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Councillor Humphrey Reynolds
Councillor Steven McCormick
Councillor Arthur Abdulin
Councillor Neil Dallen
Councillor Rachel King
Epsom & Ewell Borough Council
Town Hall
The Parade
Epsom
KT18 5BY

By email

9 November 2023

Dear Councillors,

Police and Ambulance Station Site Redevelopment (22/00923/FUL): groundwater flood risk

During the Civic Society's last meeting (23 October) with the Interim Head of Place Development, I mentioned that some Society members and nearby residents are extremely concerned about securing effective management and mitigation of the risk of displacement of groundwater flooding potentially affecting their properties consequent on planning permission being granted for the proposed development with its enlarged basement car park.

This is why I am writing to you, as respectively, the Chair of the Planning Committee and the Vice Chair (also in the capacity as a Surrey County Councillor) and to Town Ward Councillors **to ensure that all relevant information is available to secure an effective and comprehensive solution to deal with this risk prior to a decision being made on the planning application itself.** I have also written to the Interim Head of Place Development who will be aware that I am writing to you.

The committee report proposes that any further groundwater investigation is secured by condition and as part of this a Groundwater Screening Assessment shall be submitted to the LPA. Bearing in mind the inadequacy of the groundwater investigations so far (see below) and the potential groundwater risks this development poses, it would have been preferable for completion of this Basement Screening Assessment prior to planning committee.

On behalf of concerned residents, we are seeking assurances that responsibility for managing and mitigating the risk of displacement groundwater flooding is, so far as reasonably practicable, comprehensively addressed via the conditions and associated processes set out in the Officer Report. Our reservations about this are set out below. Where gaps remain, agreements with all relevant stakeholders acknowledging and accepting liability for any resulting flood water damage must be put in place, together with appropriate insurance, before the scheme's approval. Urgent clarification is needed from regulators (including SCC as Lead Local Flood Authority (LLFA), the Environment Agency and EEBC) as to which of them has responsibility for and expertise in groundwater flooding.

Perceived gaps are **firstly** in terms of **comprehensive deployment of relevant data and evidence**: reliance on the developer's original flood risk assessment (which had no flood data) as the defining statement of 'low risk' from groundwater flooding appears unwise, to say the least, and indicative of an initial lack of recognition of the groundwater problem on their part. SLR's Flood Risk Assessment and Drainage Strategy (May 2022) was based on limited information. Its subsequent investigations into groundwater flooding did not properly acknowledge the evidence of recent groundwater flooding in their analysis, including:

- EEBC's 2018 Strategic Flood Risk Assessment by Jacobs which clearly shows the Groundwater Emergence Map covering this part of Epsom and historic groundwater flood incidents from 2000, 2002 and 2014 around the development site.
- EEBC's 2015 Section 19 Flood Investigation Report which responded to the groundwater flooding of 2014.
- The British Geological Survey hydrographs show that groundwater in the chalk rose by 9 metres in 2000 and 10 metres above average winter levels in February 2014.
- Epsom's historic vulnerability to groundwater flood risk as it is on a spring line and had a long history of groundwater emergence before the artesian well was sunk at the East Street Water Works.
- Local experience and local knowledge.

The Society has had sight of relevant maps, data, and detailed correspondence from residents. The Society is happy to provide more information but appreciates that much of what we have seen may now be in your possession. We are also aware that some local residents affected by groundwater flooding may be reluctant to come forward.

Secondly, there is a gap regarding where regulatory responsibility for control and mitigation of groundwater flooding lies, for example, the report to committee places reliance on the LLFA's assurances that the developer has made a thorough investigation yet there is no record of the LLFA's *own acknowledgement they do not have statutory powers or expertise regarding groundwater flooding* (email 30/10/23 from suds@surrey.gov.uk to local residents, "We have made Epsom and Ewell aware of our statutory role in planning and that we do not have the powers or the expertise to provide formal comments on groundwater"). Are Grampian conditions, without more, sufficient to deal with the groundwater issue, given

additional detailed information that local residents, some with professional expertise in geology and transport planning, have provided? How feasible is it to enforce the recommended conditions, Grampian and others?

Possible mitigation measures to be secured by way of a condition (assuming the Groundwater Screening Assessment has been undertaken by a reputable person) and as yet unknown are risky. Mitigation measures may not work in a high water table situation, will only move the problem elsewhere and have an array of maintenance issues. How will these conditions be enforced in practical terms?

We are aware of informal discussions and suggestions about alternative and less risky (less uncertain) mitigation measures. The only way this development could avoid increasing flood risk to the surrounding area is by not having a basement car park and replacing the existing small basement with the SuDS attenuation tank. This would replicate the existing small basement and ensure the risk from groundwater flooding is no worse in the local area than the existing buildings on the site.

Installation and operation of pumps to manage water level may be a partial solution but we recognise that they would need active intervention, would only operate infrequently, and would probably not work when needed. Installation of such pumps would, of course, be an acknowledgement of the risk created, and failure to operate when needed would presumably invoke liability. Deployment of some 'passive' drainage system which would draw down the level might be feasible, but this may not work if this is a regional water issue. An offer to pay affected owners' property insurance is unlikely and not secure if the company goes bust.

Residents' concerns and indeed the Society's own as set out in the letter of 17 August 2023 from our Vice Chair give us cause to reflect that despite the lengthy gestation of the application, the planning committee meeting today, 9 November 2023, is a premature forum for its determination.

Sincerely,

Margaret Hollins

Chair of the Committee
Epsom Civic Society



Cc Justin Turvey