

**Pulteney Estate Residents' Association (PERA)
c/o 24 Great Pulteney Street, Bath, BA2 4BU**

Ref:- ID/27 impact of NPPF & CD6/E2.2 from PERA (0227)

To Inspector Simon Emerson (B&NES Core Strategy)
via Chris Banks - Programme Officer

**Re:- CD6/E2.2 Policy B1 section 8 (b) – 3 variants (amends PC 19)
+ Impact thereon of NPPF & Technical Guidance – Flood risk pages 2 – 12 (March 2012)**

Dear Sir,

Thank you for your invitation to comment on the above. We have been in communication with LoRARA and strongly support their position. Hence our official response is along the same lines.

We refer to the Ministerial Foreword to the National Planning Policy Framework and in particular para 11 :-

“ Planning must be a CREATIVE exercise in finding ways to ENHANCE and IMPROVE the places in which we live our lives.”

This reinforces the significance of the “POLICY AIMS” (in Table 1 FLOOD ZONES). In the context of the Recreation Ground in Bath, we respectfully draw your attention to pages 4 & 5, where for FZ 3a & FZ 3b *“developers AND LOCAL AUTHORITIES should seek opportunities to*

- i) reduce the overall level of flood risk in the area through the layout and form of the development, and the appropriate application of sustainable drainage systems;*
- ii) RELOCATE EXISTING development to land in zones with a lower probability of flooding;*
- iii) create space for flooding to occur by RESTORING FUNCTIONAL FLOODPLAIN and FLOOD FLOW PATHWAYS and by identifying, allocating and safeguarding open space for flood storage.”*

These aspirations reach much further than merely allowing replacement of existing buildings.

We submit photographic evidence of flooding on the Recreation Ground (P1 & P2, the Cricket Ground (P3), flooded entrance to the Pavilion and Sports Centre Car Park (P4) and towpath (P5) in year 2000 when the City itself was not flooded – ie when the Recreation Ground served as FUNCTIONAL FLOODPLAIN and protected the City Centre. PPS25 Practice Guide emphasised that the definition of the functional floodplain allows flexibility to make allowance for local circumstances and should not be defined on rigid probability parameters.

Furthermore, your attention is once again respectfully directed to CD4/FR1 page 9 which describes Flood Hazard (esp para 4) "*In the Bath Recreation Ground fast flowing water (>1m/s) is expected to coincide with deep water (>1.75 m). This combination is considered "dangerous for all". Flow within the main channel of the River Avon is also considered "dangerous for all".*" The 'Flood Risks to People Guidance Document' Technical Report FD 2321/TR (DeFRA/EA 2006) states that for a velocity of 0.5 m/s the depth of flood water only needs to be 0.75 m for it to be considered "dangerous for some". Unsurprisingly, B&NES original SFRA published in 2009 confirmed the Recreation Ground as FZ 3b although subsequently the Environment Agency agreed to re-designate this area as 3a (DC3/28). The justification for this alteration remains obscure (despite many objections and unanswered enquiries).

That is history, but if we can now return to the present and the recently published Technical Guidance,

Table 1 "*Appropriate uses in Flood Zone 3b*" list is surely relevant. The paragraph detailing "*Flood Risk vulnerability*" in Table 2 categorises "*drinking establishments, night clubs and hotels*" as More Vulnerable.

Furthermore, the Notes to Table 2 state "*Buildings that combine a mixture of uses should be placed into the higher of the relevant classes of flood risk sensitivity*". (DeFRA/EA FD 2321/TR2)

This would surely apply to any proposal to replace the present rugby ground with a more extensive MIXED USE DEVELOPMENT as suggested in CD6/E2.2 Policy B1 section 8 PC 16 (and its variants) which should then be judged inappropriate according to the Highly Vulnerable criteria.

Should the Environment Agency be invited to again review its designation of the Flood Zoning of the Recreation Ground, which flooded both via water tables and over topping (2000), and given the new NPPF and its Technical Guidance of 2012?

Should not B&NES re-consider Policy B1 section 8(b)? Should B&NES delete it altogether in the interest of " Soundness of the Core Strategy"?

Nigel Websper,

Chairman

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