

Stratford On Avon District Council  
Planning Policy  
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Warwickshire  
CV37 6HX

**Our ref:** SV/2023/111849/SD-  
01/PO1-L01

**Date:** 1 December 2023

FAO: John Careford

Dear Sir

**Stratford-upon-Avon Gateway Masterplan Framework Supplementary Planning Document (SPD)**

Thank you for allowing the Environment Agency the opportunity to comment on the Consultation Draft version of the Stratford-upon-Avon Gateway Masterplan SPD (dated October 2023).

For completeness, we recently commented on the Strategic Environmental Assessment (SEA) Screening regarding the SPD in our letter dated 5 October 2023 (reference SV/2023/111849/OT-01/IS1-L01).

As outlined previously, the area covered by the SPD does not include any watercourses or areas of fluvial floodplain based on our Flood Map for Planning (Rivers and Sea). As such, we offer the following comments which should help guide the regeneration of the area in line with the policies set out in the adopted Core Strategy and environmental matters within our remit. We trust that these comments will also assist in providing certainty to developers, whilst facilitating orderly and planned development.

**Land Contamination:**

The National Planning Policy Framework (the Framework) takes a precautionary approach to land contamination. Before the principle of development on sites can be determined, land contamination should be investigated to see whether it could preclude certain development due to environmental risk or cost of clean-up (remediation).

In consideration of the industrial history in the area (as set out in section 4.12 of the SPD), where contamination is known or suspected, a desk study, investigation, remediation and other works may be required to enable safe development (Para. 178 of the Framework). Minimum requirements for submission with a planning application are a desk study and preliminary risk assessment, such as a site walkover or conceptual model. Site Investigation and Remediation Strategy reports may be required for

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submission with a planning application for sensitive land use types or where significant contamination or uncertainty is found. You may wish to liaise with your Environmental Health or Contaminated Land teams, as they may hold records on known/potential land contamination and help focus assessments.

### **Foul Drainage – domestic and trade effluent**

Government policy states that, where practicable, foul drainage should be discharged to the mains sewer. Where this is not possible and private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297:2007+A1:2008 and Approved Document H of the Building Regulations 2015. Future applications should also have regard to the advice within the 'Water supply, wastewater and water quality' section of the PPG in respect of planning requirements for non mains sewerage.

### **Water Protection**

It is a requirement of the Water Framework Directive (WFD) to cause no overall deterioration in water quality or the ecological status of any waterbody. The area falls within the Severn River Basin Management Plan, which currently shows the watercourses in and around Stratford as having either 'good' or 'moderate' ecological status.

Use of SUDS in development and habitat enhancement are examples of how to help deliver the WFD aim of 'good' status/potential on all watercourses by 2027.

We also recommend incorporation of pollution prevention measures to protect ground and surface water. For completeness the SPD area is underlain by a Secondary A aquifer, including Mercia Mudstone Bedrock and a Wasperton Sand and Gravel member superficial layer. Our approach to Groundwater protection can be seen at <https://www.gov.uk/government/publications/groundwater-protection-position-statements> This guidance replaces Groundwater protection: Principles and practice (GP3).

### **Water Resources**

We encourage water efficiency in all development. Minimum residential requirements (125 litres per person per day) will be secured through Building Regulations, with Local Plans able to secure a higher standard (of 110 l/pppd). Code for Sustainable Homes will only apply to legacy cases. For info see:

<https://www.gov.uk/government/publications/2010-to-2015-government-policy-energy-efficiency-in-buildings/2010-to-2015-government-policy-energy-efficiency-in-buildings>

For commercial use, please refer to [www.breeam.org](http://www.breeam.org) and consider rainwater harvesting and grey water recycling.

### **Ecology**

The Framework aims to conserve and enhance biodiversity. Biodiversity Net Gain is considered an important issue and most development proposals should not only plan to mitigate but provide betterment on existing provision by a minimum of 10%. A biodiversity metric tool (see Natural England's website) may be appropriate to use. We note this is included as a key principle in the SPD.

### **Net Zero Carbon**

The UK has set out in law the target of achieving net zero by 2050. The Climate Change Act (2008) states that 'it is the duty of the Secretary of State to ensure that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline.' To

achieve this, the annual rate of GHG emissions will need to be cut by over 260 million tonnes (Mt) CO<sub>2</sub>e (carbon dioxide equivalent) from 2019 levels to less than 90 Mt CO<sub>2</sub>e in 2050 (CCC, 2019a).

There is a statutory duty on Local Planning Authorities (LPAs) to include policies in their Local Plans designed to tackle climate change and its impacts. Section 19 of the Planning and Compulsory Purchase Act 2004 states that 'Local development plans must include policies designed to secure that the development of and use of land contribute to mitigation of and adaptation to climate change'.

Revisions to the Framework in 2021 include a requirement to promote a sustainable pattern of development, by mitigating climate change and adapting to its effects (para 11a). The Framework also states (para 134) that enhanced local policies and government guidance on design should be given 'significant weight'.

The Environmental Assessment of Plans and Programmes Regulations 2004 creates a legal duty and requirement that a plan's cumulative climate impacts are assessed and taken into account. This includes assessing the consistency of proposed policies with all relevant climate objectives and targets.

To assist in the delivery of robust climate change options we encourage you to review the RTPI /TCPA Guide : The Climate Crisis – A Guide for Local Authorities on Planning for Climate Change [RTPI | The Climate Crisis](#)

You may also wish to refer to the Tyndall Carbon Budget Tool [Tyndall Carbon Budget Reports \(manchester.ac.uk\)](#)

I trust the above comments are of use to you at this time.

Yours faithfully

**Mrs. Tessa Jones**  
**Planning Specialist**

