

MATTERS 9a and 9b

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KEY QUESTIONS

**9a. - Renewing the Legacy - (policy CL2)**

5. Is the risk from surface water and sewer flooding such that there should be a moratorium *in the Counters Creek catchment area* (North Kensington) until the Thames Water improvements have been implemented?

**9b. - Respecting Environmental Limits - (policy CE2)**

2. Is there a need for a specific policy to ensure all proposals for basement developments *in areas at risk* incorporate measures to reduce vulnerability?

Although Mrs. Tollits amendments (new para. after 36.3.18\*) respond to the hearing discussions, they do not ultimately address the issues sufficiently and the LDF therefore remains UNSOUND.

This is because, given the wealth of information *already available* (see attached) RBKC has simply failed to act upon what we all now know.

This is in direct conflict with their own SFRA *Feb 2008* which states in its conclusions and recommendations -

"The recent surface water and sewer flooding highlight the risk posed to boroughs"

"Future climate change predictions imply that this type of flooding is becoming more frequent - therefore the Councils *need to become PROACTIVE in mitigating against the risk* and PROVIDE GUIDANCE to residents"

The Core Strategy also completely fails to address *Cumulative Effects* as highlighted in their Sustainability Appraisal Report prepared by Scott Wilson in Oct 2009 (p11 Non Technical Summary)

*"as defined in pps25"* and *"as agreed with the Environment Agency"* both remain resolutely TOP-DOWN bodies of knowledge.

This is clearly an issue where local circumstances, the geology, topography and, most significantly, the hydrology are fundamental.

In addition the condition of the Counters Creek sewer and its conjunction with the main Brent/Camden stormsewer (see Thames Water report) are pivotal to the resolution of these problems.

IN VIEW OF THE FACT THAT A MASSIVE AMOUNT OF DEVELOPMENT IS PLANNED (Kensal, Latimer, Wornington etc) IN THE COUNTERS CREEK CATCHMENT (*some of it beginning now*) it would seem essential for this to be incorporated.

There is provision for inconsistency with national policy within the tests of Soundness. *if there is LOCAL justification* .

There is clearly AMPLE local justification - Geographical, geological, hydrological, historical, architectural, environmental, *developmental* Their own Climate Change Strategy 2008-2015 "5.4...believes that in the future the *local impacts* could be: more frequent flooding from torrential rain, excessive run-off and *overflowing drains*;" Within the LDF RBKC would seem to have been quite singularly UNPROACTIVE in addressing this issue which has devastated so many of us.

WHY does the SPD NOT address the impacts on surrounding properties and cumulative effects that Ove Arup flags up?

Why is the RBKC inconsistent with Thames Water's Counters Creek report? Why has the definitive international study on the subject "Hidden Aspects of urban planning" RTPI/ECTP 2002 not been referred to?

How come RBKC is one of only 5 boroughs with "no records of drainage" to submit to Drain London Forum....despite having exported their original Bazalgette sewer drawings(still accurate) to their local studies library *directly opposite their offices*, and three post flood public meetings with Thames Water and their Counters Creek report ?

There is a large body of historical material as to the "boggy" nature of the ground (Hippodrome Racecourse closed as a result of it 1841), "two small tributaries(of CountersCreek) that rise just west of Ladbroke Grove", "the springs that gave rise to the streams or marshes south of the higher ground", "It is certain that a watercourse lies under the back gardens"etc. Much of this is confirmed by the Environment Agency GROUNDWATER FLOODING CALL MAP - (submitted to RBKC Feb 2008), (see attached/hearings submission)

PPS25 refers to Flooding from Groundwater

C7 "In very wet winters, rising water levels may lead to the flooding of normally dry land, *as well as reactivating flow in 'bournes' - intermittent streams that flow only for part of the time*, when groundwater levels are high"

How come RBKC seems *oblivious to, and uninterested in* these things?

Many of these matters have been submitted as objections to planning applications, ignored and overridden by planning officers, who granted them. Since the floods of July 2007(which Map 17of the SPD shows to be remarkably similar to a diagram of flooding in 1981 on the cover of the borough newsletter(attached)) they have consistently failed to deal adequately with these risks and impacts both in terms of the planning permissions they have continued to grant - and now within the LDF.

There remain a plethora of examples.

Finally with the appearance of the *JUNE 2009* Environment Agency map discussed at the hearing, (worryingly inconsistent in some particulars with Map 17 of the SFRA, although broadly similar, as with 1981 diagram), we have a starting point.

Unfortunately the Core Strategy is not it.

A moratorium in the Counters Creek catchment area would be a beginning.