

Neighbourhood Plan

Environment Agency consultation pro-forma October 2015

To assist the Environment Agency in providing the most focused and accurate consultation responses through the Neighbourhood Planning process we have produced the following guidance and attached pro-forma.

Together with Natural England, English Heritage and the Forestry Commission we have published joint advice on Neighbourhood Planning which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at:

http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf

The below detail takes you through the issues we would consider in reviewing your Plan. We aim to reduce flood risk, whilst protecting and enhancing the water environment, land and Biodiversity. We recommend completing this to check whether we are likely to have any concerns with your Neighbourhood Plan at later stages.

Flood Risk

Your Neighbourhood Plan should conform to national and local policies on flood risk. National Planning Policy Framework (NPPF) – Paragraph 100 states that ‘Inappropriate development in areas of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere’.

With reference to the Herefordshire Council Core Strategy (adopted October 2015) it is important that your Plan is in accordance with Policy SD3 – Sustainable Water Management and the associated text.

<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy/adopted-core-strategy>.

If your Neighbourhood Plan is proposing sites for development you should check whether any of the proposed allocations are at risk of fluvial flooding based on our Flood Map. For example are there any areas of Flood Zone 3 or 2 (High and Medium Risk). In line with National Planning Policy and, specifically, the Sequential Test, we would expect all built development to be located within Flood Zone 1, the low risk Zone. Our **Flood Map** can be accessed via the following link:

<http://watermaps.environment-agency.gov.uk/wiyby/wiyby.aspx?topic=floodmap#x=357683&y=355134&scale=2>

In addition to the above you should also check with the Council’s Neighbourhood Planning team with regards to other sources of flooding as detailed in their Strategic Flood Risk Assessment (SFRA). Herefordshire Council, as the Lead Local Flood Authority (LLFA), now has responsibility for local flood risk management and may hold flooding information that is not identified on our Flood Map.

Specifically, some watercourses have not been modelled on our Flood Maps (Our Flood Maps primarily show flooding from Main Rivers, not ordinary watercourses, or un-modelled rivers, with a catchment of less than 3km²). Herefordshire Council intend to undertake additional assessment of ordinary watercourses, or relevant un-modelled rivers, to ensure that the impact from these sources is understood and can be factored into your Neighbourhood Plan submissions.

Your Sequential Test should include a consideration of climate change (see below). In the absence of up to date modelled flood risk information, or a site specific FRA, to confirm an appropriate allowance you may

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Appendix 2

wish to utilise the current Flood Zone 2 extent (where available) to indicate the likely, nominal, Flood Zone 3 with climate change extent. Where no modelling or flood map outline is available you will need to consider an alternative approach.

Where an un-modelled watercourse is present, or adjacent to a site, then it may be prudent to incorporate a buffer zone in consideration of flood risk not shown on the Flood Map. Where flooding could be extensive modelling may be necessary to confirm that the site is developable, that there will be no impact on third parties and assess any opportunities for enhancement.

As stated above, some assessment is necessary in your Plan, to inform the deliverability of sites. Additionally all sites with flood risk issues, especially those with ordinary watercourses or un-modelled rivers within/adjacent or near to sites, are likely to need detailed modelling at the planning application stage to verify the design flood extents, developable areas and that the development will be safe.

Climate Change

The SFRA should indicate the extent of flood zones with likely climate change. We are expecting revised climate change allowances to be published in Autumn 2015. These are presently in draft but would update the figures within Table 2 of the current 'Climate change allowances for planners' (September 2013) guide, as referenced in paragraph 7-068-20140306 of the National Planning Practice Guidance (NPPG).

The table below is for '**peak river flows**' within the Severn River Basin district, and for your information at this time to enable consideration of a range of allowances in the development of the SFRA to allow the inclusion of an appropriate climate change allowance to reflect individual development's lifetime and vulnerability.

Severn Peak River Flows:	2015-39	2040-2069	2070-2115
Total potential change			
Upper end	25%	40%	70%
Higher central	15%	25%	35%
Central	10%	20%	25%

The following table is for '**peak rainfall intensity**' allowance in small and urban catchments. Please note that **surface water (peak rainfall intensity) climate change allowances should be discussed with the LLFA.**

Peak Rainfall Intensity - Applies across all of England	Total potential change anticipated for	Total potential change anticipated for	Total potential change anticipated for
Upper end	10%	20%	40%
Central	5%	10%	20%

Note to above: This table shows anticipated changes in extreme rainfall intensity in small and urban catchments. The peak rainfall intensity ranges are appropriate for small catchments and urban or local drainage sites. For river catchments around or over 5 square kilometres, the peak river flow allowances are appropriate.

customer service line
03708 506 506

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incident hotline
0800 80 70 60

floodline
0845 988 1188

Flood Defences - Areas of your Parish, or proposed sites, may be afforded protection by a flood defence/alleviation scheme. Where this is the case your Plan should acknowledge this and identify the level of protection provided. It should be noted that flood defences are intended to protect existing properties and are not to facilitate new development in areas that would otherwise be impacted by flooding. Any assessment of development behind flood defences should consider the impacts of a breach or overtopping. Where it is determined that new development should be behind a flood defence financial contributions may be sought to maintain or improve the structure.

Waste Water Infrastructure

The Environment Agency has offered advice to Herefordshire Council, as part of their Core Strategy, to help ensure that their strategic housing growth can be accommodated in consideration of waste water infrastructure. Information on the County's treatment works and their ability to accommodate housing growth can be found in the attached spreadsheet/WCS final version.

Given that local growth areas have been deferred to the local level waste water infrastructure is also of importance in your Neighbourhood Plan. Where housing is proposed you should use the pro-forma to identify the receiving treatment works and whether the housing and/or any employment growth can be accommodated without impacted the received treatment works. You should look at physical capacity issues (e.g. network pipes) and environmental capacity (quality of treated effluent) issues.

Where there is an identified constraint (amber or red) you will need to demonstrate that there is a solution (it may be already programmed, or could be a possible future infrastructure upgrade) to help improve the capacity issue and enable the development to go ahead. This will require consultation with the Utility Company and we have developed a set of general questions to assist this process. The outcome of this may inform a 'phasing' policy within your plan where appropriate. It may also be necessary to produce an 'Infrastructure Delivery Plan' to set out any key milestones for waste water infrastructure upgrades and improvements. The evidence you produce should give a reasonable degree of certainty to all parties, helping demonstrate development is deliverable, and importantly ensure that your plan is 'sound'.

Note: Government Guidance states that sufficient detail should be provided to give clarity to all parties on when infrastructure upgrades will be provided, looking at the needs and costs (what and how much). The NPPG refers to "ensuring viability and deliverability – pursuing sustainable development requires careful attention to viability and costs in plan making and decision making". Plans should be "deliverable".

Water Management and Groundwater Protection

In February 2011, the Government signalled its belief that more locally focussed decision making and action should sit at the heart of improvements to the water environment. This is widely known as the catchment-based approach and has been adopted to deliver requirements under the Water Framework Directive. It seeks to:

- deliver positive and sustained outcomes for the water environment by promoting a better understanding of the environment at a local level; and
- to encourage local collaboration and more transparent decision-making when both planning and delivering activities to improve the water environment.

Neighbourhood Plans provide an opportunity to deliver multi-functional benefits through linking development with enhancements to the environment.

Herefordshire County, and the Wye Catchment, falls within the Severn River Basin Management Plan area and the document highlights key issues and actions for the Wye that should be of use in developing your Neighbourhood Plan.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/291442/gemi0910bssk-e-e.pdf

<http://www.catchmentbasedapproach.org/severn/wye>

<http://www.wyeuskfoundation.org/projects/whip2.php>

Source Protection Zone: Some areas of your Parish, and specific potential site allocations, may be located within Source Protection Zone (SPZ) 1, which indicates a sensitive hydrogeological setting. You should consider this constraint within your plan and when allocating sites. Specifically your plan should consider the relevance of the designation and the potential implication on development, with reference to our Groundwater Protection: principles and Practice (GP3) policy:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297347/LIT_7660_9a3742.pdf

Development and surface water drainage will need to be carefully located and designed to avoid pollution risks to controlled waters and address potential environmental impact associated with low flows. For example SuDS on the sites may need to provide multiple levels of treatment. To address the quantitative issues with the waterbodies, SuDS should be designed so to maximise recharge to the aquifer and support water levels in the receiving brooks.

For further information or advice please contact us on shwgplanning@environment-agency.gov.uk

Neighbourhood Plan Environment Agency Pro-Forma for Ross-on-Wye Town / Parish Council

Parish or housing Site Allocation	Flood Zone (3/2/1)*	Unmodelled river or ordinary watercourse in or adjacent to site	Other sources of flooding	Flood Defence	Source Protection Zone 1	NMP – see HRA 7.5	Environmental Capacity at Treatment Works (Red, Amber or Green)
Ross-on-Wye 5A.1 Cleeve Field (HLAA/177/001)	1	Y	Low surface water flooding risk	N	N	N	Amber > Green
Ross-on-Wye 5A.2 Merrivale Lane (P969)	1	N	N	N	Majority of site is in SPZ1, some in SPZ2.	N	Amber > Green
Ross-on-Wye 5A.3 Stoney Stile (HLAA/192/001)	1	N	N	N	N	N	Amber > Green
Ross-on-Wye 5A.4 The Chase Hotel	1	Y	Low surface water flooding risk	N	Y	N	Amber > Green
Ross-on-Wye 5A.5 The Ryefeld Centre	1	N	N	N	Y	N	Amber > Green

*Note to above: Flood Zone 3 is the high risk zone and is defined for mapping purposes by the Environment Agency's Flood Zone Map. Flood Zone 3 refers to land where the indicative annual probability of flooding is 1 in 100 years or less from river sources (i.e. it has a 1% or greater chance of flooding in any given year). Flood Zone 2 is land where the indicative annual probability of flooding is between 1 in 100 and 1 in 1000 years. Flood Zone 1 is the low risk Zone with a flood risk in excess of 1 in 1000 years.

When considering 'other sources of flooding' you should refer to the SFRA and contact Herefordshire Council's Neighbourhood Planning team to ascertain whether the Parish, or specific allocated site, is impacted by surface water, groundwater, or sewer flooding etc. The team may also have historic flooding information to help inform your plan.

Waste water Infrastructure Questions:

What is the waste water capacity issue? The attached spreadsheet should help you to identify whether your Parish has capacity problems at its receiving treatment works. We would recommend discussions with the Utility Company to ascertain how you can progress with your Plan without impact on the works. To assist in these discussions we would recommend the following:

- What solutions are programmed within Asset Management Plans (AMP)? When will these solutions be delivered? Are there any options for accelerating these schemes via developer contributions?
- In the absence of an improvement schemes what could alternative solutions be (type and location of) for short/medium/long term growth. Are these solutions cost prohibitive?
 - Are there any short term options to facilitate growth? Some options to consider could be SUDS retrofitting or removing surface water from sewer systems.

Appendix 2

- Utility companies could be asked about what WFD work they already have programmed in to their AMP Schemes for Phosphate stripping or other sanitararies (e.g. ammonia/Biological Oxygen Demand).

Appendix 2

- With reference to the NMP, and Phosphate specific issues, are there any stringent measures factored in to ensure no environmental deterioration? What improvement scheme is, or could be, in place to bring forward development?