

Position Statement



Planning : We need to be more proactive

Slow The Flow believes that:

- ***Building on flood plains should be a last resort***
- ***Greater co-ordination is needed between Lead Local Flood Authorities and the Environment Agency with respect to responding to planning applications.***
- ***Developers should be compelled to ensure that all development makes provision for water, preferably on-site, but potentially off-site, through a levy to develop strategic infrastructure to deal with surface water (currently this is limited to developments of 10 units and above).***

Planning and flood risk : The need to be more pro-active

Recent floods have once again focused attention on planning and new development. An article [by the Guardian using research from the University of Loughborough](#) revealed that new homes built on land at the highest risk had actually risen nationally from 9,500 in 2013 to 20,000 in 2017-18, following a peak of nearly 24,000 the previous year.

What should happen:

Yet the Government advice from the National Planning Policy Framework (NPPF) states: *Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*

Why is the system failing?

How can it be that Government advice has failed and that residential development continues apace in high risk areas? For example, in Calderdale, one in five new homes have been built on land with a high risk of flooding since 2015. There are several factors. The planning regime is basically reactive and has been weakened in favour of development. When applications come to appeal cash-strapped local authorities are more reluctant to oppose developers and often lack the competency in-house to judge on planning applications and flood risk assessments. Cuts to the Environment Agency (EA) have limited their expert advice in planning applications. More fundamentally, whilst the EA clearly identifies flood zone 3, the highest level of risk where the likelihood of flooding is greatest, we are discovering flooding in areas where hitherto there has been little recorded flooding, particularly surface water flooding.

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In the article, Prof Robert Wilby, of the University of Loughborough, said the government should review its housebuilding target in light of the increasing risk from floods: *“We’re compounding the existing risk by continuing to build on the floodplain. The more we’re paving over natural areas the more we’re making it easier for water to move across the land and enter rivers.”*

Some of the potential solutions to have been identified and are well known. As far back as 2008, the Pitt Review aimed to make Sustainable Drainage Systems (SuDS) a mandatory part of the planning process, but this advice was weakened post 2010 and was limited to developments of 10 houses and above and only where 'reasonably practicable'. As a consequence, developers have sought to avoid such practice and carried on business as usual, overloading existing storm water infrastructure. The House of Commons Environmental Audit Committee noted in 2016:

Despite sustainable urban drainage systems being widely acknowledged to be an efficient way of dealing with surface water, successive governments have been reluctant to mandate them as the default option in new developments.

Our Local Planning System in Calderdale:

- ***Locally, Calderdale MBC’s draft Flood Risk and Drainage Supplementary Planning Guidance (SPG), with its support for Natural Flood Management and Sustainable Drainage Systems, should be enforced strictly, and as soon as possible (which could be done prior to the final publication of the developing Local Plan).***

Calderdale Metropolitan Borough Council (CMBC) is in the lengthy process of developing a Local Plan. Although it is in the final stages, it has taken many years to reach this point. At the time of writing, it is unknown when a final version will be able to be implemented.

CMBC has developed a draft ‘Flooding and Drainage’ Supplementary Planning Guidance alongside the Local Plan. Slow The Flow has engaged with and influenced this document during its development. Whilst we believe it could be bolder, we are pleased that the latest version we are aware of does make much mention, and encouragement, of NFM and SuDS.

Slow The Flow believes that the intention of CMBC was that the Flood Risk and Drainage SPG could be published ahead of the Local Plan. We strongly believe that it should be published and acted upon immediately. Precious time is going by where the principles of NFM and SuDS are not being enforced clearly enough in new, or retrofit, development locally.

When the Flood Risk & Drainage SPG is published, its publicity and strict enforcement must be an immediate priority for CMBC’s planning team, in order to ensure that the principles of incorporating sustainable drainages in development of all scales, respected and implemented by developers.

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Notes :

The NPPF (2019) states inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

According to the NPPF, developers need to apply a sequential, risk-based approach and, if necessary, apply the exception test. The Lead Local Flood Authority identifies the requirement for an exception test where a development would provide 'wider sustainability benefits to the community that outweigh the flood risk'.

Slow The Flow is a charity working to advance the education of the public in Natural Flood Management, Sustainable Drainage Systems and other renewable methods of managing the environment, including the exploration of alternative practices which safeguard the natural environment and its resources in a manner which best fits the specifics of a local geography.

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