

## CC141 Flood Risk Screening Evidence (May 2021)

**Document CC127 Sequential test identifies 26 allocation sites where flood risks have been identified. The Council is requested to provide flood risk screening evidence relating to the other allocation sites or to clarify what approach has been taken. This is requested in the context that a number of representations query the exclusion of allocations sites where flood risk has previously been identified in the Council's evidence base. This includes LP1451, LP1567, LP0952 and LP1618.**

The Council has previously clarified the approach that it has taken in relation to flood risk in the Environment Agency Position Note ([CC42](#)) and the Matter 12 - Site assessment process and the Green Belt Hearing Statement (HS12.1). The approach is outlined below but has been updated to take account of the flood related evidence work the Council is undertaking or has completed following the stage 2 hearings.

In order to inform the Sequential Approach to the allocation of development through the Local Plan, the Local Plan Potential Site Assessment Summary Report ([EV19.1](#)) details a high level GIS screening exercise overlaying the potential development site allocations against Flood Zones 1, 2, 3a, 3ai and 3b and calculates the area of each site at risk. Surface water risk to potential sites is assessed by way of the Environment Agency's updated Flood Map for Surface Water (uFMfSW). The accompanying Development Site Assessment Excel spreadsheets ([EV19.2](#), [EV19.3](#), [EV19.4](#) and [EV19.5](#)) provide a breakdown of each site and the area (in hectares) and percentage coverage of each fluvial flood zone and each surface water flood zone. Fluvial Flood Zones 3b, 3ai, 3a, 2 and 1 are considered in isolation. Any area of a site within the higher risk Flood Zone 3b / 3ai that is also within Flood Zone 3a is excluded from Flood Zone 3a and any area within Flood Zone 3a is excluded from Flood Zone 2. This allows for the sequential assessment of risk at each site by addressing those sites at higher risk first. One of the following recommendations was made for each site assessed:

- Strategic Recommendation A – Consider withdrawal of site;
- Strategic Recommendation B – Exception Test;
- Strategic Recommendation C – Consider site layout and design;

- Strategic Recommendation D – Subject to FRA; and
- Strategic Recommendation E - Permitted subject to consultation with the LPA /LLFA.

When applying the above recommendations to the site selection process, the Council further considered a number of local circumstances which had the potential to affect the outcome of the recommendation for each individual site. Examples of such local circumstances include the following:

- Existing planning permissions may be in place on some sites where the Environment Agency have already passed comment and / or agreed to appropriate remedial works concerning flood risk. Previous flood risk investigations or FRAs may already have been carried out at some sites.
- Some sites may be able to develop around the flood risk. Planners are best placed to make this judgement i.e. will the site still be deliverable if part of it needs to be retained to make space for flood water?
- Surrounding infrastructure may influence scope for layout redesign or removal of site footprints from risk.
- Current land use. A number of sites may be brownfield thus the existing development could be taken into account as further development may not lead to increased flood risk.
- Cumulative effects. New development may result in increased risk to other potential or existing sites.

Following the above stated site selection processes, 12 potential development sites were identified where further more detailed site specific assessment was required to confirm their potential suitability with respect to flood risk. The Level 2 SFRA report ([EV20](#)) provides a summary table for each Level 2 site and incorporates the following:

- Screening FRA;
- Outline drainage strategy; and
- Level 2 site screening assessment.

The Level 2 SFRA report ([EV20](#)) includes updated recommendations for the Local Planning Authority (LPA) as to the likely suitability of each potential development site in terms of flood risk.

The Sequential Approach has been integrated into all stages of the development planning process and provides the opportunity to reduce flood risk to people, their property and the environment to acceptable levels. The flood risk management hierarchy has been used as a basis for site allocations for development in the Local plan, where decisions have been based on avoiding, substituting, controlling and mitigating flood risk. Steps 1-6 have been carried out either directly by the Local Authority in terms of carrying out SFRAs at level 1 and level 2 and incorporating this, combined with local knowledge, into site assessments and site allocation recommendations. Additionally, site specific requirements will be placed on landowners and developers at allocated sites to provide site specific flood risk assessments, SuDS, flood resilient design and construction and, where relevant, further flood defences.

It should be noted that further site screening exercises have been carried out as the plan has progressed and new sites have been added to the list of potential site allocations. All sites with an identified flood risk proposed by the Council in January 2020 have been subject to the above process.

Following the stage 2 hearing on Matter 12 - Green Belt and allocation policies general, held on Wednesday 14th October 2020, the Council agreed to prepare a note summarising the existing evidence contained in the Local Plan Examination Library as set out above and demonstrate that a sequential test had been passed on each site with known flood risk ([CC127](#) and [CC127a](#)). The Council also agreed to carry out Exception Tests for sites LP0327 – Todmorden; and LP0573 – Brighouse. Please note that the Council is no longer proposing to carry out an exception test for site LP0573 as it is no longer proposing to allocate it as a mixed use site. The exception test for LP0327 is currently being undertaken and is due to be completed mid-June 2021.

Specifically, the Inspector has queried the existence of flood risk screening data for 4 proposed allocations which have received high levels of objection from

residents. The screening exercise detailed above provides the following recommendations for these sites:

- LP1451 – Land between Bradley Wood and Woodhouse Lane, Rastrick, Brighouse.  
Proposed use: Garden Suburb.  
Site Size: 52.25ha.  
Exclusively located in Flood Zone 1 with a small surface water flood risk.  
Screening Recommendation D: Subject to FRA
- LP1567 – Land adjacent to Exley Lane, Elland.  
Proposed use: Housing Site.  
Site Size: 18.21 ha.  
Exclusively located in Flood Zone 1 with a small surface water flood risk.  
Screening Recommendation D: Subject to FRA.
- LP0952 – Land at New Gate Farm, Saddleworth Road, Greetland, Elland.  
Proposed use: Housing Site.  
Site Size: 10.66 ha.  
Exclusively located in Flood Zone 1 with a small surface water flood risk.  
Screening Recommendation D: Subject to FRA.
- LP1618 – Land West of Huddersfield Road, Brighouse, HD6 3RT.  
Proposed use: Employment Site.  
Site Size: 6.99 ha.  
Exclusively located in Flood Zone 1 with a small surface water flood risk.  
Screening Recommendation D: Subject to FRA.

Whilst each of the sites has a small surface water flood risk, it is considered that these issues should be manageable through careful consideration of site layout and design around the flood risk early in the planning stage. Each of these sites requires the submission and approval of a Flood Risk Assessment at the Planning Application stage. It should be noted that similar data has been supplied and published on the Local Plan Examination library for all the sites proposed in the Local plan and can be found in the site screening report and accompanying spreadsheets highlighted above ([EV19.2](#), [EV19.3](#), [EV19.4](#) and [EV19.5](#)).

Notwithstanding the above, Local Plan Policy CC2 requires new development to follow a sequential risk-based approach and be directed away from flood zones 2 and 3 in accordance with the principles of the National Planning Policy Framework. Policy CC2 also requires development to have full regard to and compliance with the advice of the Environment Agency, the objectives and priorities for flood risk management set out in the Local Flood Risk Management Strategy and the published evidence of local flood risk and its significance as included in Strategic Flood Risk Assessments, Surface Water Management Plans and other recognised sources of flood risk data.