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## PPS 25: Development & Flood Risk

### Overview

A revised Planning Policy Statement (PPS) *25 Development and Flood Risk* has been published. PPS 25 replaces the existing PPG 25 issued in 2001 and seeks to use planning to mitigate the impact of and adapt to climate change. As the PPS points out, climate change over the next few decades is likely to mean milder wetter winters and hotter drier summers in the UK, while sea levels will continue to rise. These factors will lead to increased and new risks of flooding within the lifetime of planned developments.

PPS 25 seeks to contribute towards sustainable development by avoiding, reducing and managing flood risk. This is to be achieved by the introduction of a more rigorous and explicit approach which seeks to incorporate assessments of flood risk at all stages of plan making and in determining planning applications. A key change in the new PPS is the requirement for flood risks to be taken into account at all the stages of development.

### Key Features

The overall aim of decision-makers should be to steer new development to areas that have the lowest probability of flooding.

The risk of flooding should be considered alongside other spatial planning issues such as housing demand, transport, economic growth, etc.

Regional Spatial Strategies and sub-regional plans will be prepared in parallel with Regional Flood Risk Appraisals. Local Development Frameworks (LDFs) will be accompanied by Strategic Flood Risk Assessments.

The Sustainability Appraisal of Local Development Documents (LDDs) should incorporate the outcome of Regional Flood Risk Appraisals and Strategic Flood Risk Assessments.

Submission of sites to be considered as LDDs and/or planning applications should include Flood Risk Assessments. These can be incorporated into Environmental Appraisals where required.

A Sequential Approach for appropriate site selection will be applied by regional planning bodies and local authorities. This will seek to demonstrate that there are no reasonably available sites with a lower probability of flooding for the type of development proposed.

Where no other land is available following the Sequential Approach and development is to be on land with a medium or high annual probability of flooding an Exception Test will be applied. This will need to demonstrate that wider sustainability benefits (e.g., the use of previously developed land) outweigh flood risk.

The Environment Agency has an enhanced role in the drawing up of Regional Flood Risk Appraisals, Strategic Flood Risk

Assessments and in the determining of planning applications. The Environment Agency will be consulted on all applications for development in medium and high flood risk areas. There agreement is necessary if the proposal is not to be referred to the Secretary of State for approval.

## **Main Changes from Current Position**

The role of the Environment Agency in the planning applications process has been enhanced. The Government were concerned that around 12% of developments that the Environment Agency objected to proceeded. The new guidance as well as other changes will require that the Environment Agency be consulted on virtually all applications on areas of medium and high flood risk. Local Planning Authorities will need to agree courses of action which will allow the Environment Agency to withdraw their objection. If disagreement persists then Local Planning Authorities need to notify the Secretary of State in order to provide an opportunity for the application to be called-in for ministerial decision.

A further key change is guidance on the requirement for Flood Risk Assessments. These will now be required at all stages in the development process. FRAs come in three main forms:

- Regional Flood Risk Appraisals for Regional Spatial Strategies.
- Strategic Flood Risk Assessments for Sub-regional plans and Local Development Frameworks, and
- Flood Risk Assessment for site specific proposals.

## **Flood Risk Zones**

Development location will now be determined by the flood zoning system:

**Zone 1:** Low probability (less than 1 in 1000 annual probability).

**Zone 2:** Medium probability (between 1 in a 100 and 1 in a 1000 annual probability).

**Zone 3a:** High probability (greater than 1 in 100 annual probability of river flooding).

**Zone 3b:** Area regularly floods.

## **Implications**

Following advice from the Environment Agency a number of local authorities are undertaking retrospective Flood Risk Assessments of Core Strategies in their LDFs. This will have the effect of delaying progress on LDFs.

Actions for agents, developers and landowners:

- Be aware of Environment Agency Flood Map designations of land (see [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)).
- Ensure that Regional Flood Risk Appraisal and Strategic Flood Risk Assessments accurately reflect characteristics of land.
- Ensure that Flood Risk Assessments are included with submission for Local Development Documents.
- Ensure that Flood Risk Assessments are included are part of planning applications.

## **Further information and advice**

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