

Our ref: SL/2007/101451/CS-01/SBI

Date: 6 April 2010

Matt Jericho
Principal Planning Policy Officer
Planning Service, Regeneration Directorate
London Borough of Lewisham
5th Floor, Laurence House
1 Catford Road
SE6 5RU

Dear Mr Jericho,

**London Borough of Lewisham Local Development Framework: Core Strategy
DPD-Proposed Submission Version**

Thank you for contacting the Environment Agency on the Core Strategy Proposed Submission Version dated 19th February 2010 received on the 23 February 2010. A duly completed Publication Stage Representation Form is attached below.

Overall the Core Strategy DPD appears justified, effective and consistent with the national policy as described in paragraphs 4.36 to 4.38 and 4.44 to 4.47 of PPS12.

In light of the information provided in the proposed submission document and our previous representations, we would wish to particularly support policies on the following:

- Land contamination
- Flood Risk Management
- Water Resources
- Waste Water Treatment

Land contamination

Land contamination from historical sources poses a particularly high risk to groundwater used for human consumption in the area of the lower Ravensbourne valley between Lewisham and Deptford. We support the saved UDP Policy ENV.PRO 10: *Development on Contaminated Land* and the proposal to incorporate it into the emerging Development Policies Development Plan Document (DPDPD). This policy would help improve groundwater quality, which in turn could improve the quality of surface water taking into account most of the sites anticipated for housing development in the regeneration areas are on previously developed land.

We consider the groundwater in the river terrace deposits, Lambeth Beds and Thanet Sands important because they supply base flow to the surface watercourses in dry weather conditions. The Chalk aquifer supplies potable drinking water for the Deptford abstraction. We consider these aquifers vulnerable to pollution from contaminated sites, badly constructed drainage systems and leaky sewers.

We support initiatives to assist in bringing sites back into beneficial use through our land contamination work. Since 2000 we have reviewed over 180 planning consultations for Lewisham Council in our role as a consultee in order to protect groundwater and surface watercourses in the borough. We played a major role in protecting Deptford Creek from pollution during the redevelopment of sites in this area.

Between 2000 and 2008, 84 sites have been investigated as a result of planning applications or voluntary submissions; 18 sites required no further remedial action, 53 had unrecorded remedial status and 2 sites were remediated.

Flood Risk Management

We note that most of our comments from the previous consultations have been addressed. We appreciate river channelling has been recognised as a major problem especially along River Ravensbourne, which is one of the most engineered in London and policies have been formulated to address re-naturalisation of the river where possible. This will help towards reducing flood risk as well as working towards increasing biodiversity, maintaining habitat space and ensuring that the borough is an attractive place for people of all ages to enjoy.

Water resources

Lewisham is in a designated area of serious water stress and targets currently exist in the London Plan for water efficiency. Lewisham is also situated in Thames Water London Zone, where a deficit in supply is currently met by use of the desalination plant, and further deficits will need to be met in future to meet demand from future growth. The 5-year (2004/05 to 2008/09) average water use in London Water Resource Zone is 161 litres per person per day, which is much higher than the England and Wales average of 148 litres per person per day. We therefore support water efficiency measures and core policy 8 which we consider essential to support new growth in the borough.

Core Strategy Policy 8 seeks compliance with the Code for Sustainable Homes (CSH) by achieving:

- Level 4 by 1st April 2010
- Level 5 by 1st April 2012
- Level 6 by 1st April 2016.

The policy reflects the Government's legislative changes and targets requiring that all new homes will be carbon neutral by 2016. This incorporates a stepped approach to improve the performance of dwellings in areas of CO2 and energy emissions, water, materials, surface run off, waste, pollution, health and well being, management and ecology. In doing so we believe CSP8 does offer an opportunity to exceed the targets in the London Plan and contribute to achieving sustainable water use.

There are seven licensed abstractions in the borough, mostly for public water supply but also for use in the energy sector. All abstraction is from groundwater, which in this part of the Ravensbourne catchment is the confined Chalk aquifer that underlies most of London. The Borough covers the lower reaches of the Ravensbourne catchment and is in the London Catchment Abstraction Management Strategy (CAMS) Area.

The surface water of the Ravensbourne catchment was assessed as having 'no water available' in the London CAMS. The groundwater was assessed as being 'over-licensed', but is managed so that groundwater doesn't flood any of London's deep infrastructure

Waste Water Treatment

Environment Agency supports Core Strategy Policy 13 addressing waste management and Core Strategy Objective 8 which relates to waste management and include reference to waste water treatment. We hope further detailed policy will be provided in the forthcoming Development Policies DPD taking into account the Water Framework Directive and the need for further operational development of the existing sewage treatment works which may arise due to anticipated new residential over the next 15 years. More new development will create higher volumes of sewage to be transported from houses to sewage treatment works, and additional treated effluent to discharge to surface and ground waters.

The Water Framework Directive sets ecological standards in addition to chemical standards for rivers. This is likely to place greater demands on sewage treatment works to achieve cleaner effluents. Between 2004 and 2008 there were 40 minor (category 3) pollution incidents. The most common causes, in the cases where it has been reported,

were containment and control failures such as the release of untreated sewage or grey water, and fire.

If you have any queries, do not hesitate to contact the undersigned on Telephone 020 7091 4020

Yours faithfully,

Charles Muriithi
Planning Technical Specialist
Email: charles.muriithi@environment-agency.gov.uk
WebPages: www.environment-agency.gov.uk/developers

Name of the DPD to which this representation relates:

Core Strategy

Please return to: **London Borough of Lewisham by 5pm Tuesday 6 April 2010**

This form has two parts –

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

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

2. Agent's Details (if applicable)

Title

Mr

First Name

Charles

Last Name

Muriithi

Job Title

Planning Technical Specialist

(where relevant)

Organisation

Environment Agency

(where relevant)

Address Line 1

30-34

Line 2

Albert Embankment

Line 3

Eastbury House

Line 4

London

Post Code

SE1 7TL

Telephone Number

02070914020

E-mail Address

Charles.muriithi@environment-
agency.gov.uk

(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation : Environment Agency

3. To which part of the DPD does this representation relate?

Paragraph

Policy

Whole Document

Proposals Map

4. Do you consider the DPD is:

4. (1) Legally compliant

Yes

4. (2) Sound

Yes

If you have entered **No** to 4.(2), please continue to Q5. In all other circumstances, please go to Qu 6.

5. Do you consider the DPD is **unsound** because it is not:

(1) Justified

(2) Effective

(3) Consistent with national policy

6. Please give details of why you consider the DPD is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DPD, please also use this box to set out your comments.

Legal compliance

The Core Strategy DPD meets the legal requirements under s20(5) (a) of the 2004 Act

Soundness of the DPD

Justified:

The Core Strategy DPD appears to be founded on a robust evidence base with links between the evidence base and the policies. The Environment Agency notes that the findings of the Sustainability Appraisal (SA) have been reflected in the document. There is clear audit trail to show flow between evidence base documents and how these have informed identification of suitable sites. There is cross-reference to the SA documents including Strategic Flood Risk Assessment (SFRA) and in line with Paragraph 4.43 of PPS12.

Therefore based on the information availed to us during the plan preparation period and our previous representations, including data, guidance and information provided during the preparation of SFRA, it is our considered opinion that the DPD has been prepared based and informed by robust and credible evidence base.

Effective:

We welcome the inclusion of strong flood management policy which incorporates the amendments proposed at the preferred options stage.

We are pleased to note that our comments from the previous consultation have fully been incorporated in this submission document. Core Strategy Policy 10- Managing and reducing the risk of flooding is robust and comprehensive and takes account of our flood risk concerns.

We support the incorporation of policies to address development on contaminated land, water efficiency and waste water treatment.

As noted in our cover letter, we support initiatives to assist in bringing sites back into beneficial use through our land contamination work. Since 2000 we have reviewed over 180 planning consultations for Lewisham Council in our role as a consultee in order to protect groundwater and surface watercourses in the borough. We play a major role in

protecting developments from pollution during redevelopment.

We support Core Policy 8 which:

- directly refers to appropriate water efficiency measures;
- mechanism of how Code for Sustainable Homes levels will be monitored through the Annual Monitoring Report;
- reflects the target set out in the London Plan and reflects the contents of the London Water Resource Zone which will be used to assist implementation.

The CSH includes an aim to reduce the consumption of potable water in the home. The maximum potable water consumption maximum is set at 105 litres per day for Code Levels 3 and 4 (and reflects London Plan Policy 4A.16). Code Levels 5 and 6 will need to achieve a maximum potable water consumption of 80 litres per day. This clearly achieves sustainable water use.

To address the challenges posed by the anticipated growth in the regeneration areas, we anticipate that a detailed policy in the forthcoming Development Management DPD will offer sufficient guidance to guarantee both surface and ground water quality would not be detrimentally affected, and avoid unacceptable impacts on the environment such as sewage flooding of residential and commercial property and pollution of land and watercourses.

Consistent with national Policy

The Core Strategy DPD appears to be consistent with national policy including PPS23 and PPS25.

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

7. Please set out what change(s) you consider necessary to make the DPD legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DPD 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.

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

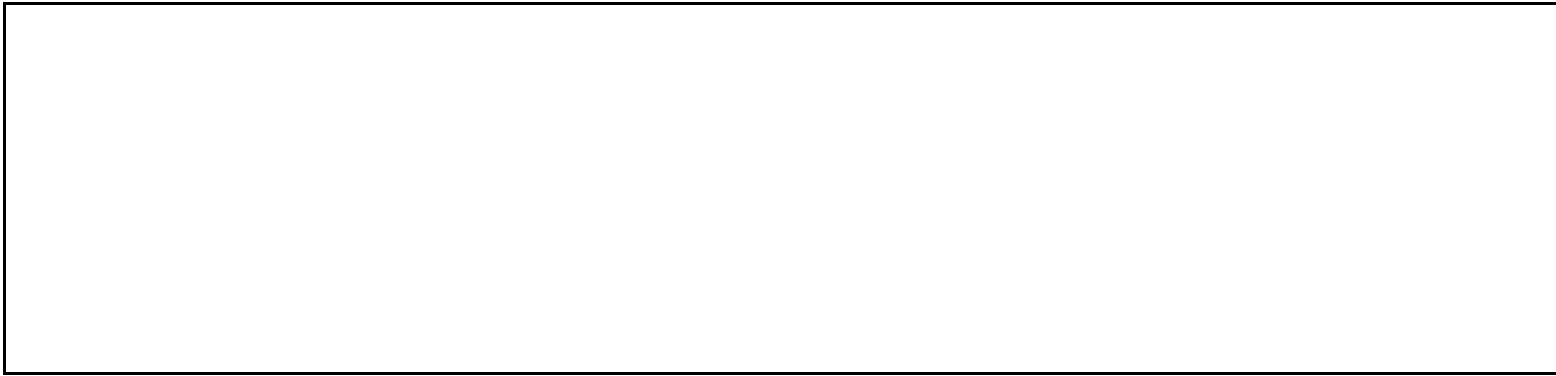
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, we do not wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:



Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:

Charles Muriithi

Date:

6 April 2010

