

## Appendix A National Plans, Policies and Strategies

### **A.1.1 Planning and Compulsory Purchasing Act**

---

The SFRA has been undertaken whilst planning authorities have been implementing the provisions of the Planning and Compulsory Purchase Act 2004, together with the accompanying planning guidance, including Planning Policy Statement 1 *Delivering Sustainable Development* (PPS1) and Planning Policy Statement 12 *Local Development Frameworks* (PPS12). The Act has affected all tiers of the planning system and has necessitated major changes at regional and local level.

Planning Policy Guidance (PPG) has been reviewed by Government and was updated and replaced by Planning Policy Statements in December 2006. Government has indicated that PPGs will be replaced as and when considered necessary and in the light of their policy and strategic significance.

At a local council level, Local Plans are to be phased out and replaced by Local Development Frameworks (LDF), which are a suite of planning documents that will guide decisions on the development and use of land. Where Local Plans have been adopted recently, or preparation is at an advanced stage, the process will continue to adoption providing 'saved policies' for development control purposes. As the new Development Plan Documents are adopted, they will replace parts of the Local Plan. However, where it is proposed to cease work on the review of Local Plans and to commence work on LDFs, only those local plan policies which form part of the Development Plan can be saved.

Local Planning Authorities (LPAs) were required to produce a Local Development Scheme (LDS) by March 2005, setting out their programme for the production of the new development plan and summarising the documents that will, collectively, make up the Local Development Framework. Hence the transition provides an ideal opportunity for each of the local authorities to review and update their policies on flood risk.

### **A.1.2 Planning Policy Statement 1 (PPS1): Delivering Sustainable Development<sup>21</sup>**

---

PPS1 published in February 2005, sets out the overarching planning policies for the delivery of sustainable development across the planning system and sets the tone for other planning policy statements. PPS1 explicitly states that development plan policies should take account of flooding, including flood risk. It proposes that new development in areas at risk from flooding should be avoided. Planning authorities are also advised to ensure that developments are 'sustainable, durable and adaptable' including taking into account natural hazards such as flooding.

PPS1 also places an emphasis on 'spatial planning' in contrast to the more rigid 'land-use planning' approach which it supersedes. Planning authorities will still produce site specific allocations and a proposals map part of relevant Local Development Documents, but their Core Strategy will be more strategic and visionary in content. The Core Strategy will take into account the desirability of achieving integrated and mixed use development and will consider a broader range of community needs than in the past. With regard to flood risk, it will be important for the Core Strategies and accompanying supplementary planning documents to recognise the contribution that non-structural measures can make to flood management.

A supplement to PPS1 was published in December 2007, titled Planning and Climate Change<sup>22</sup>. This planning statement is in response to Government making tackling of climate change a key priority for the planning system. The PPS sets out how the planning system should contribute to the reduction of emissions and allow for the expected effects of climate change.

### **A.1.3 Planning Policy Statement 3 (PPS3): Housing<sup>23</sup>**

---

PPS3 has the aim of creating sustainable, inclusive, mixed communities in all areas, both urban and rural (paragraph 9). There is an emphasis on giving priority to re-using previously-developed land within urban areas, bringing empty homes back into use and converting existing buildings, in preference to the development of Greenfield sites. Re-use of previously-developed land, empty properties and the conversion of non-residential buildings into housing is encouraged, both to promote development and reduce the amount of Greenfield land being taken for development. Each region will contribute to the national target by setting recycling targets within their RPG. LPAs should contribute to the regional targets by incorporating land recycling into their development plans. Paragraph 38 lists flood risk as one of the reasons that previously developed land might be unsuitable for housing allocation, although in Annex C PPS3 also states: '*A Strategic Housing Land*

*Availability Assessment should: Identify what action could be taken to overcome constraints on particular sites’.*

#### **A.1.4 Planning Policy Guidance 4 (PPG4): Industrial, Commercial Development and Small Firms<sup>24</sup>**

---

The overall guidance document commits to a goal of sustainable development, and the opening statement shares responsibility for sustainability throughout the community as a whole.

*‘Responsibility for the environment is not solely the preserve of Government. The principles of sustainable development require the responsible use of manmade and natural resources by all concerned in a way that ensures that future generations are not left worse off’*

The consultation paper on a new Planning Policy Statement 4, Planning for Sustainable Economic Development, was published in December 2007. PPS4 remains at the draft stage, with PPG4 remaining as the established guidance document.

#### **A.1.5 Planning Policy Statement 6 (PPS6): Planning for Town Centres<sup>25</sup>**

---

PPS6 is mostly concerned with the type and location of developments and their impact upon the socio-economic vitality of the area. No specific mention is made regarding flooding but the need to re-use existing sites is highlighted in paragraph 2.4 which states *‘Wherever possible, growth should be accommodated by more efficient use of land and buildings within existing centres. Local planning authorities should aim to increase the density of development, where appropriate. Opportunities within existing centres should be identified for sites suitable for development or redevelopment or where conversions and changes of use will be encouraged for specific buildings or areas’.*

#### **A.1.6 Making Space for Water<sup>26</sup>**

---

During 2004, the Department for Environment, Food and Rural Affairs (DEFRA) undertook a consultation exercise to engage a wide range of stakeholders in a debate about the future direction of flooding strategy. The 2005 document “Making Space for Water: First Government Response” sets out the following vision:

*“...we want to make space for water so that we can manage the adverse human and economic consequences of flooding and coastal erosion while achieving environmental and social benefits in line with wider government objectives.”*

The aim of the strategy is to balance the three pillars of sustainability, managing flood risk and ensuring that the social and economic benefits resulting from growth and development are attained. This balanced approach, integrating sustainable development with responsible risk management, has underpinned the current study.

Section 7 of the ‘Making Space for Water’ consultation document deals with measures to reduce flood risk through land-use planning. This section emphasises the Government’s commitment to ensuring that the planning system aims to reduce flood risk wherever possible and, in any event, should not add to it. However, it is acknowledged that 10% of England is already within mapped areas of flood risk and that contained within these areas are the Brownfield sites which other areas of Government policy has identified as a priority for future housing provision. The document identifies three sets of measures which may be undertaken to manage flood risk when development is sited in flood risk areas:

- Protection measures to provide, at minimum, the standards of protection specified in PPS25
- Provision of features such as sacrificial areas and compartmentalisation to reduce the consequences of a flood event should one occur
- Use of construction techniques that increase the flood resistance and resilience of buildings.

The document proposes that Regional Spatial Strategies and Local Development Frameworks should take full account of flood risk and incorporate the sequential approach introduced in PPG25 and continued in PPS25. Moreover, the document encourages integration with other plans, in particular Catchment Flood Management Plans<sup>27</sup>. Use of European Union funding streams, such as Interreg IIIB is recommended to enable local authorities to undertake trans-national projects aimed at advancing knowledge and good practice in flood-risk management.

At the development control level, the document encourages local authorities to give full weight to the advice issued by the Environment Agency in response to consultations on planning applications,

implying that only in exceptional cases should permission be granted against the Environment Agency's advice. In addition, the use of site-specific (local) Flood Risk Assessments as supporting documents to planning applications in areas of flood risk is encouraged. The document proposes that if mitigating measures are shown to be required, they should be fully funded as part of the development.

---

<sup>21</sup> <http://www.communities.gov.uk/publications/planningandbuilding/planningpolicystatement1>

<sup>22</sup> <http://www.communities.gov.uk/publications/planningandbuilding/ppsclimatechange>

<sup>23</sup> <http://www.communities.gov.uk/publications/planningandbuilding/pps3housing>

<sup>24</sup> <http://www.communities.gov.uk/publications/planningandbuilding/ppg4>

<sup>25</sup> <http://www.communities.gov.uk/publications/planningandbuilding/pps6>

<sup>26</sup> DEFRA. 2004. *Making Space for Water – Developing a new Government strategy for flood and coastal erosion risk management in England.*

<sup>27</sup> Catchment Flood Management Plans are voluntary plans through which the Environment Agency works with other key decision makers in river catchments to identify and agree policies for sustainable flood risk management.