



Report of	Meeting	Date
Head of Spatial Planning	Central Lancashire Strategic Planning Joint Advisory Committee	22 <sup>nd</sup> November 2022

## UPDATE DATE SFRA & LEVEL 1 REFRESH COMMISSION

### RECOMMENDATION(S)

1. To note contents of this report

### EXECUTIVE SUMMARY OF REPORT

2. To provide members with an update on the evidence base and site assessment for flood risk.

<b>Confidential report</b> Please bold as appropriate	Yes	<b>No</b>
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### REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

3. None, for information only.

### ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. None.

### Background

5. Members will recall we undertook a Strategic Flood Risk Assessment (SFRA Level 1) which is required to inform the scope of the Sustainability Appraisal for consultation and identify where development can be located in areas of low risk of flooding. In areas where there is a risk of flooding, if sustainable development cannot be achieved, a sequential test is applied and where development is proposed within an area of flooding, a Level 2 Strategic Flood Risk Assessment is undertaken.
6. The Councils are at this point currently. Initial site assessment work has been undertaken and the sustainability appraisal of all filtered sites for housing and employment are currently with LUC for assessment.

### Report content

7. The government has renewed its flood risk and coastal change planning guidance in an effort to make new developments more resilient to severe flooding and The Environment

Agency published a major refresh of the PPG guidance on the 25th August 2022, bringing it in line with the changes introduced to the National Planning Policy Framework (NPPF) in 2021.

8. Appendix One is a briefing note produced by the Environment Agency in September 2022 which sets out these changes and what they mean for planning in practice.
9. The changes state that Flood Risk Plans should now take into account all sources of flood risk and should use opportunities provided by new development to improve green and other infrastructure to reduce the causes and impacts of flooding.
10. By including the reference to 'all sources of flood risk' it is increasing the requirement to consider flood risk from sources other than fluvial (river) and surface water. This means a more holistic understanding of flood risk is required when applying this policy, particular in terms of the Sequential and Exception Tests, providing increased weight behind the lesser scrutinised forms of flood risk like groundwater and artificial sources (e.g. reservoirs, canals, and sewers). Key changes include:
  - The Sequential and Exception Tests have been updated to consider surface water, with greater focus has been given to surface water flood risk so surface water flood risk should be considered earlier and more holistically than before
  - The definition of a functional floodplain (Flood Zone 3b) has changed from an annual probability of 1 in 20 (5%) or greater in any year to 1 in 30 (3.3%) or greater in any year. With this change more land is likely to be defined as a 'functional floodplain' and no development is typically considered to be appropriate on land with this definition.
  - Increased promotion of Natural Flood Management (NFM) in new developments
  - The Environment Agency has significantly changed their approach in the way climate change allowances are applied to peak river flow and Guidance also states that peak river flow allowances should be applied to developments and allocations where the strategic flood risk assessment shows an increased risk of flooding in the future. This includes locations that are currently in Flood Zone 1 but might be within Flood Zone 2 or 3 in the future. In simple terms, the new allowances consider the river basin, specific river and geographic location within the catchment when determining climate change requirements. This could mean that two sites on the same watercourses, in relatively close proximity, could require different climate change allowances to be applied.
  - NPPF also suggests that the central climate change allowance is also applied across all flood zones, including Flood Zone 1, for all uses (except Essential Infrastructure).
  - Guidance on sustainable drainage systems (SuDS) has been elaborated upon with more focus on what is required for the implementation of SuDS.
  - Guidance has reinforced the importance of early consultation with organisations for informed flood risk advice, a list of bodies to which the Environment Agency, lead local flood authorities, water and sewerage companies, emergency planners, emergency services, local resilience forums and other flood incident responders have been added.
  - Prior to any consultations with authoritative or regulatory bodies, plans for a development are required to be examined by a strategic flood risk assessment.
  - According to the guidance, sites located in an area with low flood risk will be considered for approval first with medium-risk sites only regarded if the identified low-risk sites are deemed to be insufficient.
  - Developments in high-risk sites will only be considered for approval if both medium and low-risk sites are not sufficient.
11. Strategic policy-making authorities should undertake strategic or site-specific flood risk assessments where appropriate and such assessments need to be carried out to obtain a grant of technical details consent. The new guidance has also declared that assessments need to outline the extent of the functional floodplain, show regard for Emergency Planning, and protect future flood storage areas. Other new requirements for

flood risk assessments include:

- Identifying sources of uncertainty on a site and outlining how these can be resolved in a mitigation strategy
- Establishing 'the most vulnerable aspects of development' in site's situated in areas with a low flood risk, unless there are 'overriding reasons to prefer a different location'
- Demonstrating regard for both vertical and residual flood risks and suggesting ways to avoid both
- Regarding the impact of flood risk management infrastructure failing or its design standard being exceeded
- Identifying how flood risk management infrastructure will be 'operated, funded and maintained'
- Ensuring there is capacity for future maintenance or new flood risk management infrastructure that might be required
- Taking climate change factors into account and considering if there will be available funding for flood defences in future
- Assessing how a development could affect flood risk in the surrounding area

### **Implications for the SFRA and Central Lancashire Local Plan**

12. All these important changes (which would have implications for the test of soundness if we do not comply) mean that a refresh of the Level One SFRA is required for the evidence base to be consistent with national policy and guidance. There may also be implications for the site assessment process as sites that have not been eliminated in the SHELAA process so far for flood risk, could be eliminated with the application of these new tests, although it's more likely that a sequential test may be required for some site allocation proposals which would not preclude them from future allocation. This sequential test would set out the rationale for the proposal, any required mitigation and also then ensure that the process of consultation would deliver the required. Officers do not envisage a large volume of sites being affected.
13. We have liaised with LCC and the EA on exactly what is required and appendix two is a letter received from the LLFA which clearly confirms the need for a refresh of the SFRA Level 1 and additional forecasting linked to climate change. JBA Consultants have provided a proposal based on the recommendations from EA and the LLFA for an SFRA Level 1 refresh at a cost of £14,062 to commission work which refreshes the SFRA Level 1 to be compliant with the national policy changes.
14. As SFRA Level 2 is required, officers are exploring if it's possible to commission the two pieces of work together which will ensure they are produced concurrently and will also achieve best value given it will be the same consultant producing the assessment which will reduce the cost.
15. It is envisaged that this work will be undertaken during the next three months or so and therefore Stage One Preferred Options will include caveats that further site assessment work may be required upon the updates required to SFRA Level 1.

### **Equality and diversity**

16. Not applicable

### **Risk**

17. There are no risks associated with this report the report is information.

### **Comments of the Statutory Finance Officer**

18. As this is for information only there are no financial implications of this report.

#### **Comments of the Monitoring Officer**

19. The report is essentially for information – hence there are no direct legal implications arising.

#### **Appendices**

**Appendix One;** Environment Agency Briefing Note September 2022  
Comprehensive update to Planning Practice Guidance on flood risk and coastal change  
**Appendix Two;** Letter from Lead Local Flood Authority dated 21<sup>st</sup> October 2022

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