



## Existing Policy and Legal Framework

### National Planning Policy Framework (NPPF)

The NPPF sets strict tests to protect people and property from flooding which all Local Planning Authorities (LPAs) are expected to follow. Where these tests are not met, national policy is clear that new development should not be allowed. The main steps to be followed are set out in the NPPF and, in summary, are designed to ensure that if there are better sites in terms of flood risk, or a proposed development cannot be made safe, it should not be permitted.

The [NPPF](#)<sup>1</sup> has advice on development and flood risk in paras 100-108.

### Cornwall Local Plan

The Cornwall Local Plan looks at flood risk management and coastal change through Policy 26. The policy in summary states that development should take account of any adopted strategic and local flood and coastal management strategies including the Shoreline Management Plan<sup>2</sup>, [Catchment Flood Management Plans for Cornwall](#)<sup>3</sup>, and the [South West River Basin Plan](#)<sup>4</sup>. In the first instance development should avoid areas of flood risk. Development should minimise/reduce/eliminate flood risk, use Sustainable Drainage Systems (SuDS) and developments of 10 dwellings or more or over 0.5ha should provide a water management plan. Land identified to be functional flood storage should be safeguarded.

For further advice please look at the [Cornwall Local Plan](#)<sup>5</sup> and the specific section titled 'Flood Risk Management and Coastal Change'.

## What can a Neighbourhood Development Plan (NDP) do?

A NDP can help your area manage environmental risks and improve resilience to climate change. Highlighting local issues and developing policies to help your community manage the risk of flooding by providing landscaping to manage and store water, by promoting the use of SuDS, and planting trees helps to store water.

Potential topics your policies could cover are:

- Ensure policies steer development to areas of lower flood risk as far as possible.
- Promote the use SuDS – SuDS aim to reduce the need for hard, engineered drainage systems, manage water at or near the surface, maximise infiltration into the ground, and deliver ecological benefits.

<sup>1</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

<sup>2</sup> <http://www.ciscag.org/finalsmpindex.html> [Link no longer available]

<sup>3</sup> <https://www.gov.uk/government/collections/catchment-flood-management-plans#south-west-river-basin-district>

<sup>4</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/500547/South\\_West\\_RBD\\_Part\\_1\\_river\\_basin\\_management\\_plan.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/500547/South_West_RBD_Part_1_river_basin_management_plan.pdf)

<sup>5</sup> <https://www.cornwall.gov.uk/media/22936789/adopted-local-plan-strategic-policies-2016.pdf>



- Maximising the use of “natural” SuDS features including infiltration, swales, storage basins, ponds and wetlands. These natural systems can manage flood risk, improve water quality, increase biodiversity and provide amenity benefits, such as additional public open space integrating with cycling and walking routes, providing additional habitat, and contributing to the character of the new “place”. SuDS systems can consist of underground attenuation tanks which store water before releasing it at a controlled rate. These systems do reduce flood risk but do not deliver many of the other benefits.
- Promoting water efficiency in new development by incorporating rainwater harvesting technology alongside other SuDS features.
- Promoting tree planting, street trees, rain gardens and green roofs through new development.

## What evidence will we need?

If an NDP allocates sites a site specific Flood Risk Assessment (FRA) is required for development sites which are:

1. Located in Flood Zone 1 and have a site area greater than 1 hectare;
2. Located within a Critical Drainage Area (CDA), notified to the LPA by the Environment Agency;
3. Located fully or partially within Flood Zones 2, 3a and 3b;
4. In an area of known flood risk and/or drainage issues.

The FRA must consider all forms of flooding and the effects both on and off the proposed site.

A site specific Drainage Strategy will be required as a minimum to support new development proposals. The extent of the detail contained within the Drainage Strategy is dependent on the type, size and location of the proposed development. If allocating a site, NDPs should therefore include, within their site allocation policy, the requirement for a future developer to prepare a drainage strategy for the site.

NDPs can identify areas of known flood risk and drainage issues if they are not already designated. Evidence required to justify this would include:

1. Existing FRAs undertaken for developments in the area;
2. A diary of flood events/drainage issues which should include date, time, and location of the event. Comments, details of the eyewitnesses and land owners (if known);
3. Photographs;
4. Video footage;
5. Sketches.



## Sources of information and data

LPAs' [Strategic Flood Risk Assessments](#)<sup>6</sup> should be the primary source of flood risk information in considering whether particular NDP areas may be appropriate for development. Other important sources include the interactive maps of flood risk<sup>7</sup> available on the Environment Agency's web site. Cornwall Council will share any reports or information relating to the Strategic Flood Risk Assessment, and share any other information relevant to flood risk (such as the application of the [Sequential](#)<sup>8</sup> and [Exception Tests](#)<sup>9</sup> to the Local Plan and to sites allocated within the Cornwall Site Allocations Development Plan Document).

Along with other statutory agencies, the Environment Agency has published advice on [neighbourhood planning](#)<sup>10</sup>. Cornwall Council is the Lead Local Flood Authority (LLFA) and has a [Sustainable Drainage Policy](#)<sup>11</sup> which covers the LLFA's requirements for sustainable drainage.

A CDA is an area that has critical drainage problems and which has been notified as such to the LPA by the Environment Agency. In a CDA we expect new development to actually reduce flood risks downstream, rather than having just neutral impact.

There are currently 29 CDAs identified in Cornwall, within a number of communities. Maps and details of these CDA can be accessed from the links on this page: <http://www.cornwall.gov.uk/media/27672602/sustainable-drainage-policy.pdf>

The Susdrain website has more information relating to SuDS and can be access on this page: <http://www.susdrain.org/delivering-suds/>

## Case study and example policies

### Case study

#### [Lamb Drove, Cambourne, South Cambridgeshire \(not from a Neighbourhood Plan\)](#)<sup>12</sup>

Lamb Drove is a residential development of 35 affordable homes built by Cambridge Housing Society. It successfully showcased SuDS as a viable and attractive alternative to more piped drainage systems. The SuDS measures included: water butts; permeable paving; a green roof; swales; detention basins; filter strips; and a retention pond. The scheme has reduced the impact of development on flood risk and improved water quality. The scheme resulted in an enhanced landscape for local residents and improved biodiversity and ecology.

<sup>6</sup> <https://www.gov.uk/guidance/flood-risk-and-coastal-change#Strategic-Flood-Risk-Assessment-section>

<sup>7</sup> Environment Agency website [Link no longer available]

<sup>8</sup> <https://www.gov.uk/guidance/flood-risk-and-coastal-change#aim-of-Sequential-Test>

<sup>9</sup> <https://www.gov.uk/guidance/flood-risk-and-coastal-change#The-Exception-Test-section>

<sup>10</sup> [http://webarchive.nationalarchives.gov.uk/20140328154245/http://cdn.environment-agency.gov.uk/LIT\\_6524\\_7da381.pdf](http://webarchive.nationalarchives.gov.uk/20140328154245/http://cdn.environment-agency.gov.uk/LIT_6524_7da381.pdf)

<sup>11</sup> <http://www.cornwall.gov.uk/media/27672602/sustainable-drainage-policy.pdf>

<sup>12</sup> [http://www.susdrain.org/case-studies/case\\_studies/lamb\\_drove\\_residential\\_suds\\_scheme\\_cambourne.html](http://www.susdrain.org/case-studies/case_studies/lamb_drove_residential_suds_scheme_cambourne.html)



## Example policies

### [East Preston Neighbourhood Plan \(Adopted, 2015\)](#)<sup>13</sup>

#### Policy 8: Sustainable Drainage

Development proposals will be supported provided they are able to demonstrate that they include one or more of the following sustainable drainage design features to manage the risk of surface water flooding within their boundary and elsewhere in the parish.

- i. permeable driveways and parking areas;
- ii. water harvesting and storage features;
- iii. green roofs; and/or,
- iv. soakaways.

### [Welton-by-Lincoln Neighbourhood Plan \(Adopted, September 2016\)](#)<sup>14</sup>

#### Policy EN3 – Flood Risk

Development proposals should seek to reduce surface water run off through sustainable drainage strategies (SuDS). Drainage schemes must not increase flood risk elsewhere. SuDS schemes should provide for simple and straightforward maintenance.

### [Mulbarton Neighbourhood Plan \(Adopted, February 2016\)](#)<sup>15</sup>

#### Policy ENV4: Flood Risk

Development should not increase flood risk from fluvial flooding or any other source of flooding, including surface water flooding. Planning applications for development within the plan area must be accompanied by a site-specific assessment in line with the requirements of national policy and advice, but may also be required on a site by site basis based on locally available evidence. All proposals must demonstrate that flood risk will not be increased elsewhere and that the proposed development is appropriately flood resilient and resistant.

### [Dunholme Neighbourhood Plan \(Adopted, January 2017\)](#)<sup>16</sup>

#### Policy 13: Reducing Flood Risk

Development that needs to be located within the flood risk areas as shown in figure 12 for operational or other reasons will be supported where it can be demonstrated that measures will be put in place to ensure that the development proposed will not have a detrimental impact on surface water run-off and sewage discharge networks in the village.

- a) The development proposed will not have a detrimental impact on surface water run-off and sewage discharge networks in the village.

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<sup>13</sup> <https://www.arun.gov.uk/east-preston-neighbourhood-development-plan>

<sup>14</sup> <https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/all-neighbourhood-plans-in-west-lindsey/welton-by-lincoln-neighbourhood-plan-made/>

<sup>15</sup> [https://www.south-norfolk.gov.uk/sites/default/files/Mulbarton\\_Neighbourhood\\_Plan\\_0.pdf](https://www.south-norfolk.gov.uk/sites/default/files/Mulbarton_Neighbourhood_Plan_0.pdf)

<sup>16</sup> <https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/all-neighbourhood-plans-in-west-lindsey/dunholme-neighbourhood-plan-made/>



# Neighbourhood Planning Flooding and Drainage- Key Considerations



2 All developments in flood risk areas and those which feed into flood sensitive areas will be designed and constructed to reduce the overall level of flood risk on the site and the surrounding areas.

3 Residential developments will not be supported in Flood Zones 2 and 3.

## Case Study<sup>17</sup>

In 2006, South Cerney Parish Council developed a community led plan for flood defence. They worked alongside other agencies, highlighting a number of issues in order to address the village's ongoing flooding problems. The community led action plan together with ongoing pressure from the parish, district, and county councils led to a variety of activities:

- The Environment Agency installed a flood monitoring station on the River Churn.
- Gloucester County Council completed a survey of the vital storm water drainage pipes and cleared major obstructions.
- Thames Water installed a new pumping sewer pipe – costing £5million – to replace the old pipe that previously leaked raw sewage during flooding.
- The development and implementation of an emergency action plan for flooding.

The work in South Cerney is ongoing, and the council continues to work with The Environment Agency and Thames Water.

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<sup>17</sup> <https://www.cse.org.uk/downloads/reports-and-publications/policy/community-energy/energy-advice/planning/renewables/low-carbon-neighbourhood-planning-guidebook.pdf>