional floodplain should take account of local circumstances and not be defined solely on rigid probability parameters. However, land which would naturally flood with an annual probability of 1 in 20 (5%) or greater in any

year, or is designed to flood (such as a flood attenuation scheme) in an extreme (0.1% annual probability) flood, should provide a starting point for consideration and discussions to identify the functional floodplain.

The area identified as functional floodplain should take into account the effects of defences and other flood risk management infrastructure. Areas which would naturally flood, but which are prevented from doing so by existing defences and infrastructure or solid buildings, will not normally be identified as functional floodplain.”

The updated modelling has resulted in a smaller outline of the defended 1 in 20 year annual probability flood event and shows the site to now fall outside of this flood outline. The modelling information is publicly available by request from our Customer and Engagement Team at [kslenquires@environment-agency.gov.uk](mailto:kslenquires@environment-agency.gov.uk)

The London Borough of Merton have now published their Level 1 SFRA Maps online which show their final definition of functional floodplain for the borough. These maps are based on the latest River Wandle modelling and the defended 1 in 20 flood outline has been used to define functional floodplain. Therefore, the site now falls outside of the functional floodplain (Flood Zone 3b). The site is now shown as falling within Flood Zone 3a.

#### **Wandle Model briefing note**

We will shortly be providing a briefing note which set out the changes in flood risk to the site which have resulted from the new River Wandle Model. We ask that you make this available to any parties that have an interest in the site to help inform their understanding of flood risk.

#### **Planning Policy**

##### **Functional Floodplain**

As stated above the London Borough of Merton has amended their Functional Flood Plain based on the latest River Wandle modelling. The site is now shown to fall with the flood zone 3a. Table 3: Flood risk vulnerability and flood zone 'compatibility of the Planning Practice Guidance states that more vulnerable development is only deemed as appropriate in flood zone 3a subject to the passing of the exceptions test.

##### **Sequential Test**

The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding. The Environment Agency is not responsible for the undertaking of the sequential test.

It is our understanding that the London Borough of Merton consider that the sequential test was carried out as part of the site allocations process and no other suitable site for sporting intensification with enabling growth has been identified.

If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in

zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:

### **Exceptions test**

The National Planning Policy Framework states that for the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

The Environment Agency are responsible for assessing second part of the Exception test. We consider that the applicant has address part two of the Exception test through the submitted information.

