

Environment Agency
North Somerset Council Core Strategy Examination in Public.

The Environment Agency's position statement detailed hereunder is in response to the three elements identified under Examination Issue 3f (Flood Risk).

a. Application of Sequential and Exception Tests of PPS25 with respect to selected development locations.

The Environment Agency's assessment of proposed strategic allocations, from a flood risk management perspective, necessitates an understanding of the Local Planning Authority's (LPA) approach to the requisite application of the Sequential Test, in accordance with Planning Policy Statement 25 – Development and Flood Risk (PPS25). The requirement for LPAs allocating land in LDDs to demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed is a central flood risk management policy precept. As detailed in PPS25 and the Flood Risk Management Hierarchy, detailed in the Practice Guide to PPS25, the satisfactory application of the Sequential Test must be undertaken and passed, prior to the application of the Exception Test. North Somerset Council has acknowledged the requirement to undertake the Sequential Test as an integral element of the site selection/allocation process. This issue is detailed within the Core Strategy, primarily within Policy CS3 and the subsequent Sequential/Exception Test Paper for the Weston Villages received by email on 4 August 2011.

It is recognised that, notwithstanding part (a) of the Exception Test i.e. the requirement imposed on the LPA to demonstrate that the proposed allocation/development provides wider sustainability benefits that outweigh flood risk (informed by a SFRA) it is incumbent on the LPA to evaluate pertinent socio/economic considerations and accord appropriate 'weighting' as an integral element of the site selection/allocation process. The Agency accepts that, as the Local Authority, North Somerset Council is ideally positioned to identify and determine the nature and extent of pertinent local socio/economic issues and the means by which these may be most appropriately addressed and resolved. As outlined above, PPS25 provides for the appreciation and appropriate weighting of such issues, and the potential for them to outweigh flood risk as a decision process determinant, subject to flood risk vulnerability and flood zone 'compatibility' as detailed in PPS25 (Table D.3). Accordingly, the potential area of search for Sequential Test purposes may be determined by, inter alia, local socio/economic issues.

The Environment Agency previously expressed concern regarding North Somerset Council's proposed allocation of land within flood risk areas, to secure the delivery of its strategic targets, without fully justifying the decision making process. The subsequent submission of North Somerset Council's Sequential/Exception Test Paper for the Weston Villages proposal has provided a degree of assurance regarding the Council's site selection and allocation process by detailing the pressing socio/economic issues faced by North Somerset Council, particularly in respect of Weston-super-Mare and the need for such issues to be resolved to ensure the future viability of the town in a sustainable manner. This, North Somerset Council contends, necessitates the level of development in the locations now proposed, in preference to alternative sites with a lower probability of flood risk. The proposed developments, together with the associated delivery of key infrastructure, which is viewed by the

council as fundamental to the regeneration of the principal urban area, additionally has the potential to provide betterment in terms of reduced flood risk to third party land and property, in accordance with part (c) of the Exception Test and the agreed flood risk management strategy.

b. Flood prevention measures required for Weston Villages and their design and delivery.

NSC documents referred to for response:

- Weston-Super-Mare Flood Management Study Phase 2 March 2007
- North Somerset Council Level 2 SFRA for WSM dated June 2010.
- ED/16 – Notes on Infrastructure provision at Weston Villages
- ED/12, 12a – Infrastructure Delivery Plan dated September 2011

The Environment Agency supports the proposed flood risk management infrastructure proposed within the Councils Infrastructure Delivery Plan and their Level 2 Strategic Flood Risk Assessment (SFRA) for Weston-Super-Mare (WSM).

We have been an active partner in the “Weston Vision” since 2006 with North Somerset Council, SWRDA and English Partnerships. In 2007, we contributed £100,000 towards the “Weston Flood Management Study Phase 2 Options” Report.

The Phase 2 study assessed the original RSS proposal and identified a flood risk management strategy that would deliver a fluvial flood defence scheme for WSM to protect both existing property and to facilitate future development identified in NSC draft Core Strategy. Twenty-four options (across both catchment areas) were examined through the detailed hydraulic modelling process to identify a preferred option in terms of flood risk mitigation. The study recommended the creation of a lake and wetland area (aka the super pond) on the Uphill Great Rhyne (UGR) and a compound channel on the River Banwell.

Following the reduced housing numbers proposed by the LPA at WSM, the above study was re-appraised (Phase 3) in 2010. The outcome from Phase 3 was that both schemes were still technically required to enable their Core Strategy proposals and to gain flood risk betterment to both catchments in accordance with PPS25.

The outcomes from this partnership project will not only provide a flood risk reduction to existing and new properties (latest modelling shows 184 properties in the UGR catchment will be removed outside the floodplain), but they will both provide a multi-functional area that will improve the biodiversity/amenity value of the area.

In light of recent planning application pressures, modelling uncertainties, and the need to finalise the costs/funding of both schemes, as identified in our letter 01 July 2011, NSC have compiled a design brief for taking the flood risk management concepts to detailed design. We are pleased with this decision and have provided technical advice to inform the scope of the project. We will be sitting on the Project Team to assist in the technical feasibility of both schemes. In addition, we have recently submitted a funding bid of £50K to assist the detailed design phase of NSC project (Detailed design costs £200K). We are expecting to hear from our Board Members shortly on whether our bid has been successful.

c. Flood prevention measures required for Weston-Super-Mare and the North Somerset as a whole and their design and delivery.

NSC documents referred to for response:

- Weston-Super-Mare Flood Management Study Phase 2 March 2007
- North Somerset Council Level 2 SFRA for North Somerset Council dated September 2009.
- ED/16 – Notes on Infrastructure provision at Weston Villages
- ED/12, 12b – Infrastructure Delivery Plan dated September 2011

For the new Weston Urban Villages, there is an agreed infrastructure approach, which will also benefit existing settlement areas of WSM. Any further windfall development in WSM within the floodplain will need to be supported by a flood risk assessment to determine the sequential test, the flood risks and any mitigation to make it safe development in accordance with PPS25.

NSC have confirmed that for the remaining existing settlement areas within their district e.g. Clevedon, Nailsea, Wrington, Congresbury and Portishead only minor development is coming forward. Therefore, we would expect the flood risk principles of PPS25 to be applied, which follow the flood risk hierarchy i.e. assess-avoid-substitute-control-mitigate.

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