

Flood management through spatial planning

Working with the Environment Agency

Planning Policy Statement 25: Development and Flood Risk was published by Communities and Local Government (CLG) on 7 December 2006.

The accompanying "living draft" Practice Guide was published in February 2007.

PPS25 places clear expectations on:

- regional planning bodies and local planning authorities
- the Environment Agency as a statutory consultee, regulator and operating authority for flood risk management
- other operating authorities, including local authorities where there is no Internal Drainage Board
- developers

Our statutory consultee status

Since 1 October 2006 we have been a statutory consultee on matters relating to:

- most development in Flood Zones 2 and 3;
- major development in Flood Zone 1;
- development within 20 metres of main rivers
- proposals involving culverting or controlling the flow of any river or stream

Details are given in the Town and Country Planning (General Development Procedure) (Amendment) (No.2) (England) Order 2006. The aim of the Order is to ensure that we are consulted on all relevant planning applications, as previously this was not always the case.

This change will affect us all. We are looking at how best to deal with an anticipated increase in consultations, to ensure we meet the challenging new targets that come with this opportunity. An important element is our 'Standing Advice' (available via www.pipernetworking.com). This provides you with standard comments and procedures that you can apply to certain low risk, high frequency development proposals.

The Call in Direction

The 'Call in Direction' has been introduced to ensure that flooding issues are fully scrutinised before decisions about applications for 'major' developments are made. Neither the Government nor the Environment Agency expects this direction to be

used very often. If your authority is planning to approve a major development about which we have objected, it is essential that you consult with us again. It is now even more important for us to work together to see if issues can be resolved ahead of any call in. The call in direction becomes effective from 1 January 2007, full details being in Circular 04/06 (Communities and Local Government): The Town and Country Planning (Flooding)(England) Direction 2007.

Flood risk assessments

Local authorities are responsible for carrying out Strategic Flood Risk Assessments (SFRAs), which cover a wider brief than the Environment Agency currently has and must involve other organisations, for example water companies and Internal Drainage Boards. SFRAs will be part of or inform Sustainability Appraisals and contribute to the evidence base of Local Development Documents

Our main role is to advise on the technical aspects of flood risk. This includes:

- providing appropriate data
- commenting on methods and conclusions
- advising on local flood risk management proposals developed by Environment Agency documents such as Catchment Flood Management Plans

In areas where there are no Internal Drainage Boards, the local authority has a role as drainage authority for all ordinary watercourses in the district. We encourage you to:

- look at the duties associated with that role
- use your expertise and local knowledge to assist the Strategic Flood Risk Assessments

The Sequential Test

Carrying out Strategic Flood Risk Assessments and undertaking the Sequential Test will help authorities to allocate development sites and prepare policies in the future. We believe that the Sequential Test in its current form is a fundamental principle of spatial use planning, and expect it to be carried out fully. Avoiding risk is a more sustainable and long-term solution than relying on construction of flood defences or local mitigation measures, such as the raising of floor levels.

Further information

Over the course of this year we have responded to Government consultations and support both the final document and the accompanying Practice Guide. If we receive feedback over time that the Practice Guide requires more information, we will work with CLG to provide further clarification.

For further information contact your local Environment Agency office or call our Customer Service Centre on: 08706 506 506.