

NE6 - Flooding, flood risk and the water environment

- Support - 16
- Neither support of object - 9
- Object – 14

The changes to the supporting text and the Local Plan policies have not only been informed by the responses to the Regulation 18 consultation but they have also taken on board any additional feedback that has come out of discussions/meetings with statutory consultees and members in order to improve the clarity and understanding of the contents of the Local Plan.

| Comments in support of NE6 - flooding, flood risk and the water environment | | |
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| Respondent number | Comment | Officer comment |
| ANON-KSAR-NKTH-6 | But more needs to be done as ongoing development has occurred without the requisite water infrastructure leading to serious problems in local rivers. Another local reservoir is needed and greater care taken of the local water environments and habitats. | Comments Noted. Water infrastructure is the responsibility of Southern Water Services. SW will confirm if new infrastructure such as a reservoir is needed to support the planned development. Recommended Response: No Change |
| ANON-KSAR-NKBD-G | Maybe a bit more rewilding at River Park would be good. I remember when the Rugby club was natural water meadow. | Comments Noted. The potential for part of North Walls Recreation Ground to be used for Biodiversity Net Gain (the sides of the river are currently maintained for |

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| | | <p>this) is currently being assessed and will be considered as part of work on BNG that is being undertaken by Council's Natural Environments team.</p> <p>Recommended Response: No Change</p> |
| ANON-KSAR-N85J-P | <p>Bloor support proposed policies which rightly favour multi-benefit sustainable drainage and natural flood risk management approaches. However, the wording of some policies such as NE6, item v (SuDS) could be strengthened by introducing a targeted and more measurable requirement. For example, the policy could require that three of four 'pillars of SuDS', as defined in the CIRIA SuDS Manual, needs to be demonstrably achieved to meet the policy requirement. The four pillars are; Water Quantity, Water Quality, Amenity and Biodiversity. This target could be referred to in all relevant policies for example (but not limited to) NE1, NE4 and NE5</p> | <p>Comments and general support noted.</p> <p>Recommended Response: No change.</p> |
| ANON-KSAR-N8Q5-W | <p>In supporting the policy, in particular para v) on SuDS, we request the addition of references to encouraging natural flood management, eg " The local planning authority will support the development or expansion of water supply, surface water drainage and wastewater treatment facilities, including natural flood management schemes. where they are needed to serve existing or new development or in the interests of securing long term supply, provided that the need for such facilities is consistent with other policies such as the development strategy, flood risk, contamination and protection of the natural and built environment and water supply."</p> | <p>Comments Noted.</p> <p>Recommended Response: Include suggested change to Policy NE6:</p> <p>'including natural flood management schemes. This will be in cases where they are needed to serve existing or new development....'</p> |

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| <p>BHLF- KSAR- N8RJ-K</p> | <p>9.7 Catesby support the principle of this Draft Policy. However, the first point is not expressed sufficiently clearly and appears to indicate that Sequential Tests Assessments will be required for all applications. 9.8 However, not all developments are required by the NPPF to undertake the Sequential or Exception tests. The policy should therefore be reworded to remove ambiguity and clearly set out which sites are required to undertake a Sequential Test, rather than requiring all developments to provide one.</p> | <p>Comments Noted. The Council have made it clear with the footnote to the policy that Sequential and Exception tests will be required as set out in the NPPF. It would not be appropriate to list all development where a sequential and exception test applies, as this would merely repeat the NPPF.</p> <p>Recommended response: No Change</p> |
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| <p>Comments which neither support nor object to NE6 - flooding, flood risk and the water environment</p> | | |
| <p>Respondent number</p> | <p>Comment</p> | <p>Officer comment</p> |

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| ANON- KSAR- NKWY-T | <p>Thank you for allowing Thames Water Utilities Ltd (Thames Water) to comment upon the above.</p> <p>As you are aware, Thames Water’s sewerage area covers a small part of the eastern side of the District and are hence a “specific consultation body” in accordance with the Town & Country Planning (Local Planning) Regulations 2012. with the Town & Country Planning (Local Planning) Regulations 2012.</p> <p>We have the following comments on the consultation in relation to our water supply and sewerage undertakings.</p> <p>Policy NE6 – Flooding, Flood Risk and the Water Environment Wastewater [and Water Supply] Infrastructure Comments</p> <p>We generally support Policy NE6 subject to the comments below.</p> | <p>General support for Policy NE6 is welcomed.</p> <p>Recommended Response: No Change</p> |
| | <p>Thames Water seeks to co-operate and maintain a good working relationship with local planning authorities in its area and to provide the support they need with regards to the provision of water supply and sewerage/wastewater treatment infrastructure.</p> <p>Water and wastewater infrastructure is essential to any development. Failure to ensure that any required upgrades to the infrastructure network are delivered alongside development could result in adverse impacts in the form of internal and external sewer flooding and pollution of land and water courses and/or low water pressure.</p> <p>A key sustainability objective for the preparation of Local Plans and</p> | <p>Comments Noted. The Council welcomes continued discussions with key stakeholders in the development of policies within the Local Plan and as part of the work on the Infrastructure Delivery Plan. Whilst the references are useful, it is not good practice to simply repeat the NPPF in Local Plans.</p> <p>Recommended Response: No Change.</p> |

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| | <p>Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 20 of the revised National Planning Policy Framework (NPPF), 2021, states: “Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater...”</p> <p>Paragraph 11 states: “Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that: a) All plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects”</p> <p>Paragraph 28 relates to non-strategic policies and states: “Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure...”</p> <p>Paragraph 26 of the revised NPPF goes on to state: “Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary....”</p> <p>The web based National Planning Practice Guidance (NPPG) includes a section on ‘water supply, wastewater and water quality’ and sets out that</p> | |
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| | <p>Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that “Adequate water and wastewater infrastructure is needed to support sustainable development” (Paragraph: 001, Reference ID: 34-001- 20140306).</p> <p>It is important to consider the net increase in water and wastewater demand to serve the development and also any impact that developments may have off site, further down the network. The new Local Plan should therefore seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Thames Water will work with developers and local authorities to ensure that any necessary infrastructure reinforcement is delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to under estimate the time required to deliver necessary infrastructure. For example: local network upgrades take around 18 months and Sewage Treatment & Water Treatment Works upgrades can take 3-5 years.</p> | |
| | <p>The provision of water treatment (both wastewater treatment and water supply) is met by Thames Water’s asset plans and from the 1st April 2018 network improvements will be from infrastructure charges per new dwelling.</p> | <p>Comments Noted.</p> <p>Recommended Response: No Change</p> |
| | <p>As from 1st April 2018, the way Thames Water and all other water and wastewater companies charge for new connections has changed. The changes mean that more of Thames Water’s charges will be fixed and published, rather than provided on application, enabling you to estimate your costs without needing to contact us. The services affected include new water connections, lateral drain connections, water mains and sewers</p> | <p>Comments Noted.</p> <p>Recommended Response: No Change.</p> |

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| | <p>(requisitions), traffic management costs, income offsetting and infrastructure charges. Information on how off site network reinforcement is funded can be found here https://developers.thameswater.co.uk/New-connection-charging Thames Water therefore recommends that developers engage with them at the earliest opportunity (in line with paragraph 26 of the revised NPPF) to establish the following:</p> <ul style="list-style-type: none"> • The developments demand for water supply and network infrastructure both on and off site; • The developments demand for Sewage/Wastewater Treatment and network infrastructure both on and off site and can it be met; and • The surface water drainage requirements and flood risk of the development both on and off site and can it be met. <p>Thames Water offer a free Pre-Planning service which confirms if capacity exists to serve the development or if upgrades are required for potable water, waste water and surface water requirements. Details on Thames Water’s free pre planning service are available at: https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity</p> | |
| | <p>In light of the above comments and Government guidance we consider that the New Local Plan should include a specific policy on the key issue of the provision of water and sewerage/ wastewater infrastructure to service development. This is necessary because it will not be possible to identify all of the water/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (Asset Management Plans or AMPs). We recommend the Local Plan include the following policy:</p> | <p>Comments Noted. The Council considers that the policy already covers this in point vii and as such there is no need for this additional policy (which is in part covered by statutory legislation).</p> |

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| | <p>PROPOSED WATER SUPPLY/WASTEWATER INFRASTRUCTURE POLICY TEXT:</p> <p>“Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”</p> <p>“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”</p> <p>We therefore support Policy NE6 vii in this respect.</p> | <p>Recommended Response: No Change</p> |
| | <p>Local Authorities should also consider both the requirements of the utilities for land to enable them to meet the demands that will be placed upon them. This is necessary because it will not be possible to identify all the water and wastewater/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (AMPs). Thames Water are currently in AMP7 which covers the period from 1st April 2020 to 31st March 2025. AMP8 will cover the period from 1st April 2025 to 31st March 2030. The Price Review, whereby the water companies’ AMP8 Business Plan will be agreed with Ofwat during</p> | <p>Comments Noted. It is considered that this wording is already covered in the Policy.</p> <p>Recommended Response: No Change.</p> |

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| | <p>2024.</p> <p>Hence, a further text should be added to Policy as follows:</p> <p>“The development or expansion of water supply or waste water facilities will normally be permitted, either where needed to serve existing or proposed development in accordance with the provisions of the Development Plan, or in the interests of long term water supply and waste water management, provided that the need for such facilities outweighs any adverse land use or environmental impact that any such adverse impact is minimised.”</p> <p>We therefore support the text at the end of Policy NE6 in this respect.</p> | |
| | <p>Flood Risk & Sustainable Drainage Comments</p> <p>In relation to flood risk, the National Planning Practice Guidance (NPPG) states that a sequential approach should be used by local planning authorities in areas known to be at risk from forms of flooding other than from river and sea, which includes "Flooding from Sewers".</p> <p>When reviewing development and flood risk it is important to recognise that water and/or sewerage infrastructure may be required to be developed in flood risk areas. By their very nature water and sewage treatment works are located close or adjacent to rivers (to abstract water for treatment and supply or to discharge treated effluent). It is likely that these existing works will need to be upgraded or extended to provide the increase in treatment capacity required to service new development. Flood risk sustainability objectives should therefore accept that water and sewerage infrastructure</p> | <p>Comments Noted. It is considered that this covered under Point v of the policy. At the end of the policy it also states that SuDS must be used unless there is an overriding reason why they can't be. The Council are also limiting water use in other policies of the Local Plan which would reduce water to the sewerage system (Policy CN4). It is however recognised that a footnote needs to be added to the policy providing further information on SuDS i.e. national/ relevant guidance.</p> |

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| | <p>development may be necessary in flood risk areas.</p> <p>Flood risk policies should also make reference to 'sewer flooding' and an acceptance that flooding can occur away from the flood plain as a result of development where off site sewerage infrastructure and capacity is not in place ahead of development.</p> <p>With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer in accordance with the drainage hierarchy. It is important to reduce the quantity of surface water entering the sewerage system in order to maximise the capacity for foul sewage to reduce the risk of sewer flooding.</p> <p>Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.</p> <p>SuDS not only help to mitigate flooding, they can also help to: improve water quality; provide opportunities for water efficiency; provide enhanced landscape and visual features; support wildlife; and provide amenity and recreational benefits.</p> <p>With regard to surface water drainage, Thames Water request that the</p> | <p>Recommended Response: Add a footnote reference to the Policy in relation to SuDS guidance.</p> <p>Additional wording has been added to Policy NE6 to make it clear that surface water must not drain into the foul sewer.</p> |
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| | <p>following paragraph should be included in Policy wording or supporting text: “It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding.”</p> | |
| | <p>Comments on Site Allocations/Spatial Strategy</p> <p>None of the draft allocations fall within our region. They’re generally covered by Southern Water, Portsmouth Water etc.</p> <p>If any sites were to be identified within the Thames Water Region we would welcome an opportunity to work with the planning authorities and planners/developers to ensure that the right amount of planning is put in ahead of the development to enable the required infrastructure capacity without causing any detriment to the existing system or environment. Thames Water does not reserve network or treatment capacity for specific development sites. It is the responsibility of the Local Planning authority to prioritise development.</p> <p>As such, we would welcome more details on the proposed developments when they become available and also an early contact from the developers. A consideration to the potential impact on water and wastewater infrastructure should be included when promoting a development and provision for upgrades should be made, where required.</p> <p>The time to deliver water/wastewater infrastructure should not be underestimated. It can take 18 months – 3 years for local upgrades and 3 – 5 years plus for more strategic solutions to be delivered. It is therefore</p> | <p>Comments Noted.</p> <p>Recommended Response: No Change as none of the site allocations fall within Thames Water area.</p> |

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| | <p>vital that the Council and Developers work alongside Thames Water so that we can build up a detailed picture what is being built where, get confidence of when that development is going to start and what the phasing of that development will be. To support this Thames Water offers a Free pre planning service where developer can engage Thames water to understand what if any upgrades will be needed to serve the development where and when.</p> <p>Link here > https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity</p> <p>We recommend developers attach the information we provide to their planning applications so that the Council and the wider public are assured water and waste matters for the development are being addressed.</p> | |
| <p>ANON-KSAR-NK4Z-R Soberton Parish Council</p> | <p>This policy needs to address the increased surface water run off from all developments including extensions. Any development not on mains drainage should be required to provide a full drainage and impact assessment for a worst case scenario on properties downstream.</p> <p>All drainage systems need to be conditioned to ensure ongoing maintenance.</p> | <p>Comments Noted. This is addressed under Point ii of the Policy which sets out that all new developments should address flood risk, which includes surface water flood risk.</p> <p>Recommended Response: No Change</p> |
| <p>ANON-KSAR-NK29-N</p> | <p>NE6 – Add point vii: ‘For major developments, evaluate the potential for the development to affect sewage outflow into watercourses, so that cumulative impact of wastewater can be assessed.’</p> | <p>Comments Noted. This would be covered in the wastewater treatment strategy.</p> <p>Recommended Response: No Change.</p> |

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| <p>ANON- KSAR- NKF6-6</p> | <p>This policy needs to address the increased surface water runoff from all developments including extensions. No development in areas that are not on main drainage can only be granted if a full drainage assessment and impact assessment carried out on worst case scenario on properties downstream. Drainage systems need to be conditioned for maintenance</p> | <p>Comments Noted. This is addressed under Point ii of the Policy which sets out that all new developments should address flood risk, which includes surface water flood risk.</p> <p>Recommended Response: No Change</p> |
| <p>BHLF- KSAR- N8R7-Z Colden Common Parish Council</p> | <p>Severe drainage and flooding problems within the village and our unsuitability for sustainable growth to take place (H3/H4). Sewerage failures at Church Pond and Kiln Lane regularly discharge sewage into the Itchen during periods of heavy rainfall which contributes to phosphates and nitrates in the Itchen Valley. We attach a map showing where the worst flooding and sewer failures take place.</p> | <p>Comments Noted. Whilst these comments are noted, this is unfortunately, not an issue that can be addressed by the LP. It is recommended that these points are taken up with Southern Water Services.</p> <p>Recommended Response: No Change.</p> |
| <p>BHLF- KSAR- N8BF-Y</p> | <p>Paragraph 7.49 of the supporting text should be clarified. Where there are drainage capacity issues, and there are no improvements planned by the utility provider, evidence that bespoke improvements can and will be needed should be provided, either by the utility provider or developer funded improvements. Criterion i should be clarified to explain that the Council will apply the sequential test (when it is triggered) on a case-by-case basis, applying an appropriate area of search for alternative locations at a lower risk of flooding.</p> | <p>Comments Noted. It is considered that this is already clear in the supporting text. The Council have made it clear with the footnote to the policy that Sequential and Exception tests will be required as set out in the NPPF. It would not be appropriate to list all the development where a sequential and exception test applies, as this would merely repeat</p> |

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| | | <p>the NPPF, which Local Plans seek to avoid.</p> <p>It is however recognised that the footnote reference needs to be moved to “Applies a Sequential Test to the location⁷” so it is clear this is when the NPPF criterion are applied.</p> <p>Recommended response: Move the footnote link in criterion i as set out above.</p> |
| <p>BHLF-KSAR-N8BG-Z</p> <p>BHLF-KSAR-N8BG-Z Link here</p> | <p>It is noted that under section 7.51 it mentions that developments should make ‘space for water by directing development to areas at lowest flood risk first, protecting sites required for flood risk management and the use of sustainable drainage systems (SuDS) where appropriate. The following information has some site specific comments for some of the sites where high groundwater may be an issue.</p> <p>Barton Farm</p> <p>At the very northern boundary and into the field north of the site there can be very high groundwater levels during very wet years (within 2m of the ground). A winterbourne rises in these years in the field to the north of the site boundary. Additionally there could be high levels during exceptionally wet years at the junction between Andover Road and Well House Lane.</p> <p>The mechanism for flooding in the first sentence is not quite correct. During very wet years, groundwater rises to the surface and flows towards the Itchen via the Nuns Stream. The Nuns Stream flows all the way from</p> | <p>Comments Noted. This is a site specific issue. (Policy W1 – Barton Farm).</p> <p>Recommended Response: No Change.</p> |

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| | <p>Littleton through the St Johns Moors Barracks site during these very wet winters. This rising groundwater can't be prevented; the design should ensure groundwater can flow down gradient and without impediment. The location of Sustainable Drainage Systems need to account for the high groundwater levels under parts of the site (not just Flood zones 2 and 3) to ensure they remain effective during all months of the year.</p> | |
| | <p>Sir John Moore Barracks 12.19 - In terms of flood risk, there have been recorded flood events at the main access to the site. Surface water flooding (from Littleton) is most prominent in the lower parts of the site such as around the existing shooting range and the adjacent car park off the main access road. In order to mitigate against this the main access road off Andover Road has been raised and drainage improvements have been undertaken along Andover Road. As some parts of the site have a high risk of flooding from surface water and groundwater from Littleton, any plans for the redevelopment of the site will need to address and mitigate against this through the use of a Sustainable Drainage System (SuDS) hierarchy strategy, a Flood Risk Assessment to ensure that the proposed development is located outside of flood zone 2 and 3 and any surface water does not drain or have a detrimental impact on the SINC or other protected sites. It will also be important to demonstrate how the proposals for the site would be in accordance with the Hampshire County Council Catchment Management Plans which identify and prioritise the areas</p> | <p>Comments Noted. This is a site specific issue. (Policy W2 – Sir John Moore Barracks) that would need to be assessed as part of the plans to redevelop this site.</p> <p>Recommended Response: No Change.</p> |

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| | <p>within each river catchment in Hampshire that are at highest risk of flooding.</p> <p>The mechanism for flooding in the first sentence is not quite correct. During very wet years, groundwater rises to the surface and flows towards the Itchen via the Nuns Stream. The Nuns Stream flows all the way from Littleton through the St Johns Moors Barracks site during these very wet winters. This rising groundwater can't be prevented; the design should ensure groundwater can flow down gradient and without impediment. The location of Sustainable Drainage Systems need to account for the high groundwater levels under parts of the site (not just Flood zones 2 and 3) to ensure they remain effective during all months of the year.</p> | |
| | <p>St Peters Car park - During very wet years, groundwater levels under the site can be very high so any deep structures should ensure that groundwater is still able to flow downgradient towards the river. Any SuDSs need to ensure they account for these high groundwater levels.</p> | <p>Comments Noted. This is a site specific issue. (Policy W3 – St Peters Car Park) and would need to be address as part of the redevelopment of this site.</p> <p>Recommended Response: No Change.</p> |
| | <p>Hursley - Planning for new development sites in Hursley should take account of groundwater flooding that occurs with the village.</p> | <p>Comments Noted. This is a site specific issue. (Policy HU1 – Hursley NP).</p> <p>Recommended Response: No Change.</p> |
| <p>BHLF- KSAR- N86F-K</p> | <p>Policy NE6 Flooding, Flood Risk, and the Water Environment Plans should positively contribute to reducing flood risk by working with natural processes and, where possible, use Green Infrastructure policies</p> | <p>Comments Noted. It is recognised that the policy does not contain reference to Surface Water runoff</p> |

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| <p>Natural England Link here</p> | <p>and the provision of SUDs to achieve this. References to SUDs implementation and design is made in Policy NE6, and this could be integrated into the housing and sustainable development policies, outlining when SUDs would be required for development, and how they can be designed and managed.</p> <p>Surface drainage measures should also be considered with regard to poor water quality from surface water run-off, this should be linked to Policy NE17 and the River Itchen. Surface water can contain hydrocarbons and chemical pollutants associated with traffic (e.g. heavy metals, grit salts, particulates, oils), garden chemicals (enriching fertilisers or herbicides/insecticides), household detergents etc. These may have considerable cumulative impacts on water quality with other local factors. Some development may also result in additional inputs of phosphorus to the river systems with negative effects on chalk river habitats and species via eutrophication. Additionally, the urbanisation of land within or close to the floodplain may affect water flow rates with consequential detrimental impacts on important river habitats, and/or they may exacerbate negative impacts from existing development. The Local Plan should ensure such impacts on protected sites, including the River Itchen Special Area of Conservation and its tributaries, and other important habitats are carefully considered, particularly for housing allocation sites.</p> <p>Additionally, we advise that Policy NE6 requires that Sustainable Drainage Systems (SuDS) should be designed in accordance with the CIRIA C753 SuDS Manual. Policy NE6 should also make clear that where a development drains to a protected site(s), an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection may be required to ensure water quality impacts are avoided.</p> | <p>and the pollutants it can contain. However, it is considered that Point vii of the policy covers this as it sets out that new surface water connections will be supported provided other elements, including contamination, are taken into consideration.</p> <p>A footnote in regards to Surface Water Flooding has also been added.</p> <p>Recommended Response: Add reference to footnote for SuDS manual.</p> |
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| | Where SuDS are proposed serving as mitigation for protected sites, development should ensure that appropriate resources are put in place to ensure their long-term (in perpetuity) monitoring, maintenance/replacement, and funding. | |
| BHLF-KSAR-N863-Z | Policy CN1 encourages rainwater gardens as part of a development's SUDS provision, but this is not mentioned in Policy NE6 as suggested in the Plan. The reference relating rainwater gardens should be deleted from Policy CN1. | <p>Comments Noted. It is important to read the LP as a whole. This requirement would remain in Policy CN1, but agree that a reference to rainwater gardens has been added to the supporting text.</p> <p>Recommended Response: Have added a reference to rainwater gardens under Paragraph 7.51.</p> |

| Comments which object to NE6 - flooding, flood risk and the water environment | | |
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| Respondent number | Comment | Officer comment |
| ANON-KSAR-NK9A-4 | Rural off mains drainage settlements need a bespoke approach. A specific set of informatives are needed to ascertain the risk from the construction of single dwellings, extensions and construction of hard surfaces due to the high risk to existing residents from flooding and inadequate sanitation. Rural water management is woeful under riparian law. This must be addressed at a local level with specific development guidance and rules given to rural areas. Package plants and septic tanks | <p>Comments Noted. These are controlled by EA and building regulations.</p> <p>Recommended Response: No Change</p> |

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| | typically underperform and performance is exacerbated by heightened rural flood risk. Any additional rural dwelling poses a risk to already inadequate infrastructure. | |
| ANON-KSAR-NKBN-T | No explanation of how you will protect the water environment whether rivers or groundwater. | The water environment would be protected through the appropriate legislation that is enforced by the powers given to Environment Agency. Recommended Response: No Change |
| ANON-KSAR-NKZ5-S | <p>General comment. Flood prevention measures can be applied/designed into the environment without recourse to engineered SUDS measure. Other approaches are available including Nature-based solutions.</p> <p>Nature-based solutions need are higher profile in this Policy.</p> <p>Add new point vii: 'For major developments, evaluate the potential for the development to affect sewage outflow into watercourses, so that cumulative impact of wastewater can be assessed.'</p> <p>Add new point at end of 7.47</p> <ul style="list-style-type: none"> • Adopt best Nature-based solutions for the climate and biodiversity crisis. | <p>Comments Noted. In regards to nature based solutions, it is important to read the Local Plan as a whole as natural based solutions help tackle the climate emergency and has been referred to in a number of other LP policies. However, in order to highlight the importance of this add additional wording to Policy NE6.</p> <p>Recommended Response: The local planning authority will support the development or expansion of water supply, surface water drainage and wastewater treatment facilities</p> |

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| | | <p>including natural flood management schemes.</p> |
| | <p>There is too much narrative in 7.54 to 7.60. the Plan needs to simply state the problem, how it will managed and monitored with reference to a separate SPD with all the details.</p> <p>Example</p> <p>7.60</p> <p>This para and the rest of the Nitrogen/Phosphorous problem needs to be qualified with more detail in an SPD. SPD needs to include clear standards, regulation, methods of management and monitoring to ensure any land set aside for mitigation done correctly to avoid reestablishment of harmful nutrient pollution pathways that can harm water bodies.</p> <p>The Nutrient problem with Nature-based solutions offers an option to increase the land's capacity to remove carbon from the atmosphere and at</p> | <p>It is however not considered reasonable to delete the text between 7.54 and 7.60 as this sets out a narrative for the policy and justification for wording of the policy. When the LP is adopted, the Council will review the need for an SPD.</p> <p>Recommended Response: No Change</p> |

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| | the same to help significantly address this problem without creating more carbon emissions. | |
| ANON-KSAR-NKJ4-8 | <p>Please see accompanying Representations</p> <p>Policy NE6 – Flooding, Flood Risk and the Water Environment 5.16 Vistry Partnerships support the principle of this Draft Policy. However, the first point is not expressed clearly. The first point requires a Sequential Test, and an Exception Test if required. 5.17 However, not all developments are required by the NPPF to undertake a sequential test or exception test. The Policy should be reworded to clearly set out which sites are required to undertake a sequential test rather than requiring all developments to provide one.</p> | <p>The Council have made it clear with the footnote to the policy that Sequential and Exception tests will be required as set out in the NPPF. It would not be appropriate to list all the development where a sequential and exception test applies, as this would merely repeat the NPPF, which Local Plans seek to avoid.</p> <p>It is however recognised that the footnote reference needs to be moved to “Applies a Sequential Test to the location⁷” so it is clear this is when the NPPF criterion are applied.</p> <p>Recommended response: Move the footnote link in criterion as set out above.</p> |
| ANON-KSAR-NKJV-A | <p>Whilst paragraph 7.57 refers to correspondence from Natural England of the 16 March 2022, reference should also be made in the supporting text to the further correspondence from Natural England and the Chief Planning Officer in July 2022 setting out the action being taken in response to the nutrient pollution issue. The local plan should make reference to the proposed amendment to the Levelling Up and Regeneration Bill which will place a statutory duty on water and sewerage companies to upgrade</p> | <p>Comments noted. There is no need to set out in a LP the correspondence or the changes in the Levelling Up and Regeneration Act. A separate Topic Paper will be produced on nutrient neutrality which</p> |

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| | <p>wastewater treatment facilities to the highest technically achievable limits by 2030 in nutrient neutrality areas, such as Winchester. The Chief Planning Officer letter also refers to clarification of the Habitat Regulations so that these measures are considered certain in the assessment provisions. Given that this is an ongoing and emerging issue, the need for this text should be reviewed prior to adoption of the local plan. It is unclear why this paragraph forms supporting text to Policy NE6 and it is suggested that would be better located within the supporting text to Policy NE16.</p> | <p>will contain all of this background information.</p> <p>Recommended Response: No Change.</p> |
| <p>ANON-KSAR-N85K-Q</p> | <p>Policy NE6 – Flooding, Flood Risk and the Water Environment 9.3 Croudace support the principle of this Draft Policy. However, the first point is not expressed sufficiently clearly and appears to indicate that Sequential Tests Assessments will be required for all applications. 9.4 However, not all developments are required by the NPPF to undertake the Sequential or Exception tests. The policy should therefore be reworded to remove ambiguity and clearly set out which sites are required to undertake a Sequential Test, rather than requiring all developments to provide one.</p> | <p>The Council have made it clear with the footnote to the policy that Sequential and Exception tests will be required as set out in the NPPF and the policy does not deviate from this advise. It would not be appropriate to list all the development where a sequential and exception test applies, as this would merely repeat the NPPF, which Local Plans seek to avoid.</p> <p>It is however recognised that the footnote reference needs to be moved to “Applies a Sequential Test to the location⁷” so it is clear this is when the NPPF criterion are applied.</p> |

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| | | <p>Recommended response: Move the footnote link in criterion I as set out above.</p> |
| <p>ANON-KSAR-NK2C-Y Southern Water Link here</p> | <p>Southern Water mainly supports this policy, in particular criterion v) which relates to SuDS, as we believe this should be a requirement for all new development. Whilst some parts of the sewer network were originally designed to accommodate surface water, the expansion of towns and cities, in particular of ‘urban creep’ can exacerbate capacity issues. As stated in Water UK’s 21st Century Drainage Programme; “The country’s built environment is constantly changing and “urban creep” – home extensions, conservatories and paving over front gardens for parking – can all add to the amount of water going into our sewers and drains. Green spaces that would absorb rainwater are covered over by concrete and tarmac that will not. In fact, studies show that “urban creep” results in a larger increase in predicted flooding than new housing, because it adds more rainwater to these systems.” Therefore any areas utilised for SuDS should be safeguarded from future alterations or development that would impede their effectiveness.</p> <p>In terms of flood risk, better rainwater management is key to achieving not only a reduced risk of flooding, but also a reduction in storm overflow releases and reduced demand on water resources. To help achieve this, Southern Water supports policies that prioritise on-site surface water management through effective SuDS provision, but would also recommend a requirement that development is not permitted to connect surface water into the foul or combined network unless all other alternatives have been fully and demonstrably investigated. Unless or until Schedule 3 of the Flood and Water Management Act 2010 is enacted, we</p> | <p>Comments Noted and support for SuDS welcomed. In regards to the safeguarding of SuDs this would form part of a management plan, as this would be more adaptable and flexible to change rather than a Local Plan Policy, which would require a review in order to amend the policy.</p> <p>The wording of the policy has been amended taking into account the changes in OFWAT’s new approach.</p> <p>Recommended Response: Amend Criterion vii.</p> <p>Ensures that water supply, surface water drainage and wastewater infrastructure to service new development are provided and, <u>where necessary, occupation of development is phased to align with the delivery of infrastructure.</u> connect to the nearest point of adequate capacity where feasible.</p> |

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| | <p>cannot refuse applications to connect surface water to the combined network. If flooding occurs due to excessive prolonged rainfall, a policy to prevent surface water from being connected to the foul/combined network will help reduce the risk that flood water is contaminated with wastewater, thereby reducing the risk of pollution.</p> <p>With reference to criterion vii, we note that there is a requirement for development to 'connect to the nearest point of adequate capacity'. Since OFWAT's new approach to water and wastewater connections charging was implemented from 1 April 2018, we have adjusted our approach in line with the new requirements, therefore the wording of this criterion is no longer effective. However the need remains for recognition that there may be limited capacity on some sites at the "practical point of connection", as defined in the New Connections Services. A connection to the sewer network at a site's 'practical point of connection' where capacity is limited could lead to an increased risk of flooding unless network reinforcement is undertaken in advance of occupation. We would therefore amend this wording to 'where necessary, occupation of development is phased to align with the delivery of infrastructure'.</p> <p>Proposed amendments;</p> <p>vii. Ensures that water supply, surface water drainage and wastewater infrastructure to service new development are provided and where necessary, occupation of development is phased to align with the delivery of infrastructure. [...] If there is an overriding reason why SuDS is not achievable this must be</p> | |
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| | evidenced with justification for the alternative approach being taken. Surface water will not be permitted to connect to the foul drainage network; | |
| ANON-KSAR-NKKV-B | The policy should have explicit aims for water quality in waterways. Water is a strategic resource which is likely to get scarcer in Winchester District as the climate warms. Therefore developments must be reviewed to ensure they do not place any additional strain on water resources. Private water extraction should be regulated and a presumption of prohibition should be the norm. | Comments Noted. Water extraction is an Environment Agency matter and does not need to be included in this policy. Recommended Response: No Change |
| ANON-KSAR-N85N-T | New developments should also include permeable pavement and road surfaces as well as parking surfaces. New development should include private family gardens to reduce run off of rain water as well as provide all the benefits to mental health, sae play for children, and biodiversity | Comments Noted. These points are covered in Policy T3 and NE11 and does not need to be repeated in this policy. This is covered in policy T3 so no need to repeat it here. Recommended Response: No Change. |
| | Flood prevention measures can be applied/designed into the environment without recourse to engineered SUDS measure. Other approaches are available including Nature-based solutions. | Comments Noted. Paragraph 7.47 has been amended to include nature based solutions. Recommended Response: No Change |
| | Nature-based solutions need to be at higher profile in this Policy. Add new point vii: 'For major developments, evaluate the potential for the development to | Comments Noted. This assessment is already undertaken as part of any development proposal and the policy would allow for this to continue. |

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| | <p>affect sewage outflow into watercourses, so that cumulative impact of wastewater can be assessed.'</p> | <p>Recommended Response: No Change</p> |
| | <p>Add new point at end of 7.47</p> <p>Adopt best Nature-based solutions for the climate and biodiversity crisis.</p> | <p>Comments Noted. Paragraph 7.47 has been amended to include nature based solutions.</p> <p>Recommended Response: No Change</p> |
| | <p>There is too much narrative in 7.54 to 7.60. the Plan needs to simply state the problem, how it will be managed and monitored with reference to a separate SPD with all the details.</p> | <p>It is however not considered reasonable to delete the text between 7.54 and 7.60 as this sets out a narrative for the policy</p> <p>Recommended Response: No Change</p> |
| <p>ANON-KSAR-N819-1</p> | <p>Amend 7.60</p> <p>This para and the rest of the Nitrogen/Phosphorous problem needs to be qualified with more detail in an SPD. SPD needs to include clear standards, regulation, methods of management and monitoring to ensure any land set aside for mitigation is done correctly to avoid reestablishment of harmful nutrient pollution pathways that can harm water bodies an biodiversity.</p> <p>The nutrient problem with application of Nature-based solutions offers an option to increase the land's capacity to remove carbon from the atmosphere and at the same to help significantly address this problem without creating more carbon emissions.</p> | <p>When the LP is adopted the Council will review whether such an SPD is required.</p> <p>Recommended Response: No Change</p> |

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| ANON-KSAR-N89Q-1 | The mitigation of phosphorus products within our water sources is of importance to all life. The policy does not provide an answer. Wishes hopes and dreams are no answer to this problem affecting ALL life. | Comments noted but no suggested wording changes recommended. Recommended Response: No Change. |
| BHLF-KSAR-N8BQ-A Historic Environment Link here | The local planning authority will support the development or expansion of water supply, surface water drainage and wastewater treatment facilities where they are needed to serve existing or new development or in the interests of securing long term supply, provided that the need for such facilities is consistent with other policies such as the development strategy, flood risk, contamination and protection of the natural, historic and built environment and water supply. - Full doc in SP for mark ups | Comments Noted and 'Historic' added to the Policy'. Recommended Response: Add 'Historic' to the policy. |
| BHLF-KSAR-N8BE-X Environment Agency Link here | <p>Flood Risk</p> <p>It is our opinion that the Local Planning Authority (LPA) have not sufficiently demonstrated within their emerging Local Plan that there are no reasonably alternative sites in Flood Zone 1 (lowest flood risk) and that there is a need to provide development other than essential infrastructure or water compatible in functional FZ3b. We have not seen any evidence that the Sequential Test and Exception test has been undertaken and therefore consider that the emerging Winchester Local Plan is unsound. The Local Plan should be supported with a robust and credible evidence including a Strategic Flood Risk Assessment (SFRA). The outputs of the SFRA should be used to demonstrate that the LPA has applied the Sequential Test in line with the NPPF, to give them confidence to bring site allocations forward and that they are deliverable.</p> | Comments Noted. The Council will be preparing a Sequential Test and Exception Test ahead of the Regulation 19 Consultation. The brief for the work will be agreed with the Environment Agency prior to work commencing. Recommended Response: Consult with Environment Agency in regards to the brief for the Sequential Test and Exception Test Report. |
| | In accordance with the National Planning Policy Framework (NPPF) [paragraph 159] inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest | Comments Noted. The Council will be preparing a Sequential Test and Exception Test ahead of the |

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| | <p>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 inappropriate development in locations at All plans should apply a sequential, risk-based approach to the location of development – considering all sources of flood risk and the current and future impacts of climate change – to avoid, where possible, flood risk to people and property.</p> | <p>Regulation 19 Consultation. The scope of this work will be agreed with the Environment Agency.</p> <p>Recommended Response: Consult with Environment Agency in regards to the brief for the Sequential Test and Exception Test.</p> |
| | <p>Water Quality and Protection Some of the site-specific policies will need to be strengthened further in relation to the protection of groundwater. The most important groundwater resources in the district are currently at ‘poor’ status under the WFD. Ground water resources in the district are amongst the most sensitive in the region and are highly vulnerable to pollution. 80% of the district is underlain by principal aquifer and 46% of the district is within Source Protection Zones (covering the “potable water supply” abstraction points). These zones exist to protect public drinking water supplies and suitable pollution prevention measures are focused in these areas. In accordance with NPPF [para 174 and 183] planning policy should be looking to prevent unacceptable levels of water pollution and remediate and mitigate degraded and derelict contaminating and unusable land. Some of your site specific polices do not go far enough to protect our water environment particularly groundwater. We have provided further detailed comments on individual sites which you can find in appendix 1 of this response.</p> | <p>Comments Noted. The Council would welcome working with the Environment Agency in regards to the site specific policies.</p> <p>Recommended Response: Work with the Environment Agency in regards to water quality and protection in relation to the sites.</p> |
| | <p>Policy NE6 – Flooding, Flood Risk, and the Water Environment Further work is required on this emerging policy, it may-be beneficial to</p> | <p>Comments Noted.</p> |

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| | <p>have one policy focusing on flood risk and another specific to the water quality.</p> | <p>Recommended Response: No Change</p> |
| | <p>Para 5.70 - This paragraph reference pollution risks to the water environments, it would be good to specifically reference groundwater, as this can be overlooked.</p> | <p>Comments Noted. Assume this is a typo and referring to Paragraph 7.50 rather than 5.70. Paragraph 7.50 does make reference to groundwater.</p> <p>Recommended Response: No Change</p> |
| | <p>Para 5.73 - “Examples of potentially pollution generating uses include industrial and commercial development, educational establishments, health facilities, large community facilities, and some forms of leisure uses.” We would also suggest adding intensive agriculture to these examples.</p> | <p>Comments Noted. The Council have added ‘intensive agriculture’ to Paragraph 5.73 in the topic on High Quality, well designed places and living well.</p> <p>Recommended Response: Add ‘intensive agriculture’ to Paragraph 5.73 in the High Quality, well designed places and living well topic.</p> |
| | <p>Para 5.90 - Particular attention should be paid to developments which are sensitive to contamination, such as housing or educational establishments, or those that may impact directly or indirectly on water supplies, including locally and nationally important aquifers.</p> | <p>Comments Noted.</p> <p>Recommended Response: No Change</p> |
| | <p>Water Quality and Protection We would recommend that Source Protection Zones should be referenced here as these are the primary tool for determining a developments risk to</p> | <p>Comments Noted. The Council consider that this would be a matter for the supporting text rather than the</p> |

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| | <p>water supply abstractions. Suggestion for additional line. “Source protection zone mapping, highlight the areas where pollution poses the greatest risk to water supply abstractions used for potable supply.” It would strengthen the policy if something expressly relating to protection of the local water supplies was added for reasons already set out earlier in our response. It could just be another bullet point for requirements on developments stating something along the lines of the following. “Ensure appropriate level of ongoing protection of existing water abstraction in the vicinity of the development”</p> | <p>policy. Have added a reference to this under Paragraph 7.46</p> <p>Recommended Response: Add text “Source protection zone mapping, highlight the areas where pollution poses the greatest risk to water supply abstractions used for potable supply.”</p> |
| | <p>National Flood and Coastal Erosion Risk Management Strategy (NFCERM) Policy NE6 presents an opportunity to make national policy locally specific, considering local flood risk issues, circumstances and opportunities that support the delivery of the NFCERM Strategy. The NFCERM strategy describes what needs to be done by all risk management authorities (RMAs) involved in flood and coastal erosion risk management for the benefit of people and places.</p> | <p>Comments Noted.</p> <p>Recommended Response: No Change</p> |
| | <p>Strategic Flood Risk Assessment (SFRA) Section 7.51 of the Local Plan states: “Policy NE16 (should be NE6) therefore seeks to avoid flood risk to people and property where possible, and manage any residual risk through location, layout, and design, taking account of the impacts of climate change on changing flood risk as identified in the SFRA”. An SFRA is a key evidence document to support the LP and not a policy document, anything within an SFRA which you require developers to comply with needs to be included within the Local Plan as part of a site-specific policy.</p> | <p>Comments Noted. It is considered that this should not be included as a site-specific policy, as amendments to the Local Plan is a longer term process (i.e. a Local Plan) whereas an SFRA can be amended/ updated without the need for a Local Plan Review.</p> <p>Recommended Response: No Change</p> |

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| | <p>Flood Risk Assessments (FRA) This policy will need to clarify that future flood extents will be used to trigger the requirement for a site-specific FRA. Development proposals will be accompanied by a site-specific Flood Risk Assessment which assesses all sources of flood risk over the development's lifetime, including the latest available allowances for climate change, and sets out the specific measures required to reduce flood risk in accordance with this policy, where the development is located:</p> <ul style="list-style-type: none"> a. Within tidal or fluvial flood risk zones 2 or 3 b. Within flood zone 1, and identified by a SFRA as having an increased flood risk by the end of the development's expected lifetime c. On a site that is 1 hectare or more; or d. Within, or upstream of, an area which experiences critical drainage problems or may be subject to other sources of flooding (including groundwater and surface water flood risk) <p>Development proposal in flood risk zones Inappropriate development in areas at risk of flooding including climate change should be always avoided. All planning applications must be assessed using the sequential test in line with national policy, ensuring new development is located in zones with the lowest probability of flooding. Alternative sites must only be considered where it has been demonstrated there are no reasonably available alternatives. If alternative sites are considered, the exception test will then need to be applied due to the increased vulnerability of the proposal.</p> <p>Development proposals which are, or will by the end of their expected lifetime as identified within the Strategic Flood Risk Assessment, fall within a fluvial or tidal Flood Risk Zone 2 or 3, will be required to:</p> <ul style="list-style-type: none"> a. Make financial contributions towards flood risk improvements in both | <p>Comments Noted. We note the comments made but this would be too lengthy to include within the Policy and appears to repeat guidance/advice that is available elsewhere.</p> <p>Recommended Response: No Change</p> |
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| | <p>urban and rural flood risk areas. The financial contributions will go towards the provision of new, or maintenance of existing, or strategic flood defences for the future where development is located in current day flood risk areas and areas at risk of flooding in the future taking climate change into account.</p> <p>b. Locate more vulnerable uses in areas of the proposal least at risk of flooding for the lifetime of the development</p> <p>c. Achieve an appropriate degree of safety over the lifetime of the development by providing:</p> <p>I. Safe access and egress routes from the site to an area entirely outside of the flood risk zone during a design flood event.</p> <p>II. For more vulnerable uses (including residential uses):</p> <ul style="list-style-type: none"> • the finished floor levels will be above the design flood level; and • Basement accommodation containing habitable rooms will not be supported <p>III. For all uses the new development should:</p> <ul style="list-style-type: none"> • remain structurally sound • provide appropriate flood resistance / resilience measures where floor levels lie below the design flood level • Provide appropriate means of flood warning and an evacuation plan • Provide a safe refuge for an extreme flood event • not generate an increase in flood risk elsewhere, and where it is physically possible, reduce overall flood risk. • Provide flood plain storage compensation connected to the main river such that flood plain storage is not reduced. • Provide clear and robust justifications for proposals where development may be appropriate in planning and design terms. <p>Development proposals which are in the functional flood plain will only be</p> | |
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| | <p>supported either where the site is raised, or the strategic defence necessary to protect the site has been implemented, or the development is for water compatible uses or essential infrastructure, or if very exceptional circumstances can be demonstrated, and in all cases equivalent or greater flood plain storage compensation is provided.</p> <p>Surface Water flood risk</p> <p>Development must not increase net surface water runoff from greenfield sites, and for all other sites must reduce net surface water runoff to as close to greenfield rates as reasonably practicable, and where this is not fully achieved, demonstrate (with justification) that the maximum possible reduction has been achieved. Surface water discharges to foul sewers should not be supported and so any flows to a foul sewer must be separated.</p> <p>Development proposals which are within an area which has a present-day surface water flood risk in a design event may be supported if:</p> <ol style="list-style-type: none"> Entrance thresholds are no less than 100 mm above ground level Appropriate flood resistance / resilience measures are provided. <p>Watercourses – main river, culverts, ordinary watercourses.</p> <p>Where a development site includes or is immediately adjacent to a watercourse (above or below ground):</p> <ol style="list-style-type: none"> Development will not be supported within 8 metres of the watercourse The watercourse will be restored to its natural state, with any culverts removed unless their removal is impractical, to enable flood storage and to enhance biodiversity and amenity Culverting of watercourses will not be supported <p>Impermeable development areas</p> <p>Development proposals shall not increase the area of impermeable surfaces. Permeable surfaces, including permeable paving should be used</p> | |
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| | <p>wherever possible, and runoff from any increase in impermeable area should be mitigated for.</p> <p>Sustainable Drainage Ensure drainage is designed in accordance with the most up to date National Standards for Sustainable Drainage, the CIRIA SuDS Manual and the Local SuDS Design Guidance and is accompanied by a management and maintenance plan covering the lifetime of the development, with evidence of an agreement of adoption or management company supplied. Sustainable drainage systems are not generally used to mitigate fluvial or tidal flood risk, and therefore development must not be in areas that would be inundated during these events as they will become ineffective. Where possible, financial contributions should be sought from the developer for the maintenance and improvement of drainage infrastructure. This is to mitigate the impact on the sewer network and local drainage to ensure there are no adverse impacts arising as a result of the development.</p> <p>Site Clearance Any clearance of trees and/or vegetation from sites will decrease interception and infiltration of rainfall. It should be demonstrated that the resulting impact of increased run-off from the site has been considered and appropriate mitigation has been put in place.</p> | |
| | <p>Climate change To account for a changing climate, all drainage systems must be designed to accommodate the requirements of the development site for the lifetime of the development and demonstrate that they are able to function during extreme rainfall events with the appropriate climate change allowances applied. This should include consideration of likely overland flow paths in the event that drainage systems are overwhelmed or blocked.</p> | <p>Comments Noted.</p> <p>Recommended Response: Add additional criteria to Policy NE6.</p> <p>To account for a changing climate, all drainage systems</p> |

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| | | <p>must be designed to accommodate the requirements of the development site for the lifetime of the development and demonstrate that they are able to function during extreme rainfall events with the appropriate climate change allowances applied. This should include consideration of likely overland flow paths in the event that drainage systems are overwhelmed or blocked.</p> |
| | <p>Development design - Water catchment We would like to see recognition that both urban and rural areas are part of the water catchments. All measures (for a strategic defence and for individual sites) will integrate so far as possible with the principles of good design for the site and wider cityscape, including public access to and along the waterfront.</p> | <p>Comments Noted. The district does not have any waterfront areas.</p> <p>Recommended Response: No Change.</p> |
| | <p>Natural Flood Management (NFM) We note NFM has not been included in any of the policies within the Local Plan, we have provided comments with regards to NFM in relation to the emerging Green/Blue green infrastructure policy, the same comments also apply to this policy.</p> | <p>Comments Noted. A reference to 'nature based solutions' has been incorporated into the policy in relation to other comments and are referred to in a number of other LP policies.</p> <p>Recommended Response: No Change</p> |

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| <p>BHLF- KSAR- N86N-U</p> | <p>Para 7.49 of the supporting text should be clarified. Where there are drainage capacity issues, and there are no improvements planned by the utility provider, evidence that bespoke improvements can and will be needed should be provided, either by the utility provider or developer funded improvements. Criterion i should be clarified to explain that the Council will apply the sequential test (when it is triggered) on a case by case basis, applying an appropriate area of search for alternative locations at a lower risk of flooding.</p> | <p>Comments Noted. It is considered that this is already clear in the supporting text and do not suggest a substantive wording alteration. The Council have made it clear with the footnote to the policy that Sequential and Exception tests will be required as set out in the NPPF and the policy does not deviate from this advise. It would not be appropriate to list all the development where a sequential and exception test applies, as this would merely repeat the NPPF, which Local Plans seek to avoid.</p> <p>It is however recognised that the footnote reference needs to be moved to “Applies a Sequential Test to the location⁷” so it is clear this is when the NPPF criterion are applied.</p> <p>Recommended response: Move the footnote link in criterion i as set out above.</p> |
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Comments which didn't answer NE6 - flooding, flood risk and the water environment

| Respondent number | Comment | Officer comment |
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| BHLF-KSAR-N8ZD-N | <p>Policy NE6 – Flooding, Flood Risk and the Water Environment 9.3 Croudace support the principle of this Draft Policy. However, the first point is not expressed sufficiently clearly and appears to indicate that Sequential Tests Assessments will be required for all applications. 9.4 However, not all developments are required by the NPPF to undertake the Sequential or Exception tests. The policy should therefore be reworded to remove ambiguity and clearly set out which sites are required to undertake a Sequential Test, rather than requiring all developments to provide one.</p> | <p>Comments Noted. It is considered that this is already clear in the supporting text and do not suggest a substantive wording alteration.</p> <p>The Council have made it clear with the footnote to the policy that Sequential and Exception tests will be required as set out in the NPPF and the policy does not deviate from this advise. It would not be appropriate to list all the development where a sequential and exception test applies, as this would merely repeat the NPPF, which Local Plans seek to avoid.</p> <p>It is however recognised that the footnote reference needs to be moved to “Applies a Sequential Test to the location⁷” so it is clear this is when the NPPF criterion are applied.</p> |

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| | | Recommended response: Move the footnote link in criterion i as set out above. |
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| | Recommendations | Officer response |
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| Comments from SA | Policy NE6 could be strengthened by requiring development conserves and enhances the natural flood storage value of the water environment, including watercourse corridors and catchments. | Policy NE6 now includes reference to support for natural flood management schemes. |
| | Policy NE6 could be further strengthened by requiring development to open up any culverted watercourse, where safe and practicable. This approach could be used to support ecological improvements and create assets that are benefit to local community, such as recreation. | <i>Add additional policy criterion viiii., 'The local planning authority will support the opening up of culverted watercourses as part of the design process to support ecological and biodiversity improvements, where this has been demonstrated that it is feasible and safe to do so.'</i> |
| Comments from HRA | | |

Supporting Text

7.46. The most important groundwater resources in the district are currently at 'poor' status under the WFD. Ground water resources in the district are amongst the most sensitive in the region and are highly vulnerable to pollution. 80% of the district is underlain by principal aquifer and 46% of the district is within Source Protection Zones (covering the abstraction points). These zones exist to protect public drinking water supplies and suitable pollution prevention measures are focused in these areas. **Source**

protection zone mapping highlight the areas where pollution poses the greatest risk to water supply abstractions used for potable supply.

7.51 . Policy NE16 therefore seeks to avoid flood risk to people and property where possible, and manage any residual risk through location, layout and design, taking account of the impacts of climate change on changing flood risk as identified in the SFRA. This includes making space for water by directing development to areas at lowest flood risk first, protecting sites required for flood risk management and the use of sustainable drainage systems (SuDS¹) **and rainwater gardens** where appropriate.

All planning applications, except those within **Flood Zone 1**, on sites less than 1 hectare and not in a critical drainage area⁴ will require a flood risk assessment. Applications will be assessed using the sequential test in national policy which requires new development to be located in zones of the lowest probability of flooding first (**Flood Zone 1**)⁵ . Alternative sites with higher probability of flooding (**Flood Zone 2** and then **Flood Zone 3**) will only be considered where there are no reasonably available alternative sites. The vulnerability of the proposed land use to the flood risk will then also be taken into consideration by applying the 'Exceptions Test' if required. This will consider proposals for vulnerable development usually inappropriate to the flood zone. These proposals will need to demonstrate: that there are no suitable alternative sites; that the development provides wider sustainability benefits to the community that outweigh flood risk; and that the development will be safe for its lifetime, taking account of the vulnerability of its users without increasing flood risk elsewhere, where possible reducing flood risk overall

Add new paragraph after paragraph 7.52:

All planning applications, except those within Zone 1, on sites less than 1 hectare and not in a critical drainage area will require a flood risk assessment.

Amendments to policy

The local planning authority will permit development provided it avoids flood risk to people and property and complies with the following:

- i. Applies a Sequential Test to the location, and the Exception Test if required, and applying the sequential approach at the site level⁷;
- ii. Manages flood risk from new development to ensure risk is not increased elsewhere and that opportunities to reduce the causes and impacts of flooding within the district through development are taken;
- iii. Manages flood risk from new development by ensuring drainage off site has enough capacity to service the new development;
- iv. Safeguards land and designated structures and features from development that is required for current and future flood management;
- v. Includes sustainable water management systems such as Sustainable Drainage Systems (SuDS)² which must be considered at the outset and should be designed to meet the relevant standards and accompanied by a management plan **for the lifetime of the development**;
- vi. Is located at a sufficient distance from existing wastewater treatment works to allow adequate odour dispersion, or takes appropriate odour control measures.
- vii. Ensures that water supply, surface water drainage and wastewater infrastructure to service new development are provided and, **where necessary, occupation of development is phased to align with the delivery of infrastructure.** ~~connect to the nearest point of adequate capacity where feasible.~~

Add new criterion:

- viii. Prioritise and explore the opportunities for Natural Flood Management for all proposals in areas at risk of flooding for the lifetime of the development before any hard engineering flood defences or water attenuation measures are proposed.**

These should be designed to maximise the benefit to flood risk management, water quality, biodiversity, and amenity to provide attenuation and biodiversity enhancement.

ix. For major new build development, the presumption should be for the inclusion of above ground features including green roofs/walls, rain gardens, bio-retention areas and swales, and features that provide multi-functional uses to maximise benefit to flood risk management, water quality, biodiversity, and amenity to provide attenuation and biodiversity enhancement. All other developments should at least demonstrate that they have considered such measures.

To account for a changing climate, all drainage systems must be designed to accommodate the requirements of the development site for the lifetime of the development and demonstrate that they are able to function during extreme rainfall events. This should include consideration of likely overland flow paths in the event that drainage systems are overwhelmed or blocked.

The local planning authority will support the development or expansion of water supply, surface water drainage and wastewater treatment facilities **including natural flood management schemes. There will be cases** where they are needed to serve existing or new development or in the interests of securing long term supply, provided that the need for such facilities is consistent with other policies such as the development strategy, flood risk, contamination and protection of the **historic**, natural and built environment and water supply.

If there is an overriding reason why SuDS is not achievable this must be evidenced with justification for the alternative approach being taken. **Surface water will not be permitted to connect to the foul drainage network.**

The local planning authority will support the opening up of culverted watercourses as part of the design process to support ecological and biodiversity improvements, where this has been demonstrated that it is feasible and safe to do so.'