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## Introduction

1. This section provides a brief overview of the strategy and policy context relevant to flood risk in West Berkshire. The success of the SFRA is heavily dependent upon the Council's ability to implement the recommendations put forward for future sustainable flood risk management, both with respect to planning decisions and development control conditions (ref.: Section 6.4). A framework of national and regional policy is in place, providing guidance and direction to local planning authorities. Ultimately however, it is the responsibility of the Council to establish robust policies that will further ensure future sustainability with respect to flood risk.

## National Planning Policy

### Overview

2. National planning policy is set out in a number of Planning Policy Statements (PPSs) and Planning Policy Guidance Notes (PPGs). The Government is currently reviewing all PPGs with revised advice being set out in a PPS and, where necessary, accompanying best practice guidance.
3. PPSs and PPGs cover a full range of planning issues drawing on the central issue of sustainable development. Central themes include the re-use of 'deliverable' previously developed land, promoting economic growth, including the intention to steer inappropriate development away from areas at risk of flooding. Under paragraph 4.24 of 'PPS12: Local Development Frameworks' it is a requirement of Regional Assemblies and Local Authorities to ensure their Regional Spatial Strategies (RSS) or Local Development Frameworks (LDFs) are in conformity with the guidance in PPSs and PPGs. The regional and local policy context for SFRA is set out in the next section.

### Planning Policy Statement (PPS) 25: Development and Flood Risk

4. Planning Policy Statement 25 (PPS25) was published in December 2006, and underpins the process by which local planning authorities are to account for flood risk as an integral part of the planning process. The overarching principles set out by PPS25 for the management of flood risk at a planning authority level are encapsulated in Paragraph 6 of the document:

*"Regional planning bodies (RPBs) and local planning authorities (LPAs) should prepare and implement planning strategies that help to deliver sustainable development by:*

### **Appraising risk**

- *identifying land at risk and the degree of risk of flooding from river, sea and other sources in their areas;*
- *preparing Regional Flood Risk Appraisals (RFRA) or Strategic Flood Risk Assessments (SFRA) as appropriate, as freestanding assessments that contribute to the Sustainability Appraisal of their plans;*

### **Managing risk**

- *framing policies for the location of development which avoid flood risk to people and property where possible, and manage any residual risk, taking account of the impacts of climate change;*
- *only permitting development in areas of flood risk when there are no reasonably available sites in areas of lower flood risk and benefits of the development outweigh the risks from flooding;*

### **Reducing risk**

- *safeguarding land from development that is required for current and future flood management, e.g. conveyance and storage of flood water, and flood defences;*
- *reducing flood risk to and from new development through location, layout and design, incorporating sustainable drainage systems (SuDS);*
- *using opportunities offered by new development to reduce the causes and impacts of flooding, e.g. surface water management plans; making the most of the benefits of green infrastructure for flood storage, conveyance and SuDS; recreating functional floodplain; and setting back defences;*

### **A partnership approach**

- *working effectively with the Environment Agency, other operating authorities and other stakeholders to ensure that best use is made of their expertise and information so that plans are effective and decisions on planning applications can be delivered expeditiously; and*
- *ensuring spatial planning supports flood risk management policies and plans, River Basin Management Plans and emergency planning.”*

5. These broad key planning objectives effectively set the scope for the specific outcomes of the SFRA process. The SFRA in turn then informs planning and development control decisions to ensure that the objectives set out above can be achieved.
6. The guidance in PPS25 also indicates that Sustainability Appraisals should be informed by the SFRA for their area. Under the Town and Country Planning (Local Development) (England) Regulations 2004, a Sustainability Appraisal (SA) is required for all Local Development Documents (LDDs) which form part of Local Development Frameworks (LDFs). The purpose of SA is to promote sustainable development through better integration of sustainability considerations in the preparation and adoption of plans. The Regulations stipulate that SAs of LDFs should meet the requirements of the Strategic Environmental Assessment (SEA) Directive.
7. It is important to emphasise that PPS25 is not applied in isolation as part of the planning process. The formulation of Council policy and the allocation of land for future development must also meet the requirements of other planning policy statements, including (for example) PPS3: Housing and PPS1: Delivering Sustainable Development (Climate Change Annex).
8. Clearly a careful balance must be sought, and the SFRA aims to assist in this process through the provision of a clear and robust evidence base upon which informed decisions can be made.

### Development and Flood Risk: A 'Living Draft' Practice Guide Companion to PPS25

9. In February 2007 the companion guide was published as a consultation paper<sup>1</sup>. This document provides additional guidance on the principles set out in PPS25, which should be considered by West Berkshire Council when preparing its LDF.

### Planning Policy Statement: Planning & Climate Change (Supplement to PPS1)

10. PPS1: Delivering Sustainable Development “sets out the overarching planning policies on the delivery of sustainable development through the planning system”. The PPS1 Supplement: Planning & Climate Change “sets out how spatial planning should contribute to reducing emissions and stabilising climate change (mitigation), and take into account the unavoidable consequences (adaptation)”.
11. The supplementary guidance provides clear considerations for local planning authorities when allocating land for future development. These are summarised below:
- *the location and whether there is, or the potential for, a realistic choice of access by means other than the private car and for opportunities to service the site through sustainable transport;*
  - *the capacity of existing and potential infrastructure (including for energy supply, waste management, water and sewerage, and community infrastructure such as schools and hospitals) to service the site or area in ways consistent with cutting carbon emissions and successfully adapting to likely changes in the local climate;*
  - *the ability to build and sustain socially cohesive communities with appropriate community infrastructure so as to avoid social exclusion, having regard to the full range of local environmental impacts that could arise as a result of likely changes to the climate;*
  - *the effect of development on biodiversity and the capacity for adaptation, having regard to likely changes in the local climate;*
  - *the contribution to be made from existing and new opportunities for open space to urban cooling; and*
  - *known physical and environmental constraints on the development of land such as sea level rises, flood risk and stability, and take a precautionary approach to increases in risk that could arise as a result of likely changes to the climate*
12. The latter provides a critical link into PPS25 and the SFRA process, highlighting the importance of understanding (and responding to) the potential increases in flood risk that may occur within West Berkshire as a result of climate change, from all sources.

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<sup>1</sup> Communities and Local Government (2007) Development and Flood Risk: A Practice Guide Companion to PPS25 'Living Draft' A Consultation Paper

## Regional Planning Policy

### Regional Planning Guidance for the South East (RPG9)<sup>2</sup>

13. Regional Planning Guidance for the South East (RPG9) published in March 2001 is the adopted regional spatial strategy and was written to cover the period up to 2016.
14. Policy INF1 states that “development should be guided away from areas at risk or likely to be at risk in the future from flooding, or where it would increase the risk of flood damage elsewhere”. Although this does not go quite as far as PPS25, it does follow similar principles. The policy continues by stating that “existing flood defences should be protected where they continue to be relevant”. Similar statements are found in PPS25.

### The South East Plan<sup>3</sup>

15. Under the Planning and Compulsory Purchase Act 2004, RPG9 is to be replaced by a new Regional Spatial Strategy (RSS), entitled the South East Plan. The South East Plan has been prepared by the South East England Regional Assembly (SEERA), and sets out the vision for the South East for the next 20 years until 2026. The Examination in Public was carried out in spring 2007, and the inspectors’ report was published by the Government Office for the South East on 29 August 2007. The document is expected to be adopted around Autumn 2008.
16. Of most relevance to flooding in the South East Plan is policy NRM3 which states that authorities should follow the sequential approach to development in flood risk areas. The policy also states that in Flood Zones 2 and 3, or areas with past groundwater flooding, or where flood risk would increase elsewhere, development that is deemed inappropriate should not be permitted or allocated, unless there are exceptional circumstances. In addition, the policy notes that SFRA’s should be prepared, and that existing flood defences should be protected from development. The use of SuDS is also encouraged.
17. Policy CC2 states that the South East region should adapt to the risks and opportunities presented by climate change through a number of measures, which include measures relating to flooding. The policy states that: strategic development should be guided to locations offering greater protection from impacts such as flooding; SuDS should be incorporated into new buildings; flood storage capacity should be increased; and the most should be made of opportunities and options for sustainable flood management.
18. One of the main objectives of the plan for achieving sustainable development, noted in the integrated regional framework (IRF), relates to flood risk. IRF objective 2 is “to reduce the risk of flooding and the resulting detriment to public wellbeing, the economy and environment”. This is a strategic policy, and it shows that SEERA considers flooding to be an important issue, and it is highlighted as one of the region’s key environmental challenges.
19. The need to increase flood storage capacity is highlighted by policy NRM1: sustainable water resources, groundwater and river water quality management. The policy suggests encouraging winter water storage reservoirs, and other sustainable farming practices which diffuse runoff and increase flood storage capacity.

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<sup>2</sup> Government Office for the South East, Government Office for East of England, Government Office for London (2001) Regional Planning Guidance for the South East (RPG9)

<sup>3</sup> South East Regional Assembly (2006) The South East Plan: A Clear Vision for the South East, Draft Plan for submission to Government

## SE Plan Panel Report

20. Of particular relevance to flooding issues in West Berkshire, the SE Plan Panel Report has recommended that Policy NRM1 should be amended to cover Sustainable Water Resources and Groundwater only and that a new policy (NRM1a) should be created to deal with Sustainable River Water Management. Additionally, the Panel suggests that Policy (NRM1) should include a commitment from the Regional Assembly to work with the Government, the EA, Ofwat and regional stakeholders to ensure the delivery of the water efficiency savings that are necessary for implementing the draft Regional Spatial Strategy (RSS) and to include clarification of BREEAM standards and SUDS.
21. Further recommendations include changes to Policy NRM3 and supporting text to reflect more fully the advice and priorities in PPS25, including expanding on the role of SFRA.
22. Housing delivery targets for the District are also affected. The Panel Report recommends that an additional 7,500 dwellings should be added to the housing provision for West Berkshire, resulting in a total of 18,000 homes. This is equivalent to an average of 850 dwellings per annum (dpa).

## The Berkshire Structure Plan 2001-2016

23. The Structure Plan, covering the period up to 2016, was adopted by the Berkshire Unitary Authorities' Joint Strategic Planning Unit in July 2005. Under the provisions of the Planning and Compulsory Purchase Act 2004 it will eventually be replaced by the statutory Regional Spatial Strategy (the South East Plan). In the meantime the Structure Plan Policies are 'saved' for a period of 3 years from the date of adoption and will continue to form part of the Development Plan until it is superseded by the South East Plan.
24. The Structure Plan policies were based on the advice given in PPG25<sup>4</sup> which has now been superseded by PPS 25.
25. Policy EN6 'Prevention of Flooding' states that:
  - Development proposals will avoid adding to flood risk, either within the development site or elsewhere, and that measures to employ sustainable drainage solutions will be encouraged.
  - The policy also states that FRAs should be carried out and that a sequential approach should be taken.
26. It goes on to say that new development in the functional flood plain will only be permitted in exceptional circumstances and will be limited to essential infrastructure.
27. The supporting text in paragraphs 5.22-5.24 refer to flooding stating that 'flood risk is likely to increase in the future due to climate change' adding that 'it is important that the potential flood risk arising from new development and redevelopment of existing built up areas is assessed against not just the immediately surrounding areas but the whole catchment'.

## Local Planning Policy

### Adopted West Berkshire District Local Plan

28. The adopted West Berkshire District Local Plan was adopted on 14 June 2002, setting out the Council's policies and proposals for development and land use in the District over the plan period up until 2006.
29. Under the Planning and Compulsory Purchase Act 2004 all Local Plan policies were 'saved' until 27 September 2007, unless expressly replaced by 'new' policies. The Council applied

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<sup>4</sup> PPG25 Development and Flood Risk

to the Secretary of State with a list of policies to be saved and deemed essential, until such time that a Core Strategy or relevant Development Plan Document is adopted to replace them through the Local Development Framework. Saved policies must reflect the principles of Local Development Frameworks; to be consistent with current national policy, and/or to not be feasible or desirable to replace them by 27 September 2007.

30. In September 2007 the Secretary of State agreed with the Council that ENV.10 'River Flood Plain Areas' and ENV.11 'Surface Water Run Off' are not saved. These policies were based on the advice of PPG25 which has now been superseded by PPS25 which sets out in detail the national planning policy for development and flood risk. In addition to PPS25, the adopted Quality Design – West Berkshire Supplementary Planning Document provides guidance on drainage and runoff.

## **Emerging Local Planning Policy**

### **West Berkshire's Local Development Framework**

31. West Berkshire Council is currently preparing its Local Development Framework, as required under the Planning and Compulsory Purchase Act 2004. The Local Development Framework will replace the existing Adopted Local Plan and be used for land use development decisions. The Local Development Scheme (LDS) sets out which Local Development Document's (LDDs) the Council will prepare as part of its LDF. The Council has already commenced work on their Core Strategy DPD which sets out the vision, aims and strategy for spatial development in the District up to at least 2026.
32. The current LDS (June 2007) states that the following LDDs will be prepared:
  - West Berkshire Planning Strategy (Core Strategy DPD)
  - Site Allocations DPD
  - Newbury Town Centre Plan DPD
  - Rural Communities and the Countryside DPD
  - The Wharf, Newbury SPD
  - Underwood Road Shopping Centre, Calcot SPD