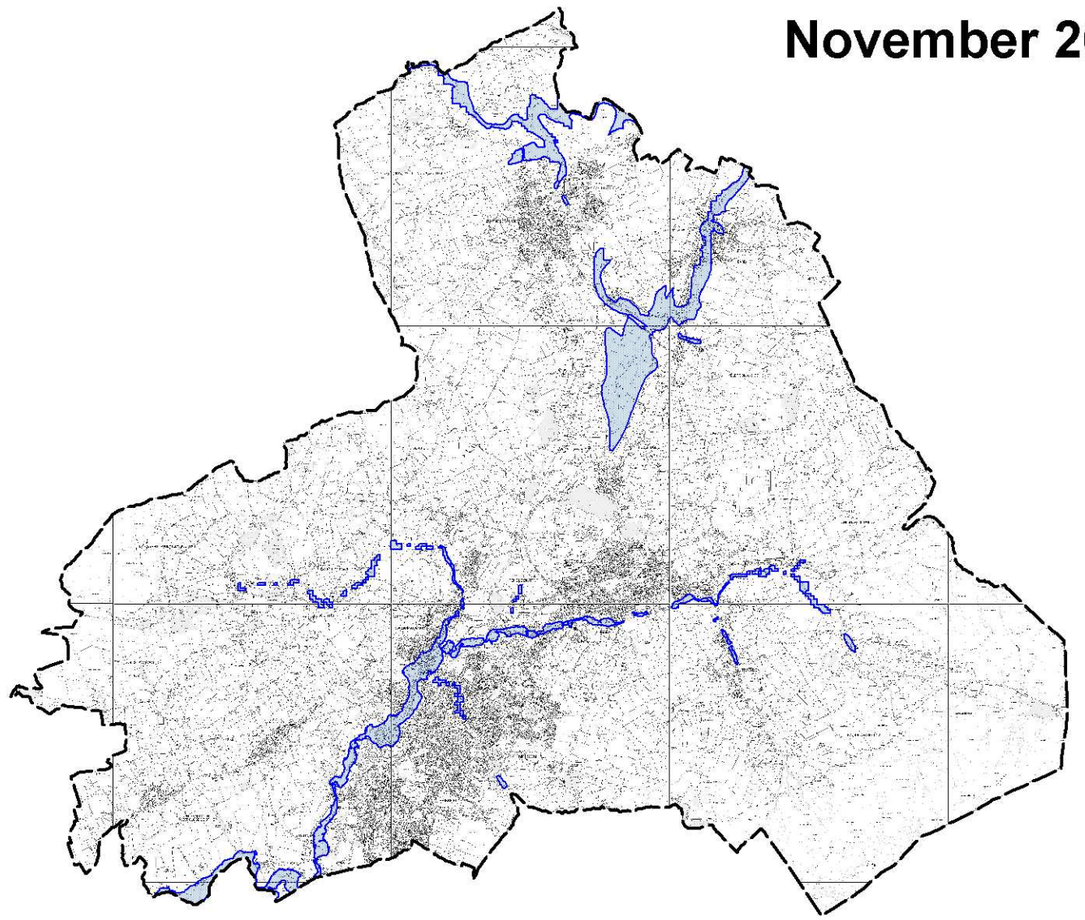
DEVELOPMENT AND FLOODRISK

November 2003



Incorporating guidance on Sustainable Urban Drainage Systems (SUDS)

Development Plans and Policy

Borough of Pendle

Supplementary Planning Guidance to the Pendle Local Plan

Introduction

This document contains planning policy guidance to supplement the policies in the Development Plan for Pendle. The guidance contained within this document can be used as a material consideration in the determination of planning applications within Pendle. This SPG also contains indicative floodplain maps for Pendle as prepared by the Environment Agency in 2002. The maps contained in this document illustrate the areas of the Borough likely to flood in a 1 in 100 year flood event.

Policy Background

Flooding from rivers and coastal waters is a natural process. Flooding can cause damage to property and can put people at risk. Flooding cannot be eliminated but its effects can be controlled by effective defence systems. However, defence mechanisms are not always a viable solution as they can increase the risk further downstream. It is possible to reduce the risk of flooding by controlling future development and land use patterns. Experience from recent years suggests that flooding problems may be becoming worse. The problem is likely to be exacerbated in the future by predicted levels of sea rise.

The Government's policy is to reduce the risks to people and the developed and natural environment from flooding. It is the responsibility of local planning authorities to ensure that risk of flooding is taken into account when planning new developments in the Local Plan and in the control of developments through the Development Control process.

Planning Policy Guidance Note 25

PPG25 (Development and Floodrisk) was published in 2001. PPG25 is Government guidance which can be used as a material consideration in the preparation of the Local Plan and in the determination of planning applications. The guidance sets out the importance the Government attaches to the management and reduction of floodrisk in the land-use planning process. In particular, the guidance introduces a sequential approach to the consideration of development in areas at risk of flooding and states that a precautionary approach should be applied.

Regional Planning Guidance for the North West – RPG13

Policy ER8 requires Local Planning Authorities to apply the precautionary principle. It states that the Local Authority should make use of Indicative Flood Plain Maps to develop the information necessary to apply the sequential approach outlined in PPG25.

Deposit Joint Lancashire Structure Plan

Policy 24 identifies those high risk areas likely to flood (based on 1 in 100 year events). The Policy states that in both functional floodplains and undeveloped or sparsely developed high risk areas development will be limited to essential infrastructure or to development for which that location is essential. In developed high risk areas, development will be limited to proposals for which appropriate flood alleviation measures either exist or will be provided by the developer.

Pendle Local Plan – 1st Stage Deposit

Policy 6 of the revised Pendle Local Plan (1st Stage Deposit) states that:

"Development will not be permitted where it would:

Increase the risk of flooding – by increasing water flows in a floodplain or reducing the capacity of the floodplain, and/or

Harm existing flood defences or impact on proposed flood defence schemes, and/or

Would be at risk of flooding and no suitable flood alleviation measures exist or will be provided by the developer, and/or

Restrict adequate access to existing flood defences required for routine maintenance and improvement.

Proposals to develop within areas liable to flood[1] must be accompanied by an appropriate[2] Flood Risk Assessment where the development is perceived[3] to be at risk of flooding or the development is likely to increase the risk of flooding elsewhere".

Planning for Floodrisk

The Government are keen to reduce damage to property and reduce the risk to human life from flooding. In line with this, the susceptibility of land to flooding can be a material consideration in the determination of planning applications. Reducing the vulnerability of people and buildings to the dangers of floods can contribute to the achievement of a better quality of life and the objectives of sustainable development.

PPG25, RPG13 and the Deposit Joint Lancashire Structure Plan all support the introduction of a precautionary approach and the establishment of a risk based assessment to development in areas liable to flood. This approach seeks to avoid risk from flooding wherever possible, or alternatively manage that risk. In order to successfully plan for new development or determine applications for new development a sequential approach to new development has been introduced. This will guide development to areas least likely to flood or to areas where defence mechanisms can protect for the lifetime of a development.

The Sequential Approach

PPG25 requires local planning authorities to adopt a precautionary approach in order to avoid flood risks where possible and manage it elsewhere. This approach must take account of the areas liable to flooding, the probability of it occurring, the extent and standard of exiting defences, the likelihood of impacts and the nature and expected lifetime of the proposed development.

In line with the sequential approach Policy 6 of the Deposit Local Plan seeks to reduce the risk of damage to property and human life through restricting development in those areas at risk of flooding and

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[1] As indicated in this SPG
[2] PPG25 – Appendix F outlines the issues to be covered in a Flood Risk Assessment.
[3] The views of the Environment Agency will be sought on any development proposal within an indicative floodplain.

in those areas where there are no suitable defences in place. The Environment Agency identify those areas at risk of flooding. Those areas of High Risk are identified on indicative floodplain maps as areas with a 1.0% or greater annual probability of flooding. The note below provides further information on the indicative floodplain maps. The maps for Pendle are contained within this Supplementary Planning Guidance.

Applications for new development should be located in areas outside of the High Risk category. However, there may be instances whereby other planning issues outweigh the issue of potential flooding. In this circumstance the following approach must be followed for proposed development in those High Risk areas identified on the indicative floodplain maps:

Flood Area	Description	Acceptable Development	Constraints Criteria
Developed Areas.	These are areas which are 'developed' in nature.	Further built development will be permitted so as to avoid social and economic stagnation. Development on brownfield sites will be permitted in the interests of recycling land. Other development is considered appropriate, such as recreational and sports facilities.	1) The appropriate minimum standard of flood defence must be provided and be maintained for the lifetime of the development (preference given to sites already defended to this standard). 2) Development (or required defences) must not increase the risk of flooding elsewhere. 3) Development must not create adverse affects or limit access to existing flood defences.
Undeveloped and Sparsely developed areas.	These are areas with very limited development, if any.	Built development will not be permitted except in exceptional circumstances. For example, where a particular location is essential for the development or the development is to provide a residential property essential to an ongoing job e.g. operational staff. Recreation, sport and amenity uses may be acceptable. Development will only be permitted where it can be shown that no lower risk site is available (or suitable).	Where development is permitted: 1) The appropriate minimum standard of flood defence must be provided and maintained for the lifetime of the development (preference given to sites already defended to this standard). 2) Development (or required defences) must not increase the risk of flooding elsewhere. 3) Development must not create adverse affects or limit access to existing flood defences.
Functional flood plain.	These are undefended high risk areas which are allowed to flood naturally.	Built development should be wholly exceptional and limited to essential transport and utilities infrastructure. Recreation, sport and amenity uses may be acceptable.	1) Infrastructure should be designed and constructed so as to remain operational even at times of flood. 2) There should be no net loss of flood-plain storage. 3) Development should not increase flood risk elsewhere.

The fundamental principles of the sequential approach to be followed for development in High Risk flood areas are detailed in the table above. In addition consideration should be given to the following:

1. As noted in the table above preference will be given to development in areas already defended to a suitable standard. This will avoid an unnecessary increase in the requirement for artificial flood defence. The Environment Agency can provide information on defended areas.
2. Applications for individual householders for minor extensions or alterations should not raise significant issues, unless the development or an accumulation of developments were to affect flood flows or storage capacity.
3. Applications for change of use should not raise significant issues unless in an area of sparse development in which case the principles in the Table above should be followed or the change of use would result in a demand for new flood defences.
4. Funding for flood defences should come via developer contributions unless part of an already programmed scheme to be funded by public monies, or to be implemented as part of a land reclamation scheme in order to facilitate the re-use of brownfield land.
5. Flood defences will only be appropriate where they themselves do not increase the risk of flooding elsewhere.

Where a development is considered acceptable in a High Risk area, good design principles should be followed to ensure the risk from flooding is minimised. The Environment Agency can offer advice on good design in flood risk areas.

Flood Risk Assessment

In areas of High Risk applicants will be expected to investigate the potential risk of their development. The views of the Environment Agency should be sought on whether the development is perceived to be at risk of flooding and/or is likely to increase the risk of flooding elsewhere. Where there is a perceived risk the applicant will be expected to provide a Flood Risk Assessment with the application for planning permission. This should be carried out by a suitably qualified person and should be in line with the guidance contained in Appendix F to PPG 25.

Sustainable Drainage Systems (SuDS)

Complimentary to the control of development within floodplain areas is the management of surface runoff through sustainable drainage systems. Poorly managed runoff can increase the volume and flow of rivers resulting in increased flooding problems. There are 4 general methods of control:

1. Filter Strips and Swales
2. Filter Drains and Permeable Surfaces
3. Infiltration Devices
4. Basins and Ponds

Benefits of SuDS include:

- Reducing the flood risk of river catchments by controlling surface runoff
- Minimising the risk of pollution
- Maintaining or restoring the natural flow regime of the receiving watercourse
- Maintaining recharge to groundwater

All development proposals should incorporate sustainable drainage systems for the disposal of surface water. Where this is not practicable it must be demonstrated that an acceptable alternative means of surface water disposal is incorporated. All large residential or commercial developments will be expected to use a sustainable drainage system. This is in line with the requirements of PPG25 and is supported by the Rainwater Drainage Requirement H3 of the Building Regulations 1984 (2002 Edition) which requires SuDS to be used as a priority wherever possible. Planning conditions or agreements may be used to secure effective sustainable drainage systems.

Further guidance on SuDS can be found in the DETR (2000) Sustainable Urban Drainage Systems: Design Manual for England and Wales.

Developers should be aware of the need to obtain Building Control Consent for surface and foul water drainage schemes. The detailed requirements are set out within Document H of the Building Act 1984, Drainage and Waste Disposal (2002).

Sustainable Water Use

The Council will also support the sustainable use of water in new developments through 'greywater recycling' schemes. This is a system which collects bath and shower water for reuse in flushing toilets and garden watering. Rainwater can also be collected to top up the system if required. The greywater recycling system can be incorporated effectively into new residential developments.

NOTE

The indicative Floodplain maps are produced by the Environment Agency. They represent flood events of a 1 in 100 year probability. This is defined as High Risk. The information is indicative rather than specific. The Local Planning Authority will consult with the Environment Agency on strategic and individual land use proposals. In extreme events other areas may be affected.

The indicative floodplain maps take no account of flood defences. The 'blocked' areas as they appear on the maps are recommended by the Institute of Hydrology as areas likely to flood in a 1 in 100 year event. Whilst information in those areas is sparse, the Environment Agency will be consulted on any development proposal.

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References and Further Guidance

Borough of Pendle (2003) Local Plan – 1st Stage Deposit. BoP

DTLR (2001) Planning Policy Guidance Note 25: Development and Flood Risk. DTLR

GONW (2003) Regional Planning Guidance for the North West (RPG13). GONW

Lancashire County Council (with Blackburn and Darwen and Blackpool) (2002) Joint Lancashire Structure Plan 2001-2016 (Deposit). LCC

ODPM (2002) Drainage and Waste Disposal, Building Act 1984.

Environment Agency (2002) Sustainable urban Drainage Systems: Case Studies in Central Area – North West Region. EA

DETR (2000) Sustainable urban Drainage Systems: Design Manual for England and Wales. DETR

DETR (2001) Sustainable urban Drainage Systems: Best Practice Manual. DETR

Environment Agency (1997) Policy and Practice for the Protection of Floodplain. EA

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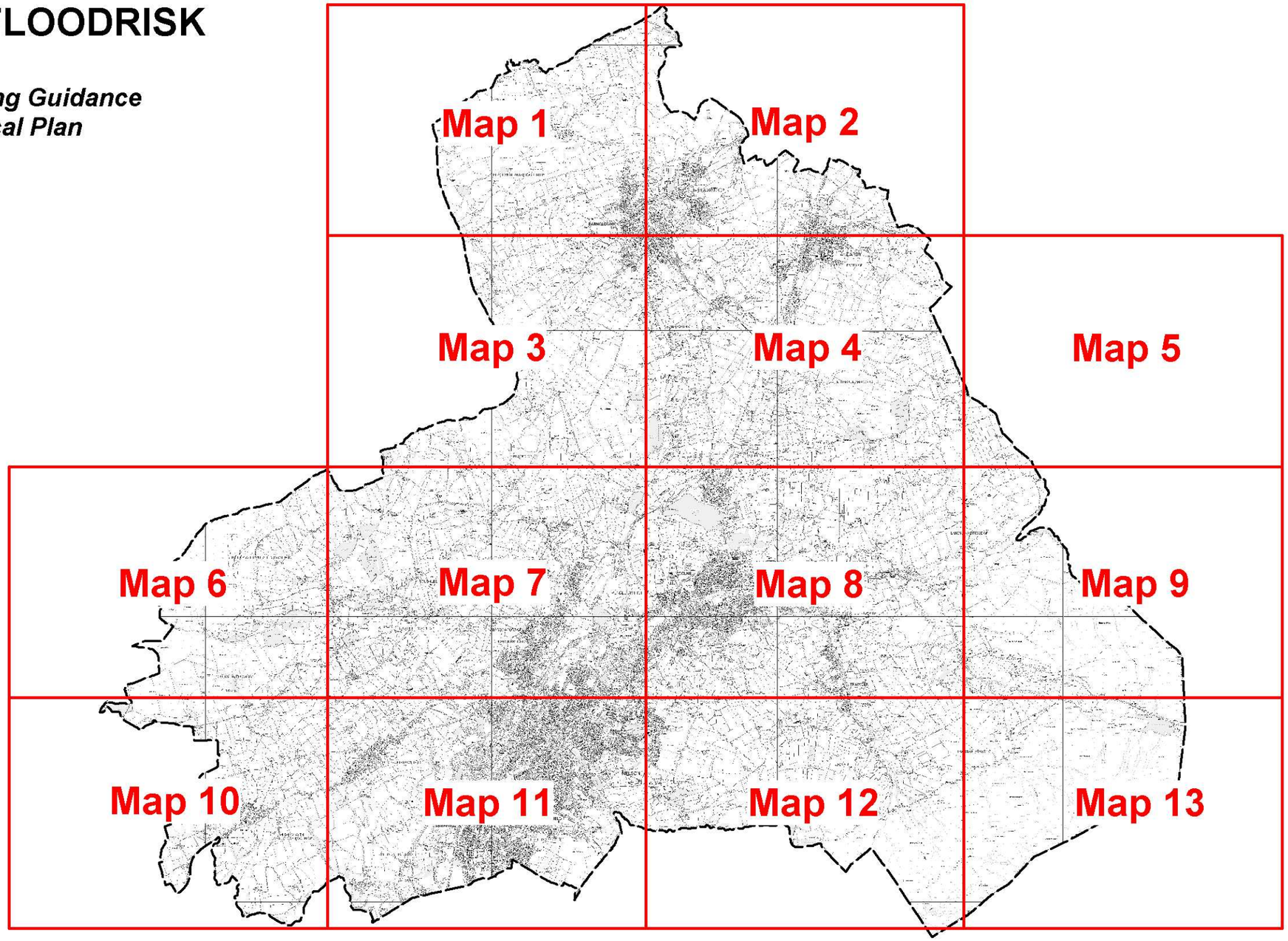
Location Index



NOTE

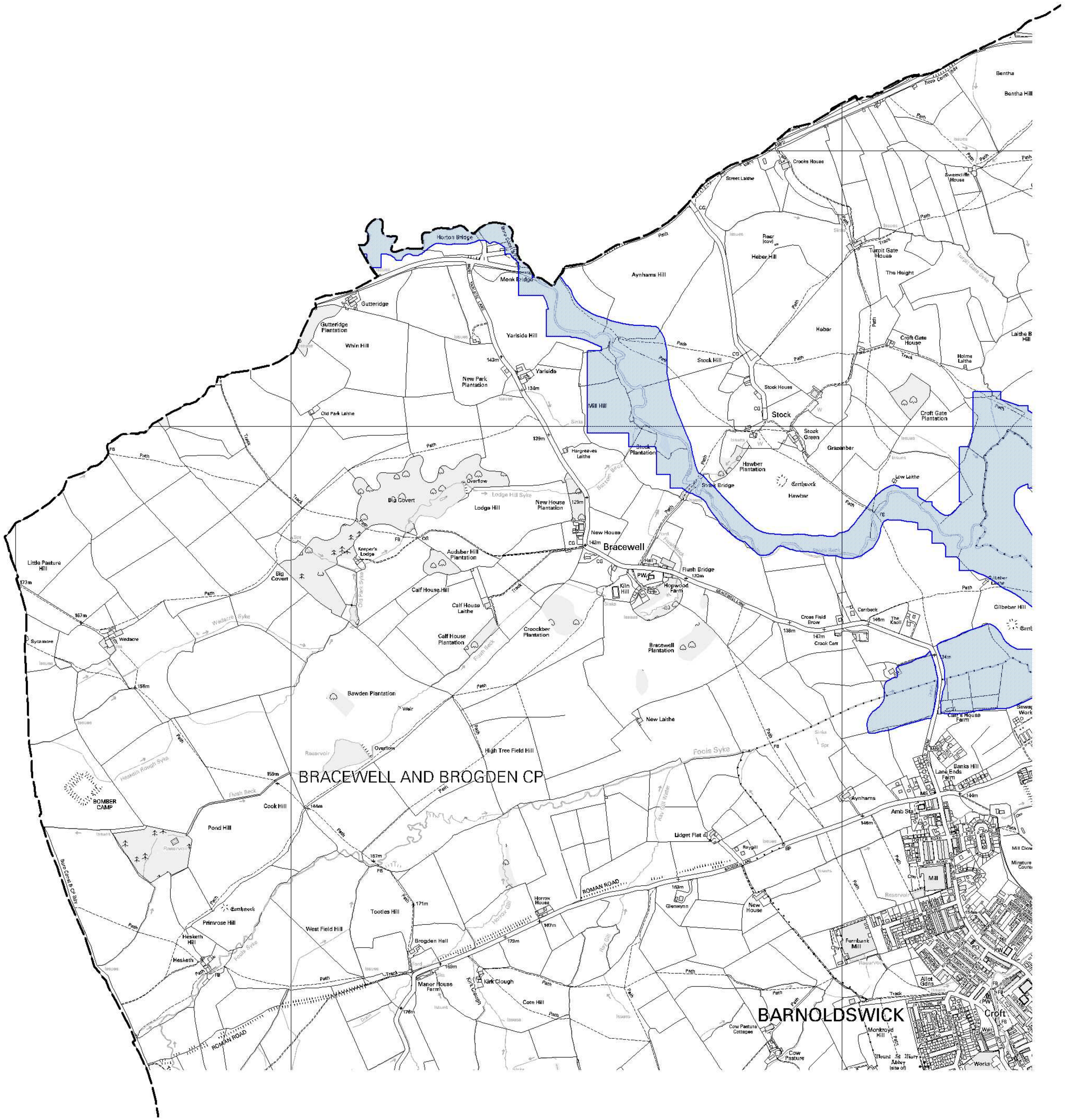
These Maps show the Environment Agency's best estimate of the indicative floodplain for a current 1 in 100 year fluvial flood event, assuming no defences are in place.

For further guidance plase talk to the Environment Agency.

MAP 1

Key

Floodplain (1 in 100 year event)



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Scale: Not to Scale

MAP 2

Key

Floodplain (1 in 100 year event)

BARNOLDSWICK CP

Borough of Pendle

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Scale: Not to Scale

MAP 3

Key

Floodplain (1 in 100 year event)

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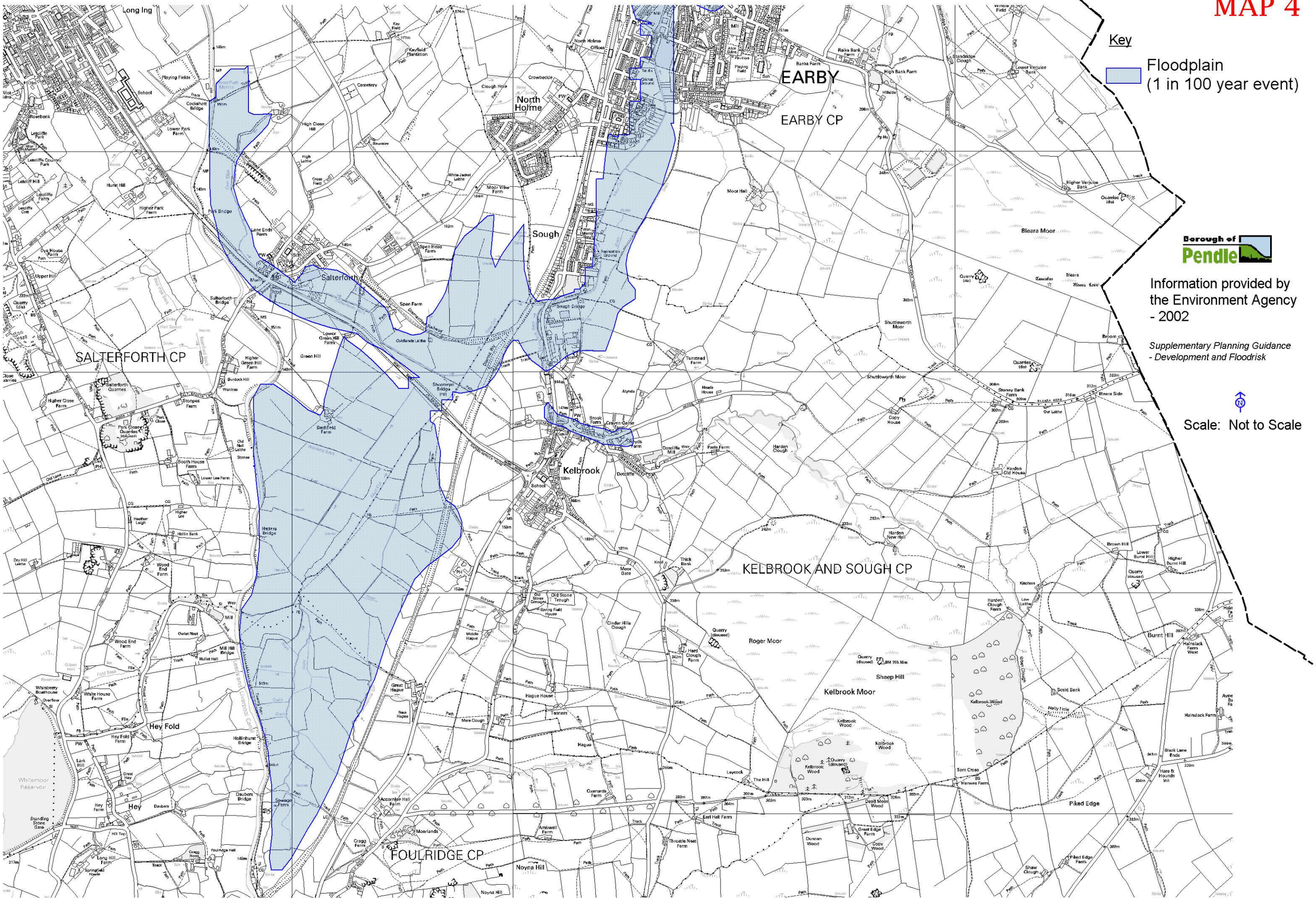
Scale: Not to Scale

MAP 4


Key
Floodplain
(1 in 100 year event)
Borough of Pendle
Information provided by the Environment Agency - 2002
Supplementary Planning Guidance - Development and Floodrisk
Scale: Not to Scale
EARBY
EARBY CP
North Holme
Sough
Salterforth
SALTERFORTH CP
Kelbrook
KELBROOK AND SOUGH CP
FOULRIDGE CP
Hey Fold
Hey
Bleara Moor
Shuttleworth Moor
Roger Moor
Sheep Hill
Kelbrook Moor
Piked Edge
Burnt Hill
Whitemoor Reservoir
Leeds and Liverpool Canal
Long Ing

MAP 5

Key

Floodplain (1 in 100 year event)

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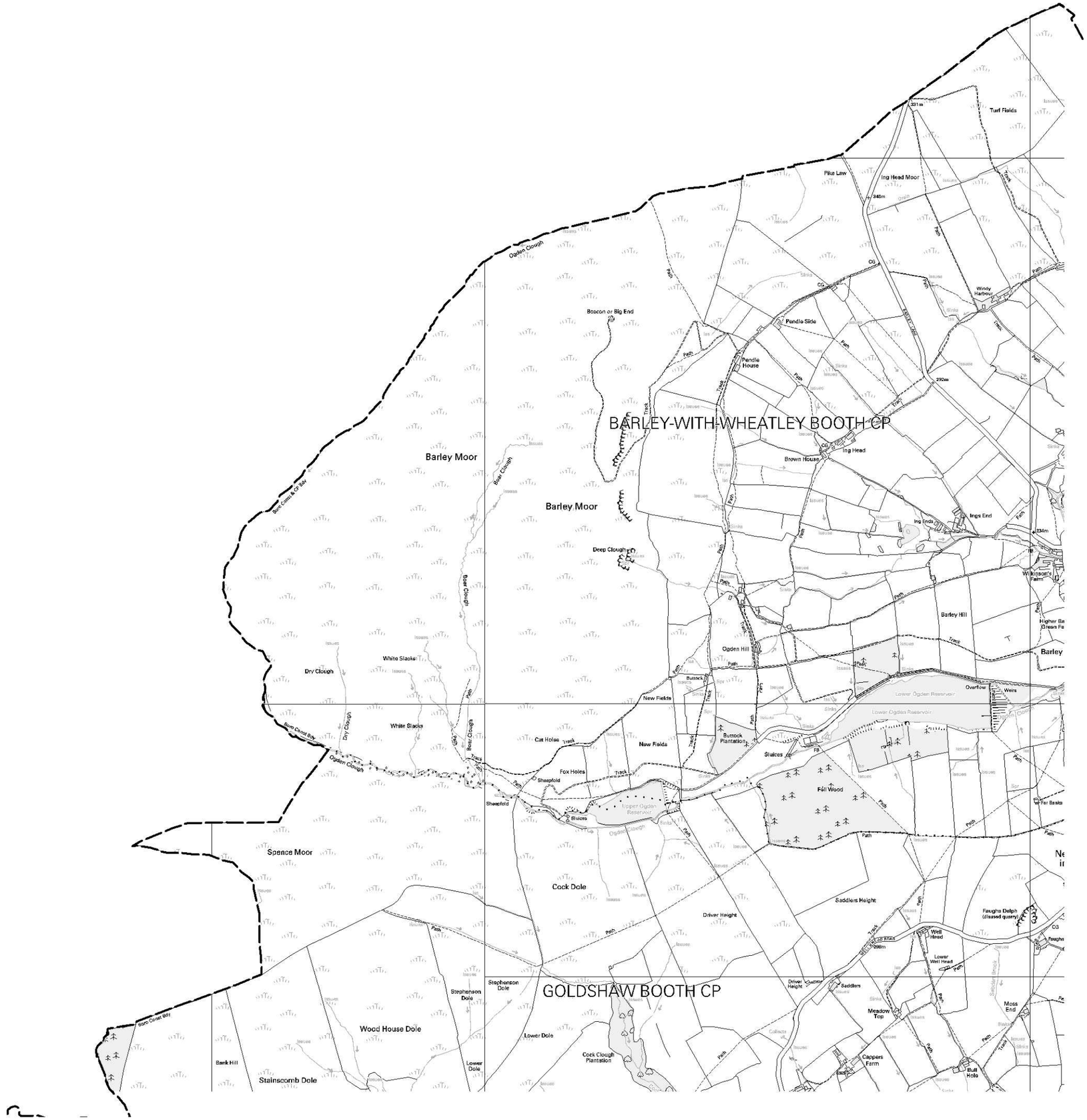
Scale: Not to Scale

MAP 6

Key

Floodplain (1 in 100 year event)



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Scale: Not to Scale

MAP 7

Key

Floodplain
(1 in 100 year event)

ROUGHLEE BOOTH CP

ROUGHLEE BOOTH CP

BARROWFORD CP

BARROWFORD

PENDLE DISTRCT

Borough of Pendle

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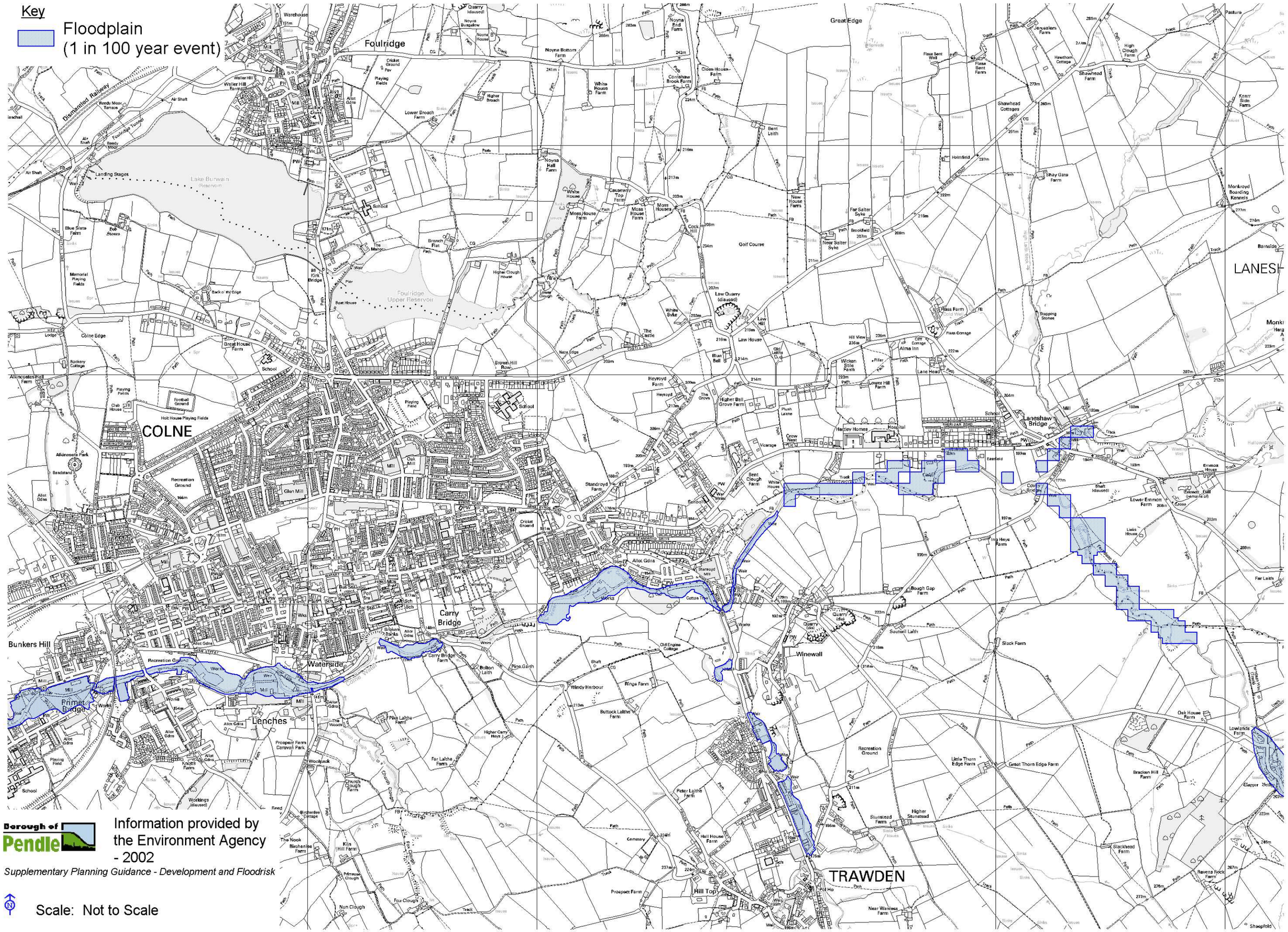
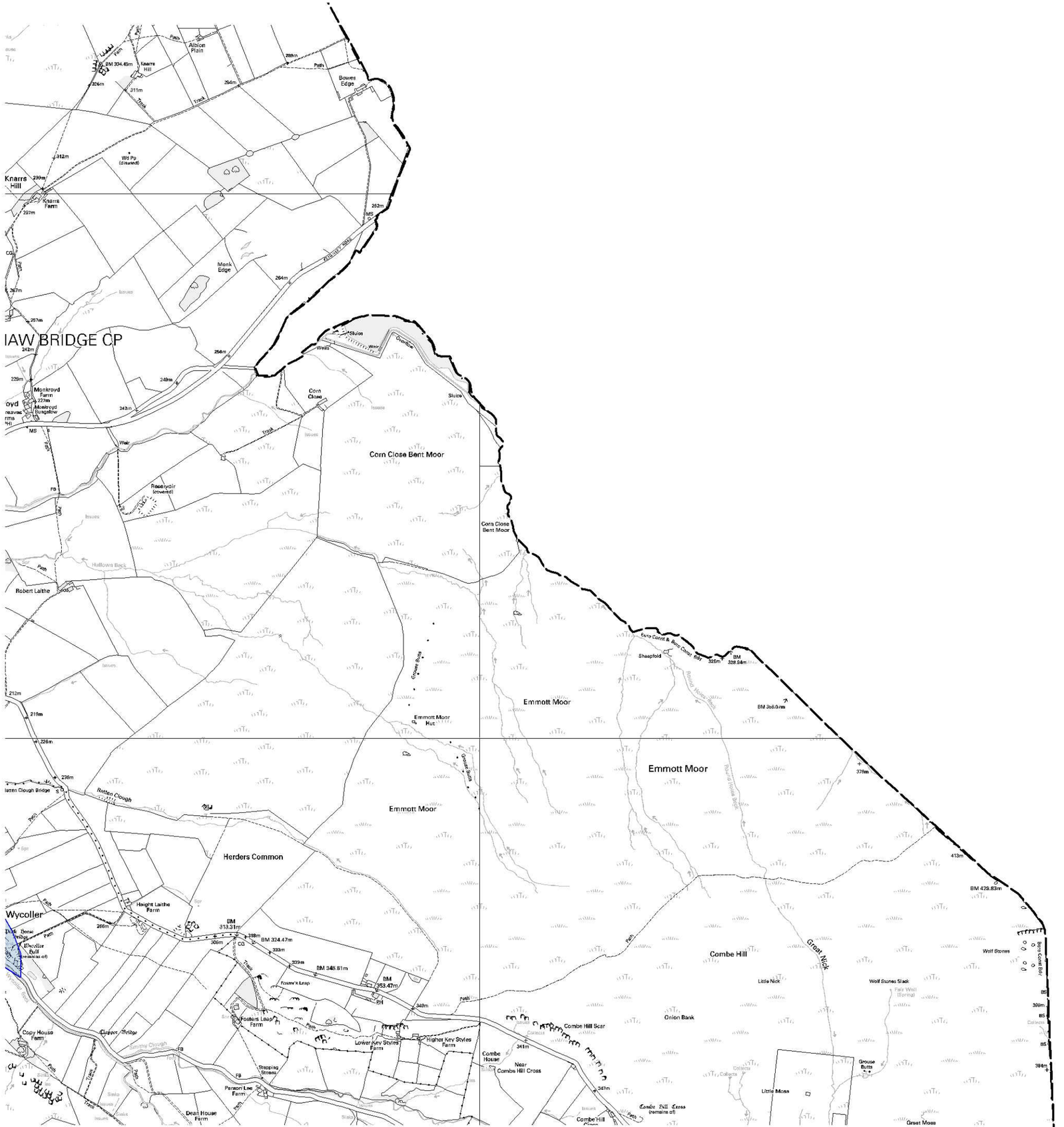
Scale: Not to Scale

MAP 8


Key
Floodplain
(1 in 100 year event)
COLNE
Foulridge
Great Edge
LANESH
Lake Burwain
(Reservoir)
Foulridge
Upper Reservoir
Golf Course
Bunkers Hill
Waterside
Carry
Bridge
Lenches
Primet
Bridge
Winewall
TRAWDEN
Laneshaw
Bridge
Dismantled Railway
Foulridge Tunnel
Colne Edge
Information provided by
the Environment Agency
- 2002
Supplementary Planning Guidance - Development and Floodrisk
Scale: Not to Scale

MAP 9



Key

Floodplain (1 in 100 year event)

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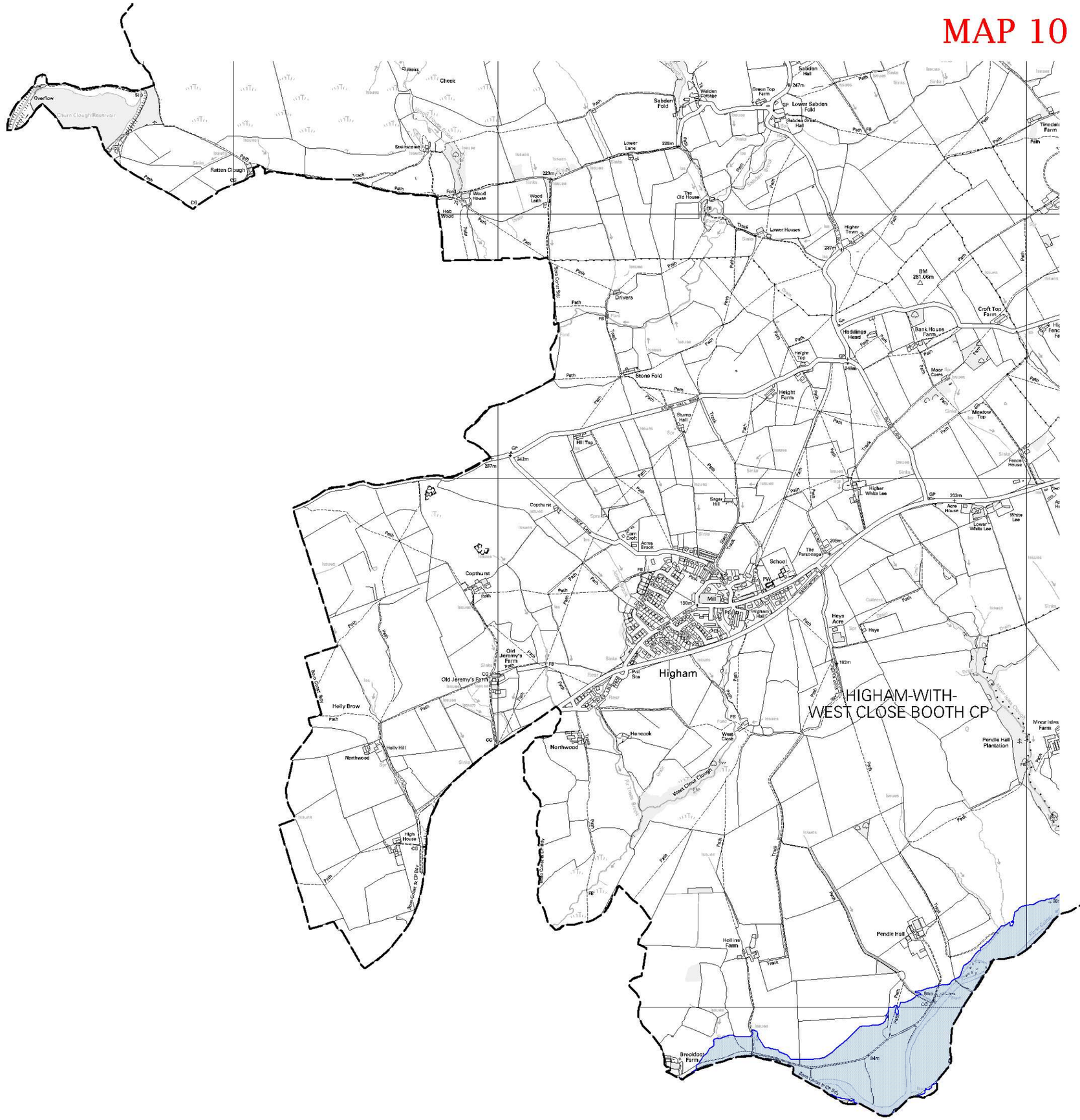
Scale: Not to Scale

MAP 10

Key

Floodplain (1 in 100 year event)



Borough of Pendle

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Supplementary Planning Guidance - Development and Floodrisk

Scale: Not to Scale

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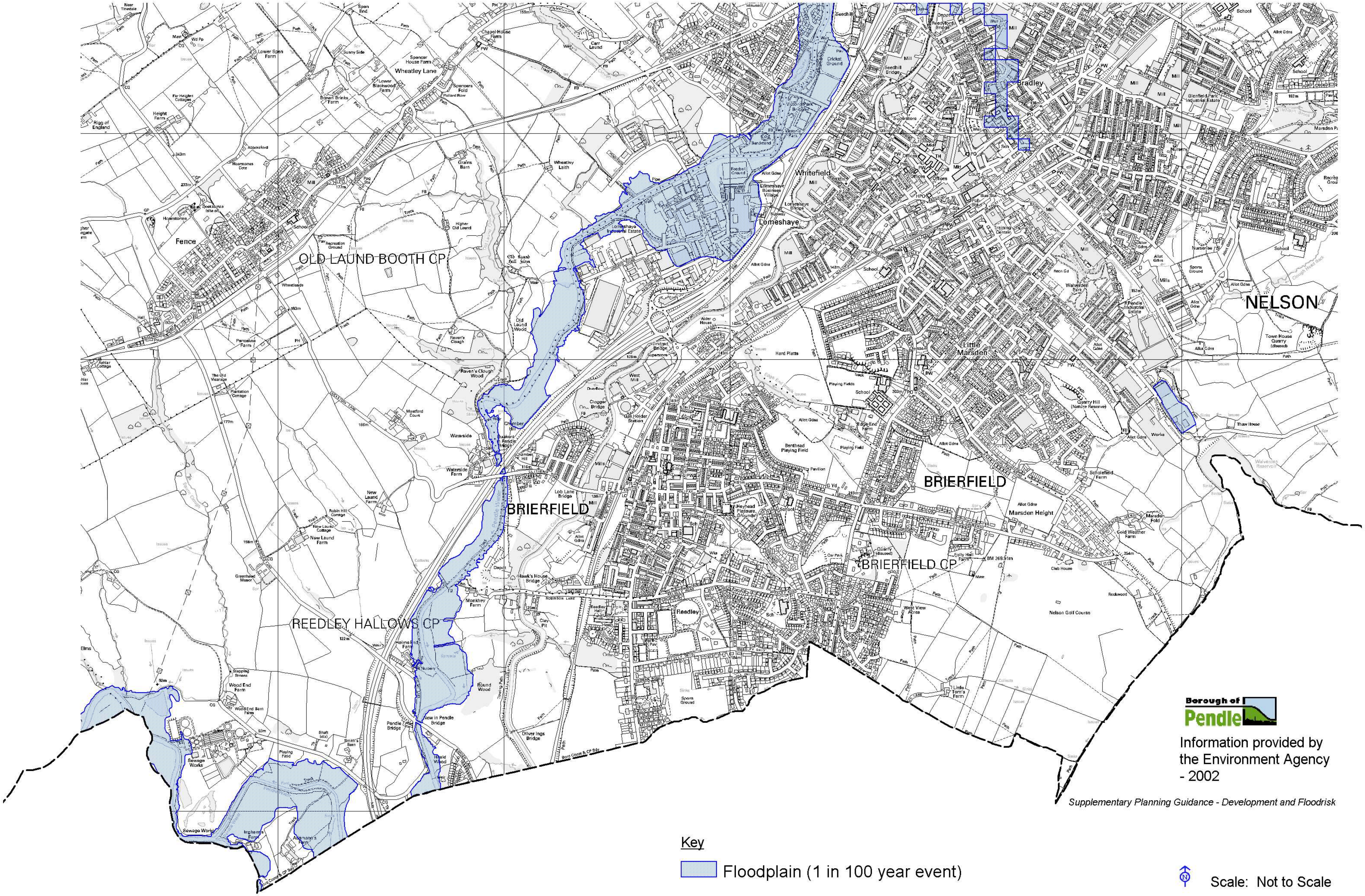

Key

Floodplain (1 in 100 year event)

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Scale: Not to Scale

MAP 12

Key

Floodplain (1 in 100 year event)

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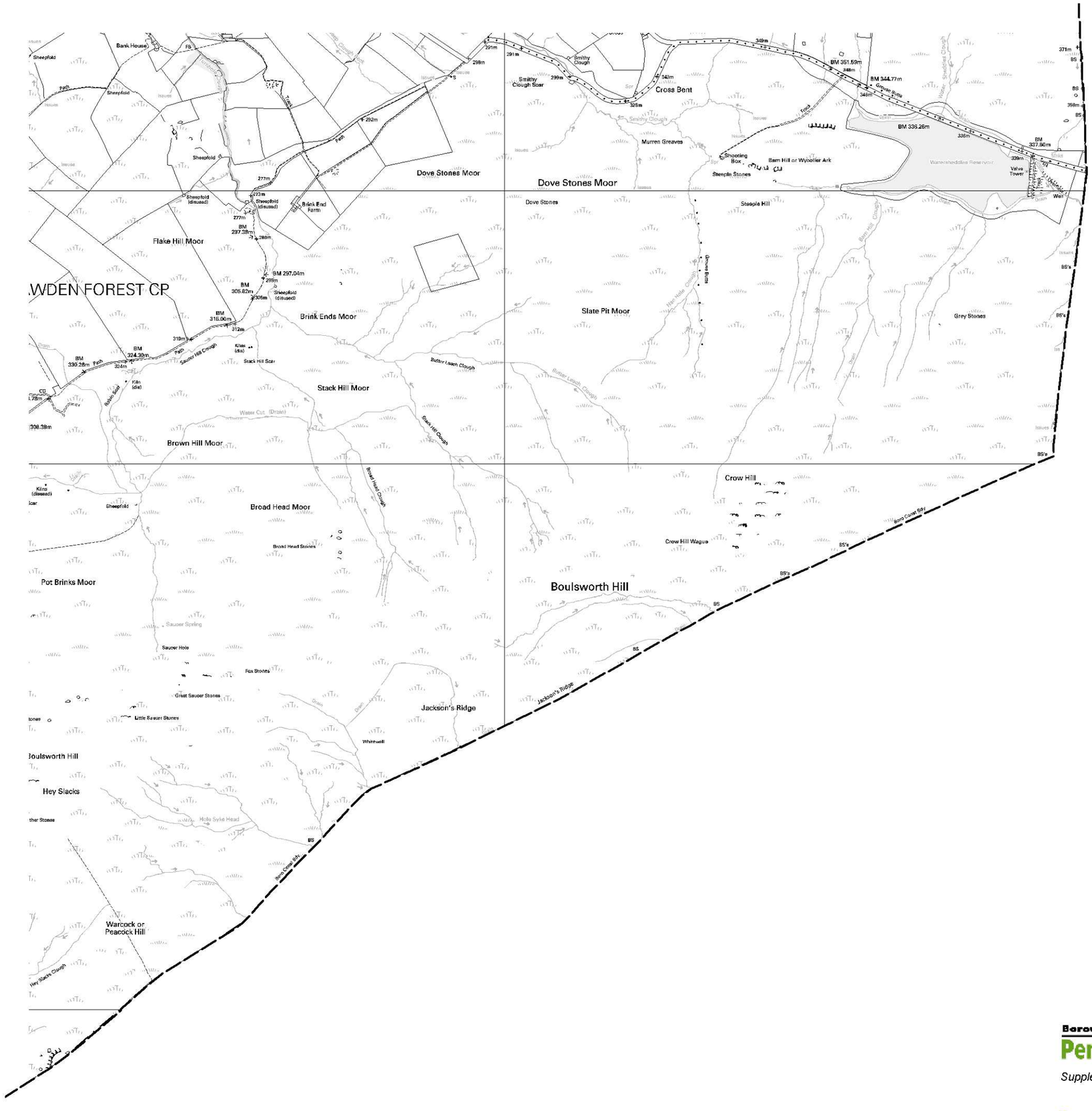
Scale: Not to Scale

MAP 13



Key

Floodplain (1 in 100 year event)

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Scale: Not to Scale