

Coventry Local Plan Review

Regulation 19

Proposed Submission (Publication) Stage Representation Form
(guidance note below)

Ref:

(For official use only)

**Name of the
Plan to which
this
representation
relates:**

**Coventry Local Plan Review – Regulation 19 Proposed
Submission (Publication)**

Please return to Coventry City Council in writing or electronically by 23:59 03 March 2025 email to planningpolicy@coventry.gov.uk, via our consultation portal <https://coventrycitycouncil.inconsult.uk/system/home> or by post to Planning Policy Team, PO Box 7097, Coventry, CV6 9SL

Please refer to the following data protection/privacy notice:

www.coventry.gov.uk/planningpolicyprivacynotice

Please also note that a copy of your representation(s) will be made available to the Planning Inspectorate and to the person appointed by the Secretary of State to conduct the examination (i.e. the Inspector) and the Programme Officer. and that your representation(s) will be 'made available' in line with the Regulations (The Town and Country Planning (Local Planning) (England) Regulations 2012 – Regulations 20, 22 and 35). This includes publication on Coventry City Councils website (personal details will be redacted in line with the Privacy Notice).

This form has two parts:

Part A – Personal Details: need only be completed once.

Part B – Your representation(s).

Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title

Mrs

First Name

Tessa

Last Name

Jones

Job Title

Planning Specialist

(where relevant)

Organisation

Environment Agency

(where relevant)

Address Line 1

Mance House

Line 2

Arthur Drive

Line 3

Kidderminster

Line 4

Worcestershire

Post Code

DY11 7RA

Telephone Number

E-mail Address

Part B – Please use a separate sheet for each representation

Name or Organisation: Environment Agency

3. To which part of the Local Plan Review does this representation relate?

Paragraph Policy

4. Do you consider the Local Plan Review is:

(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
(3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate.

5. Please give details of why you consider the Local Plan Review is not legally compliant or is unsound or fails to comply with the Duty to Co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan Review or its compliance with the duty to co-operate, please also use this box to set out your comments.

Since the Issues and Options consultation and based on the information included in the Proposed Submission document, we understand new site allocations are proposed to meet the increased housing need within the Plan Review. Comparing Table 6.2 'Site Allocations for Housing' to the adopted Local Plan allocations, we understand allocations H2:26 – H2:38 are new and have not been previously allocated. We are aware of at least one of these new allocations, H2:36 Spon End, being at risk from fluvial flooding.

Comparing the sites assessed through the Housing and Economic Land Availability Assessment (HELAA (November 2024)) in comparison to the proposed allocations, we also note allocations H2:37 and JE2:2 have both been identified as being in the flood zone. However, both sites either have permission granted or have been delivered.

We note Table 2 in the HELAA sets out how planning considerations have been assessed for the purposes of the HELAA assessment. With regards to the flood risk, the Table states:

'Flood Risk Sites located within Flood Zones 2 or 3 or which are subject to

surface water flooding, will need a more detailed site assessment. Any flood risk would need to be assessed and mitigated before the site could be deemed suitable for housing.'

With a proposed solution of 'Most types of flood risk can potentially be addressed through design and engineering solutions in consultation with the relevant bodies, but this may impact on the viability and developable area of the site.'

It is unclear what further assessment has been carried out for allocations identified as being within Flood Zone 2 and 3, particularly for H2:36 Spon End. In line with the recommendations set out in paragraph 1.3 of the Level 1 Strategic Flood Risk Assessment (SFRA (October 2022)) and the National Planning Practice Guidance (NPPG), where allocations are proposed in flood risk areas, a Level 2 SFRA is usually required.

Whilst we note allocation H2:36 comprises of regeneration of an existing residential site, the allocation is for 750 dwellings, an uplift of 300 homes on site currently. We note the HELAA refers to the need for new build development on this site to be designed such that flood risk is mitigated and confirms with the policy requirements of EM4 Flood Risk Management.

We do welcome the essential site-specific requirements also identified in Table 6.2 in respect of allocation H2:36 Spon End - *"Enhancement and improvement to the River Sherbourne and consideration given to the associated floodplain. Majority of the site is in Flood Zone 2 and part with Flood Zone 3."*

However, a Level 2 SFRA should still be undertaken to further inform the site allocations which are identified via the Level 1 SFRA (and/or the HELAA) as being at risk of flooding. It will also enable your Council to address paragraphs 172, 178 and 179 of the National Planning Policy Framework (NPPF) which relate to the Sequential and Exception Tests. The Level 2 assists with part (b) of the Exception Test, in demonstrating 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 Level 2 SFRA assesses the site-specific risks informing the Councils determination on the overall deliverability and acceptability of the site allocation. It will help to determine what capacity of development will be possible within the site boundary. It will need to demonstrate that any potential mitigation measures could protect the site and would not increase flood risk elsewhere taking account of the latest climate change guidance. This may require the running of new or additional flood models in line with the EA's flood modelling guidance.

Your Council will need to ensure a Level 2 SFRA is prepared and the site assessment outcomes inform decisions on site deliverability, the Sequential and Exception Tests and site policies and design guidance. The SFRA consultants will need to screen sites requiring a Level 2 Assessment. Further guidance on

preparing SFRA is available at [How to prepare a strategic flood risk assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/how-to-prepare-a-strategic-flood-risk-assessment).

Further to our email in July last year, you will also be aware of the EA's imminent plans to publish new versions of the Flood Zones. As living documents, we would expect the Level 1 SFRA to be updated to include the new flood zone information. More information about the new NaFRA2 information can be found here: [New national flood and coastal erosion risk information - GOV.UK](https://www.gov.uk/guidance/new-national-flood-and-coastal-erosion-risk-information)

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan Review legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the Duty to Co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

A Level 2 SFRA should still be undertaken to further inform the site allocations which are identified via the Level 1 SFRA (and/or the HELAA) as being at risk of flooding. It will also enable your Council to address paragraphs 172, 178 and 179 of the National Planning Policy Framework (NPPF) which relate to the Sequential and Exception Tests. The Level 2 assists with part (b) of the Exception Test, in demonstrating 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.

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More information about the new NaFRA2 information can be found here: [New national flood and coastal erosion risk information - GOV.UK](#)

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues they identify for examination.

7. To which part of the Sustainability Appraisal (SA) report does this representation relate?

Paragraph

6.11

Please add any further comments relating to the SA report in the box below

Concerns about the supporting evidence to inform Section 5 and Appendix V of the SA Report.

(Continue on a separate sheet /expand box if necessary)

8. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

No, I do not wish to participate in hearing session(s)

☐

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

(Continue on a separate sheet /expand box if necessary)

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.