
REPORT TO:	Overview & Scrutiny Committee	AGENDA ITEM:6 (a)
DATE OF MEETING:	5th December 2007	CATEGORY: DELEGATED
REPORT FROM:	Director of Community Services	OPEN
MEMBERS' CONTACT POINT:	Gill Hague 595742	DOC:
SUBJECT:	Implications of PPS25 – Development & Flood Risk	REF:
WARD(S) AFFECTED:	All	TERMS OF REFERENCE:EDS03 & DC01

2.0 Recommendations

2.1 That Members note the content of this report.

3.0 Purpose of Report

31. To inform Members of the implications for the Council as Local Planning Authority of National Planning Policy Statement 25 – Development & Flood Risk (PPS25)

5.0 Detail

5.1 This report is in response to a request from Committee at its meeting on 24th October 2007 for an explanation of the implications of PPS25 on the Council.

5.2 The aim of PPS25 is to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding and to direct development away from areas at highest risk. The objectives are therefore to appraise, manage and reduce the risk of flooding.

5.3 Where new development is, exceptionally, necessary in such areas, policy aims to make it safe without increasing flood risk elsewhere and where possible, reducing flood risk overall.

5.4 The Environment Agency (EA) retains its responsibility for flood management and defence and for providing the Local Planning Authority (LPA) with support, information and advice on flooding issues.

5.5 PPS 25 affects the activities of the Council in its role as LPA in two areas – the determination of planning applications and the preparation of the Local Development Framework.

The determination of planning applications

- 5.5 The EA has been a statutory consultee for many years. The important change to the process introduced by PPS25 is that if there is an unresolved objection from the EA to a planning application but the LPA are minded to approve, then the LPA must notify the Secretary of State (SofS) of the proposal. This provides the SofS with an opportunity to check the applications general compliance with the policies in PPS25 and whether it would be appropriate to call it in for determination.
- 5.6 The principles followed when making decisions should be:-
- Have regard to the policies in the PPS
 - Ensure that planning applications are supported by site specific flood risk assessments as appropriate
 - Apply the sequential approach at a site level to minimise risk by directing the most vulnerable development to areas of lowest flood risk, matching vulnerability of land use to flood risk
 - Give priority to use of SUDS (Sustainable urban drainage schemes)
 - Ensure that all new development in flood risk areas is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed.

The Local Development Framework (LDF)

- 5.7 PPS25 requires a Strategic Flood Risk Assessment to be carried out by the LPA in liaison with the EA to inform the preparation of the documents that make up the LDF, having regard to catchment-wide flooding issues, which affect the area. The assessment will provide the information needed to apply the sequential approach when making choices regarding allocations of land for development thus demonstrating that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed.

6.0 Financial Implications

- 6.1 The preparation of a Strategic Flood Risk Assessment requires specialist input and whilst the EA will offer advice and guidance in drawing up a project brief, make available information it holds and advise on the suitability of the finished document the work will be undertaken by consultants as the Council does not currently employ anyone with the relevant skills. It is anticipated that the assessment will be prepared in two parts with the estimated total cost being some £50,000 and this is being built into the budget for the delivery of the LDF.

7.0 Corporate Implications

- 7.1 Liaison will be necessary with the Engineering Technician in the Leisure & Community Development Service to secure information regarding localised flooding information particularly in relation to land drainage.

8.0 Community Implications

- 8.1 Ensuring that appropriate development takes place in appropriate areas, having appropriate regard to flooding and appropriate mitigation is in the best interests of the community as a whole.
- 8.2 PPS25 states that policies [in LDFs] should recognise the positive contribution that avoidance and management of flood risk can make to the development of sustainable communities, including improved local amenities and better quality of life.

9.0 Conclusions

- 9.1 PPS 25 sets out flood zones the boundaries of which are shown on EA Flood Maps which form the basis of undertaking the sequential test for determining planning applications. The maps ignore the presence of existing defences. The zones will be used as the basis of development control until such time as a Strategic Flood Risk Assessment has been undertaken.
- 9.2 The Strategic Flood Risk Assessment will consider the impact of flood risk management infrastructure on the frequency, impact, speed of onset, depth and velocity of flooding within the Flood Zones considering a range of flood risk management maintenance scenarios. It will help the preparation of appropriate LDF policies for the management of flood risk and inform the detail required for site specific flood risk assessments which accompany planning applications.
- 9.3 PPS25 states that flood risk should be considered alongside other spatial planning issues such as transport, housing, economic growth, natural resources, regeneration, biodiversity, the historic environment, and the management of other hazards. It sets out the responsibilities for other stakeholders and advocates working in partnership.

10.0 Background Papers

- 10.1 PPS 25 can be viewed on the Communities & Local Government website <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/planningpolicystatements/pps25/>