



South Wiltshire Core Strategy

Topic Paper 6 Addendum 2:

Flooding

July 2009

SALISBURY DISTRICT COUNCIL

LOCAL DEVELOPMENT FRAMEWORK

**TOPIC PAPER 6 SECOND ADDENDA
FLOODING**

FEBRUARY 2009

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1. Introduction

- 1.1. Within South Wiltshire there are five main river systems which include the Avon, Nadder, Wylde, Bourne and Ebble. These incised river valleys are a key feature of South Wiltshire and for the main routes for communications and settlement as well as distinctive ecology. Within south Wiltshire there are also numerous minor watercourses and winter streams or 'Bournes'.
- 1.2. The River Wyle flows in a south easterly direction from the village of Wyle until it's confluence with the River Till. At Witton the River Wyle flows into the River Nadder (which originates in the east) and continues on to Salisbury to its confluence with the River Avon. The River Avon is then joined by the River Bourne and continues to the south where it is joined by the River Ebble. The River Avon then flows south towards the New Forest.
- 1.3. Given that South Wiltshire owes much of its character due to the water environment, it is necessary to deal appropriately with the issues presented by flood risk. This will become increasingly more important due to the predicted effects of climate change. Figure 1 below shows the current extent of flood risk within South Wiltshire.

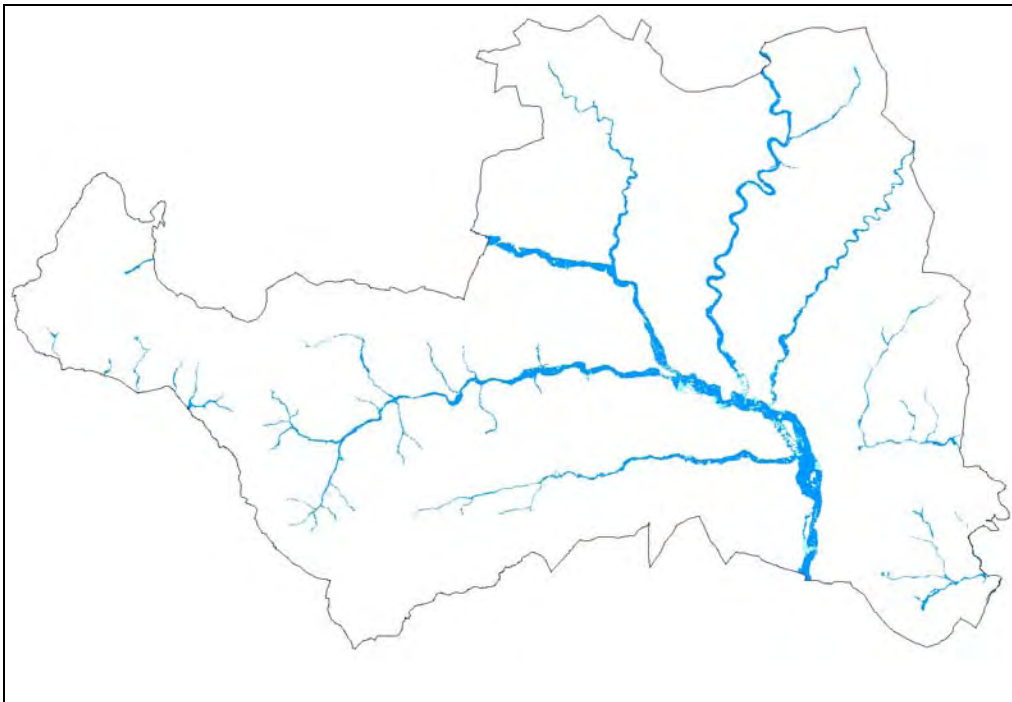


Figure 1: Flood Zones 2 and 3 in South Wiltshire

2. Previous rounds of consultation

- 2.1. Both the issues and options consultations and the preferred options consultations included questions relating to flood risk.

2.2. The Issues and Options consultation yielded 420 responses to a question that related to flood risk and new development. Of these respondents, 97.6% agreed or strongly agreed that flood risk should be assessed with all new development. Many of the free text comments gave strong support to the principle of not building in areas of high flood risk or on the functional flood plain.

2.3. In respect of the preferred options, flood risk was mentioned in numerous sections that dealt with both district wide and community area section policies. The relevant preferred options were...

- PO 28a (General)
- PO39d (Salisbury)
- PO50a (Amesbury)
- PO61a (Mere)
- PO72a (Downton)
- PO73a (Tisbury)

2.4. Although the issue of flood risk was included within the above preferred options, all of these options related to the same principle- locating development away from areas of flood risk. The separation of the preferred options over different geographic areas did not yield any tangible area specific issues. In light of this it is recommended that issue is covered in one policy.

2.5. As with the issues and options consultation, the comments received during the preferred options consultation were supportive of the notion of locating development away from areas of high flood risk. The free text responses to the consultation can be summarised by the quotes shown below.

'There would be a clear statement under flood protection that the council will not allow development on flood plains. Whatever developers say, there is no justification possible & these developments threaten the whole community.'

'Assessing the flood risk is insufficient. The planning cycle should be looking to reduce the risk of flooding through inappropriate use of flood plain and, potentially, seek to remove items that compromise the flood plain where this is an appropriate alternative to flood defence measures.'

'The flood risk associated with new development should be properly investigated in accordance with PPS 25.'

2.6. The preferred options II consultation which took place between September and October 2009 and included specific questions relating to the allocation of strategic housing sites. This consultation did not include any specific questions relating to flood risk; however, there are a few free text comments that have been made on the issue.

'There are more paved area, less drains, less vegetation for taking up water - this adds up to increase risk of flooding.'

'There must be no developments not eh floodplains or anything which will in any way damage the local rivers which are actually national treasures'

- 2.7. Of particular note during all stages of consultation is the representation from the Environment Agency (EA) who has a statutory responsibility for flood risk matters. The EA has been consulted at each of the stages of Core Strategy and has attended the Consultative Technical Group which is an open forum of stakeholder and statutory undertakers. Representations from the EA on the issues and options and preferred options consultations contained more general comments about flood risk. However, the comments received during the preferred options II consultation related specifically to two sites.
- 2.8. The EA comments related specifically to the Churchfields Industrial Estate and the Central Carpark/Maltings strategic sites. Both of these sites lie partially within Flood Zones 2 and 3 and the EA recommended that a Level 2 Strategic Flood Risk Assessment (SFRA) would be required. The level 2 SFRA will ensure that there is a better understanding of flood risk at these two sites. This will in turn enable the sequential test and, if required, the exceptions tests detailed in Planning Policy Statement 25 to be undertaken.

3. Updates to national and regional legislation

- 3.1. Over recent years there have been significant changes to national legislation on flood risk and flood risk management. In 2004 the Government's Making Space for Water¹ strategy set out a new national direction for flood risk management planning in England over the subsequent 20 years. The previous strategy was published in 1993 and since that time there have been numerous flood events such as those of 1998, 2000, and 2005 and 2007.
- 3.2. The report recognised the requirement for a holistic approach between the various responsible bodies, including flood defence operating authorities, sewerage undertakers and highways authorities, to achieve sustainable development. An integral part of this new direction for flood risk management planning in England was the production of a new Planning Policy Statement (PPS). Further research is being carried out in respect of urban drainage and best practice will be published in due course.
- 3.3. The new national guidance on flood risk and the planning system is held within the PPS 25 '*Development and Flood Risk*' and its associated companion guide This PPS was published in December 2006 prior to consultation on the core strategy. The national planning guidance remains unchanged at the time of

¹ DFRA Making Space for water www.defra.gov.uk/environ/fcd/policy/strategy/projects.htm

writing this addendum. The practice guide which accompanies PPS 25 and gives further guidance on the implementation of flood risk policy was published in June 2008.

- 3.4. The Pitt Review² into the flooding events of June and July 2007 is also of some significance and was published in the summer of 2008. The review aimed to provide a thorough and independent and fair assessment of what happened during the worst civil emergency the UK has seen. The report has 92 recommendations which cover every aspect of flood risk management and have implications for numerous national and local organisations. The completed report is being considered by the Government, and until such time as these are acted upon there are no recommendations which can be directly fed into the Core Strategy.
- 3.5. Since the publication of the preferred options and preferred options II consultation documents, the Secretary of State (SoS) has published proposed changes to the Regional Spatial Strategy (RSS). Policy F1 of the RSS has changed little when compared to the draft RSS policy. The SoS has strengthened the need for Local Planning Authorities to refer to the Final South West Regional Flood Risk Appraisal (RFRA) which was completed in February 2007.
- 3.6. Guidance on flood risk set out in PPS 25 and its associated companion guide requires Local Planning Authorities to take a proactive approach to understanding, avoiding, and reducing flood risk through the development process. The Environment Agency Flood Map, defines the following zones:
 - **Zone 1** - low risk of flooding
 - **Zone 2** - medium risk of flooding
 - **Zone 3** – high risk of flooding
 - (a) - has a greater than 1 in 100 annual risk of flooding
 - (b) - the functional flood plain
- 3.7. PPS 25 sets out formal set of requirements as to what types of development are compatible and acceptable in each flood zone. The main thrust of policy is to direct development away from areas which are at the highest risk of flooding. In other words, development should, as a matter of principle, be steered towards Flood Zone 1 (low risk of flooding). This process is called the ‘sequential test’ and needs to be applied at all stages of planning. PPS 25 also sets out the criteria against which exceptions to this principle might be made. The sequential test underpins the policy approach that should be taken when considering development at the regional and local level.
- 3.8. The EA, which is a public body, has the main statutory responsibility for flood management and defence in England. The EA provides advice and information to both developers and LPA’s on flood risk matters. Early engagement with the

² The Pitt Review <http://archive.cabinetoffice.gov.uk/pittreview/thepittreview.html>

EA is essential in order to ensure that flood risk is dealt with properly. Since the publication of the preferred options consultation, the EA has reissued revised standing advice on flood risk³. This advice is a tool to help LPAs establish the level of environmental risk involved with planning applications and deal with low risk applications without the need to consult the Environment Agency directly.

4. Local evidence base

- 4.1. In line with the guidance set out in PPS 25 and the RSS, a Strategic Flood Risk Assessment for Wiltshire has been completed. The SFRA aimed to map all forms of flood risk all forms of flood risk in order to inform the application of the sequential test as set out in PPS 25. The Level 1 SFRA was undertaken jointly with East and North Dorset District Councils and Christchurch and Bournemouth Borough Councils. This represents a best practice approach as the rivers in South Wiltshire are part of the Hampshire Avon Catchment which extends well beyond the boundaries of Wiltshire. One of the fundamental elements of the Level 1 SFRA is that the impact of flood risk is considered
- 4.2. The Level 1 SFRA was completed in February 2008, but early drafts of the Level 1 SFRA outputs document were used to inform the selection of sites. The approach to site selection is detailed in the *'Site Selection Papers 1 and 2'*⁴.
- 4.3. Flood risk was one of the key constraints which were taken into account when choosing areas for strategic development sites. The constraint mapping was used to rule out locations for strategic growth. This approach embodied the principle of the sequential test as it ruled out areas in flood zones 2 and 3 thus favouring development in flood zone 2.
- 4.4. While a large proportion of the strategic sites are located in flood zone 1, there are 2 exceptions. Both the Churchfields Industrial Estate and the Central Carpark/Maltings have been identified as key development sites within Salisbury. The redevelopment of Churchfields Industrial Estate is intended to be a residential led mixed use development while the Central Carpark/Maltings is intended to be retail led mixed use development.
- 4.5. The Level 1 SFRA has identified that parts of these two sites are within flood zones 2 and 3. The sequential test has been carried out for these two sites and is contained within the site selection paper 2. Essentially, these sites offer significant regeneration potential for Salisbury and South Wiltshire more generally and have also been recorded positively in the Sustainability Appraisal.

³ EA Standing Advice: www.environmentagency.gov.uk/research/planning/33098.aspx

⁴ Site Selection Papers www.salisbury.gov.uk/planning/forward-planning/local-development-framework/preferred-options/preferred-options-evidence.htm

- 4.6. It should be stressed that the selection of these sites has not dismissed flood risk as an issue. In order to ensure that the flood risk is managed properly, a Level 2 SFRA has been undertaken which looks at flood risk in detail at these sites.
- 4.7. The Level 1 SFRA concerns itself with identifying the extent of flood zones both with and without the impact of climate change and is sufficient to undertake the sequential test. The Level 2 assessment is more detailed and included depth and velocity maps that represent 'defended' and 'undefended' for both current and climate change scenarios. The results of the Level 2 SFRA will be used to meet the requirements of the exception test if required under PPS 25.
- 4.8. At the time of writing, the Level 2 SFRA is in draft format and is awaiting the outcome of further modelling results. There is also uncertainty over the nature of development on the two sites. However once complete the Level 2 SFRA data will be used to direct uses *within* the site to areas at the lowest risk of flooding. This will effectively mean that the sequential test is applied within the site at the master planning stage using the matrix of flood compatible development provided within PPS 25. Where flood compatible development cannot be accommodated with areas of lower flood risk within the site, the Level 2 SFRA will be used to inform the exceptions test set out within PPS 25.

5. The core strategy approach and suggested policies

- 5.1. The overarching approach in the South Wiltshire Core Strategy will be the application of the sequential approach as defined by PPS 25. This favours development in flood zone 1 over flood risk zones 2 and 3 except where proposals meet the PPS 25 definition of water compatible development.
- 5.2. Whilst the national planning guidance provides the framework the SFRA is the first port of call for local information. The SFRA should be used in order to assist in the application of the sequential and exception tests. Developers will be expected to liaise early with the Local Planning Authority and the EA to ensure that the adequate consideration is given to flood risk. This will ensure that the correct level of information is supplied in the applicants Flood Risk Assessment (FRA) at the planning application stage.
- 5.3. When applying the sequential test, the applicant will need to demonstrate that adequate consideration has been given to other reasonably available sites. In order to pass the sequential test, developers will have to prove that there no other sequentially preferable sites available for development.
- 5.4. Policy HMA11 of the RSS makes a distinction between Salisbury as a Strategically Significant City (SSCT) and the rest of the district. The council will adopt the same approach for the geographic area of search over which the sequential test is applied. This is to say that, for proposals in floods risk zones 2 and 3 in Salisbury or Wilton, the area of search for available sites will be

confined to these two settlements. Outside of Salisbury and Wilton the geographic area on search will be the remainder of the south Wiltshire excluding Salisbury and Wilton. The area on search may be reduced depending on the functional requirements of the development.

- 5.5. Sources of information in respect of alternatively available land are numerous and include the strategic Housing Land Availability Assessment, Employment Land Review, the National Land Use Database. Evidence of how these sources of information have been considered, alongside information of how flood risk has been compared between sites should be contained within the supporting FRA. Where development is proposed in flood zones 2 or 3, developers will be unable to prove that their sites are sequentially preferable where there is a readily available and deliverable 5 year supply of land.
- 5.6. Information on flood risk changes over time and because of this, the SFRA is a living document which will need to be updated regularly. The LPA will liaise with the EA in order to ensure that the SFRA is updated regularly to take of new information.
- 5.7. The management of surface water is an effective way of reducing future flood risk to both the site and its surroundings. The SFRA recommends that, all new development irrespective of its type and location should seek to minimise surface water runoff. The SFRA also suggests that infiltration drainage techniques, which allows water to be collected and discharged slowly to the subsoil, should be the favoured method of surface water runoff due to the permeable soils in the area. However, the presumption in favour of infiltration drainage techniques should be investigated on site in order to confirm that it is the most suitable method of disposal. In some instances infiltration will not be the most appropriate technique and other methods, such as attenuation tanks, green roofs or rain water harvesting will be more suitable.

Core Policy

- 5.8. In light of the above, the following wording is suggested for the core strategy.

Core Policy 41 - Flood Risk

The Local Planning Authority will apply a sequential approach (as defined by PPS25) to development and flood risk and will support proposals in areas that are at the least risk of flooding (i.e. in Flood Risk Zone1).

Development proposals in Flood Risk Zones 2 and 3 will only be permitted following the successful application of the sequential test and, if necessary, the exception test required by PPS 25.

Developers will be unable to prove that their sites are sequentially preferable if the up to date Strategic Housing Land Availability Assessment demonstrates there is a readily available and deliverable 5 year supply of land located within Flood Risk Zone 1.

Other than minor development (as defined by PPS 25) new development proposed in areas at risk of flooding will be expected to provide a Flood Risk Assessment ("FRA") commensurate with the scale of flood risk and recognising all likely sources of flooding. The FRA should contain information about all reasonably available sites considered as alternatives to the proposal. The FRA should also include information about how the sequential approach has been applied within the site and how the requirements of the exception test are to be met.

In order to reduce flood risk all new development will also be expected to include Sustainable Urban Drainage techniques to manage the storage and release of surface water runoff, unless this is not technically feasible, or where it can be demonstrated that ground conditions are unsuitable for such measures.

Monitoring the effectiveness of the policy - Key Quantifiable Indicators.

- 5.9. This policy will be implemented by identifying flood risk through the use of Strategic Flood Risk Assessments (level 1 and 2) and the use of Flood Risk Assessments at the planning application level. The Council will work closely with the Environment Agency in order to ensure that flood risk is taken into account in all levels of decision making process.

- 5.10. As mentioned above, the Environment Agency is the public body with responsibility for assessing and managing Flood Risk in the UK, are key consultees in the planning process. The Council will aim to ensure that no planning permissions are granted contrary to EA recommendations about flood risk. In order to monitor the success of this policy, the Council will collect information about the number of planning permissions granted contrary to EA advice. This data will be collected as part of the NI 189 - Flood and coastal erosion risk management and reported in the AMR.

6. Changes as a result of Sustainability Appraisal, Strategic Environmental Assessment, Habitats Regulations Assessment and editing refinement

- 6.1. The draft core strategy and the initial policy text shown above were subjected to a sustainability appraisal (SA) and also appraisal under the Habitats Regulations, Strategic Environmental Assessment Regulations. These appraisals produced a number of recommendations for how to improve and strengthen the policy
- 6.2. At the same time as the SA, SEA and HRA assessment of the core strategy, the initial draft was subjected to editing to ensure that central and regional policy are not repeated and to take account of recommendations for Government Office of the South West (GOSW). These editing changes resulted in numerous structural changes to the document and also the removal of a number of policies.

Suggested Changes

- 6.3. The SA/SEA appraisal of this policy concluded that it performs well against the sustainability criteria. In light of the fact that no adverse impacts were highlighted, the SA/SEA has not recommended any changes to the policy.
- 6.4. The HRA of the core strategy does not make any specific recommendations relating to the flood risk policy. However, the HRA highlights the fact that the flood risk policy goes some way towards protecting the River Avon SAC. The policy offers some protection to the SAC by reducing the potential for diffuse urban run-off through the requirements of SUDS in new developments.
- 6.5. This policy was contained within the development management section of the core strategy, much of which has been removed. These development management policies will now be delivered through the production of a Wiltshire wide DPD. However the flood risk policy has been retained all be it in a slightly revised format.
- 6.6. The emphasis of the policy is still the same in that it directs development towards the lowest areas of flood risk. However, the preamble text and policy have been edited for clarity and avoid repetition of PPS 25 guidance.
- 6.7. The revised pre amble and policy for the core strategy is as follows....

The Strategic Housing Land Availability Assessment (SHLAA) demonstrates that there is sufficient land available in Flood Zone 1, the zone of least risk, to meet the housing development needs of the area. The strategy therefore favours housing development in Flood Zone 1 over areas of higher risk as identified by the Strategic Flood Risk Assessment (SFRA).

Proposals put forward in areas of higher risk (Flood Zones 2 and 3) will need to be supported by clear evidence that no lower risk alternative sites are available. The

findings of the SHLAA will carry considerable weight when testing the suitability of proposals put forward in higher risk areas.

Core Policy 21 - Flood Risk

The SHLAA and SFRA currently demonstrate there is a readily available and deliverable 5 year supply of housing land in Flood Zone 1. Development proposed in Flood Zones 2 and 3 as identified within the SFRA will need to refer to this information when providing evidence to the local planning authority in order to apply the Sequential Test in line with the requirements of PPS25.

All new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (Sustainable Drainage) unless site or environmental conditions make these measures unsuitable.

Targets: No approvals against policy or against EA advice

Monitoring and Review: AMR; External reviews (for example by the EA).

Delivery Responsibility: Wiltshire Council; EA; Developers.

Policies replaced: G4 and G6