

**THE LEICESTER ARMS  
THE HIGH STREET - PENSHURST**

Sent by Email to: floodscasework@defra.gov.uk

Dear Sir/Madam

**Re: River Medway (Flood Relief) Act 1976**

**The Environment Agency's application to vary the Scheme for the operation of the Leigh Flood Storage Area**

**Objection to the application**

**As a business operating in the village of Penshurst we object to this scheme. Please read our comments below outlining why.**

Whilst it is recognised that there is a need for adjustment to the flood storage area in order to protect properties downstream we are very concerned that not enough consideration or communication has taken place with communities upstream. Most importantly, no monitoring has taken place, the safety aspects, accessibility of the village or potential effect on the community and property in Penshurst have not been properly assessed and no solutions have been proposed. Highways have not been consulted and the application is made based entirely on theoretical reports rather than real life evidence with no attempt made to verify the theory which has itself changed over time.

We challenge the EA's assumptions on 'natural flooding'. We do not believe their parameters and assumptions.- In our experience as residents of the village, flooding is greater and lasts for longer when the barrier is shut, so to claim the barrier doesn't affect the village or our property is simply incorrect.

- We do not understand why no local monitoring has taken place? There has been ample opportunity to monitor and create real reporting on the flood levels in the village, yet it has not been done. Penshurst is the point at which the rivers Eden and Medway meet, it is incredible that this has not been done. No accountability for the excess flooding we see in the village when the barrier is used has been taken, the Environmental Agency have wholly relied on theoretical reporting that does not tally with reality.
- The Highways agency haven't been consulted despite the fact that damage and therefore adjustment to the road will be inevitable in order to maintain the safety of residents and provide access to the village. This is especially important in regards to the road between the bridges at Rogues Hill which poses a 'Moral Hazard' when flooded as it is impassable, this road flooded recently within an hour of the barrier being closed. This is a main route for school buses and ambulances. Both bridges/roads at either end of the village flood, it is very dangerous to attempt driving through them as demonstrated earlier this year with an overturned lorry.
- We know that with the proposed rise flooding will be higher and will last longer, what are the Environment Agency planning to do to mitigate the damage this will cause?
- Our pub garden has flooded on 3 occasions when the barrier was in play- Dec 13, Dec 19 and Feb 20.
- There is real concern that the proposed increase will flood the cellars of the pub destroying the property and stock.
- Communication from the EA has been sporadic and inconsistent.

For example in the proposed scheme the environmental agency states that this scheme has a design life of 40 years, however they go on to say the flooding is 1/75 yrs, why the differential? Then on the recent planning for Bridge House they state flooding as a 1/100 year occurrence +climate change at 25% and that the new extension should be built with a 600mm freeboard, this is inconsistent. In reality though, serious flooding in the village and to Bridge House seems to be been more frequent than this with 3 significant floods in the last 10 years alone.

The model used we understand concentrates on information gathered from immediately behind the barrier not at Penshurst, it has also used flow rates from the 2017 flooding rather than from the peak flooding that was seen in 2013/14.

The modelling is based on a level of 28.395m whilst the proposal is at 28.6m – why? On P21 it is stated that the flood levels will ‘not’ increase near Penshurst Place as a result of the proposed scheme and then they say on P23 that the flood levels in Penshurst will rise by 0.1m, then the map on P24 shows no increase!

- We are also very concerned to note that in the proposed scheme the flood storage area can be used when the flow rate reaches 35 cubic meters per second when currently the barrier is only impounded when the flow rate is at 70 cubic m/sec. Why is this? If this is to be put in to practice from 35 c.m/s + it will certainly have a detrimental effect to the communities up stream in terms of unnecessary excess water building up. This should be changed to 70c/m/s to reflect what is done in practice.
- We understand that at Pauls Hill the EA have just added that a new embankment is needed to prevent water finding its way around - by only just adding this they demonstrate lack of thoroughness and quite how un-joined up their approach is.
- There is the potential loss of access to Penshurst Place and Gardens affecting local businesses in the village and surrounding areas. Penshurst is in the greenbelt, in an AONB, a large proportion of the properties and their outbuildings are listed, it is a heritage site that should always be protected, on this basis monitoring should have taken place in the village.
- With the current proposed scheme, flooding will be deeper and take longer to clear, this is going to adversely affect our property, vehicular access to the rear of our property could easily be cut off, our proposed garage, contents and garden flooded and damaged to a far greater degree. It is unacceptable that this has not been considered an issue of any concern to the EA.
- To further manipulate the result of the application the EA appear to have cherry picked letters of support from parties who will not have researched, fully understood or have had any reason to question their reporting, so on this basis will not have given any thought to the upstream communities.

Yours faithfully

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