

Mr David Dorward  
Westminster City Council  
Development Control  
PO Box 240  
London  
SW1E 6QP

**Our ref:** NE/2019/129710/01-L01  
**Your ref:** 19/00114/FULL  
**Date:** 7 February 2019

Dear David

**Installation of The United Kingdom Holocaust Memorial and learning centre including excavation to provide a basement and basement mezzanine for the learning centre (class D1); erection of a single storey entrance pavilion; reprovision of the Horseferry Playground and refreshments kiosk (class A1); repositioning of The Spicer Memorial; new hard and soft landscaping and lighting around the site; and all ancillary and associated works. (the application is accompanied by an Environmental Statement (ES) which may be viewed with the application documents).**

**The Victoria Tower Gardens, Millbank, London, SW1P 3YB.**

Thank you for consulting us on the above planning application. We received this consultation on the 15 January 2019 and have reviewed the submitted documentation.

#### **Environment Agency Position:**

We **object** to the submitted application and recommend refusal of planning permission until a satisfactory Flood Risk Assessment (FRA) has been submitted. The Flood Risk Assessment (FRA) supporting this planning application has failed to demonstrate how the proposed development will be safe for its lifetime taking into consideration the impacts of climate change and has not demonstrated how the proposed development will ensure the integrity of the flood defence is maintained during the works.

Please see below for further details and for information on how to overcome these objections:

#### **Objection: Climate change**

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance which can be found here: <https://www.gov.uk/guidance/flood-risk-and-coastal-change>.

In order for the development to be safe for its life time taking Climate Change into consideration, evidence needs to be submitted to show that the defences can be accessed and raised in line with Thames Estuary 2100. The applicant should demonstrate the wall in its raised condition can withstand any additional surcharge loading from the raising of the ground.

#### Reasons:

Any application in this location will need to demonstrate how the flood defence could be raised in the future to meet the demands of climate change in line with Thames Estuary 2100 requirements. This is supported by Policy SI12 of the London Plan (draft 2017) which states that the TE2100 plan is a material planning consideration and therefore the applicant has a responsibility for facilitating the management of the flood defences in line with plan.

The applicant anticipates that the same methodology of raising that has been undertaken over the last 100 years (adding more material to the wall and raising the pavement) would be suitable. No details on whether the surcharge this raising will cause can be offset immediately

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behind the wall and therefore no evidence has been provided to demonstrate that this method will be feasible. If the proposed method is unfeasible then an alternative method of raising the defences must be proposed and form part of any amended information submitted to support this planning application.

We note access to the flood defence is unlikely to be from the south of the site as there will be limited space between the café/ park gate/steps and the river wall. The site plan also shows stairs to the west of the site and a 'hostile vehicle' barrier around the north of site. These obstructions could make it more difficult for plant and machinery to access the defence in order to carry out future raisings and emergency repairs.

Overcoming this objection:

To overcome this objection, we expect a revised FRA to be submitted which addresses the points highlighted above. The revised FRA will need to demonstrate the approach to ensuring the flood defences within their redline boundary can be raised in the future.

There are 2 parts to this:

1) Details showing how the wall, in its raised condition can withstand any additional surcharge loading from the raising of the ground. More specifically, we require calculations to show how the surcharge loading from the ground raising can be offset immediately behind the wall. If calculations show this it is not possible, then the applicant would be required to propose an alternative method of raising the defences.

2) Details showing how plant and machinery will access the flood defence to carry out any required works for maintenance for future raising.

**Objection: Integrity of the flood defence**

We object to this application as it involves building works within 16 meters of a flood defence wall and deep excavations behind the defence. It is unlikely that we would grant a flood risk activity permit for this application with the current information.

Reason:

The proposed development is likely to adversely affect the construction and stability of the flood defence which will compromise its function. If the flood defence is weakened as a result of the works and breached, the site and surrounding areas will be highly susceptible to rapid inundation. The proposed works could therefore increase the risk of flooding to houses and businesses in the surrounding areas.

We note that the submitted 'Riverwall visual Condition Survey' identifies repairs that need to be carried out on the flood defence. We also note the café and toilet block foundations are within 16m of the tidal flood defence. The submitted information has not demonstrated how the repairs will be carried out and how the integrity of the flood defence will be protected from the proposed development in line with Policy 5.12.D of the London Plan, which states: *Development needs to protect the integrity of the existing flood defence (...)*.

We also note the development will require deep excavations in order to accommodate the learning centre and other underground elements of the proposal. These works may adversely affect the construction and stability of the flood defence which will compromise its function and no information has been submitted show otherwise. The proposal could therefore increase the risk of flooding to houses and businesses in the surrounding areas.

Overcoming this objection:

To overcome this objection the applicant will need demonstrate that the repair works will be carried out and the integrity of the flood defence will not be impacted from the proposed development. More specifically, we require calculations to show the surcharge loading from the ground raising can be offset immediately behind the wall. If calculations show this it is not possible the applicant would be required to propose an alternative method of raising the defences which will need to form part of the amended proposal.

In addition the applicant will need to set up a monitoring scheme to monitor the structural stability of the flood defences while construction works are taking place. Work should be

stopped and mitigation measures/ emergency work carried out in case of adverse monitoring results.

**Further information on flood risk:**

Although the site is located within Flood Zone 3 and is protected to a very high standard by the Thames Tidal flood defences up to a 1 in 1000 (0.1%) chance in any year flood event, our latest flood modelling shows that the site would be at risk if there was to be a breach in the defences or they were to be overtopped

This proposal does not have a safe means of access and egress in the event of flooding from all new buildings to an area wholly outside the floodplain. We look to London Borough of Westminster, as the competent authority on matters of evacuation or rescue, to assess the adequacy of the evacuation arrangements. You should consult your emergency planners as you make this assessment.

If you are not satisfied with the emergency access/egress or refuge, then we would recommend you refuse the application on the grounds of safety during a flood event, as users would be exposed to flood hazards within buildings and on access/egress routes.

A large portion of the proposal is below the 2100 breach flood level, which is 5.8m AOD. It is therefore highly recommend that Flood Warnings and Alerts are signed up for and emergency evacuation plans are in place, this should be agreed with the Local Planning Authority and emergency planners.

**Advice to applicant – Flood Risk Activity Permit:**

Under the terms of the Environmental Permitting Regulations a Flood Risk Activity Permit is required from the Environment Agency for any proposed works or structures, in, under, over or within 16 metres of tidal defences on the River Thames, designated a 'main river'. For the avoidance of doubt, the 16 metre easement applies to known ground anchors and tie-rods. Details of lower risk activities that may be Excluded or Exempt from the Permitting Regulations can be found at [www.gov.uk/guidance/flood-risk-activities-environmental-permits](http://www.gov.uk/guidance/flood-risk-activities-environmental-permits). Please contact us at [PSO-Thames@environment-agency.gov.uk](mailto:PSO-Thames@environment-agency.gov.uk).

**Documents review/ further advice:**

If you would like us to review any document prior to a formal submission, outside of a statutory consultation, and/or meet to discuss our position, this will be chargeable in line with our planning advice service. If you wish to request a document review or meeting, please contact our team email address at [HNLsustainableplaces@environment-agency.gov.uk](mailto:HNLsustainableplaces@environment-agency.gov.uk).

Further information on our charged planning advice service is available at; <https://www.gov.uk/government/publications/planning-advice-environment-agency-standard-terms-and-conditions>.

**Final Comments**

Once again, thank you for contacting us. Our comments are based on our available records and the information as submitted to us.

If you have any queries or wish to meet to discuss our response, please do not hesitate to contact me on 0207 7140 578 or email me at [HNLsustainablePlaces@environment-agency.gov.uk](mailto:HNLsustainablePlaces@environment-agency.gov.uk), quoting the reference at the beginning of this letter.

Yours sincerely

**Demetry Lyons**  
**Sustainable Places Planning Advisor**