

# Policy Context

## Background

- 1.1 This section provides an overview of the national, regional and local policies relevant to flood risk within the study area. The sustainable flood risk management recommendations within this document need to be considered by ENPA and WSC with respect to future planning decisions.

### Making Space for Water

- 1.2 The Government released Making Space for Water in March 2005 (Defra, 2005) after a consultation period. Its intention is to inform the development of a new strategy on the management of issues surrounding flood risk and coastal erosion for the next 20 years. The report recognises the requirement for a holistic approach between the various responsible bodies, including flood defence operating authorities, sewerage undertakers and highways authorities, to achieve sustainable development. Making Space for Water does not state specific policies but provides the Governments objectives on:

- Land use planning – it strongly encourages Flood Risk Assessments to be prepared at all levels of the planning process;
- Rural issues – it promotes the environmental pillar of sustainable development through the use of wetlands and washlands, and managed realignment of coasts and rivers;
- Integrated urban drainage management – it is committed to ensuring that SuDS techniques are incorporated in new developments;
- Coastal issues – it seeks to develop a more strategic and integrated approach to managing coastal flooding and erosion risks; and
- Living with flood risk - it identifies that there is a need to raise awareness and preparation in local communities for the changing flood and erosion risks resulting from climate change. The protection of the functional floodplain forms an integral aspiration of the strategy.

### Planning Policy Statement 25: Development & Flood Risk (DCLG, 2006)

- 1.3 This planning policy document establishes the national policy for development and flood risk. The overarching aim of PPS25 is to support the Government's objectives for sustainable development.

*'The aims of planning policy on development and flood risk are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at high risk'.*

- 1.4 The core principles of PPS25 and the accompanying Practice Guide include:

- Allocate all sites in accordance with the Sequential Test, reduce the flood risk and ensure that the vulnerability classification of the proposed development is appropriate to the flood zone classification;

- FRAs should be undertaken for all developments within Flood Zones 2 and 3 and sites with identified flood sources to assess the risk of flooding to the development and identify options to mitigate the flood risk to the development, site users and surrounding area;
- FRAs are required for all major developments in Flood Zone 1 and areas within Flood Zone 1 identified with critical drainage problems. It should be noted that the Environment Agency are statutory consultees for operational development greater than 1 hectare;
- Flood risk to development should be assessed for all forms of flooding; and
- Where floodplain storage is removed, the development should provide compensatory storage on a level for level and volume for volume basis to ensure that there is no net loss in flood storage capacity.

## Regional Policies

### Draft Regional Spatial Strategy (South West Regional Assembly)

- 1.5 The South West Regional Assembly published the draft South West RSS in June 2006. A draft revised Regional Spatial Strategy was published in July 2008. The RSS will supersede County Structure Plans as the statutory development planning document, and covers a period up to 2026. One of the important roles of the Draft RSS is to translate strategies into proposals for the provision of new houses.
- 1.6 The Draft RSS sets out the growth and dwelling requirements for the South West. This indicates that there is a requirement for 20 dwellings per annum (400 total) within Exmoor National Park and 125 dwellings per annum (2500 total) for West Somerset over the plan period.
- 1.7 Flood risk forms one of the key drivers for enhancing the 'quality of life' contained within the Draft RSS. Policy F1 complements the sequential approach outlined in PPS25 by directing growth to areas where it can be accommodated with little or no risk of flooding, whilst existing development needs to adapt and defend against the increasing risk from flooding taking account of climate change. Policy F1 seeks to:
- Defend existing properties and, where possible, locate new development in places with little or no risk of flooding;
  - Protect floodplains and land liable to tidal or coastal flooding from development;
  - Follow a sequential approach to development in flood risk areas;
  - Use development to reduce the risk of flooding through location, layout and design;
  - Relocate existing development from areas of the coast at risk, which cannot be realistically defended;
  - Identify areas of opportunity for managed realignment to reduce the risk of flooding and create new wildlife areas.

## Sub Regional Policy

### Somerset and Exmoor National Park Joint Structure Plan Review 1991- 2011 (Adopted April 2000)

- 1.8 This plan provides a strategic policy framework for land use planning, development and transport across the administrative areas of West Somerset and Exmoor National Park up to 2011. The policies contained within the Joint Structure Plan are at present used to inform the Local Development Framework until replaced by the Regional Spatial Strategy. The two policies relevant to this SFRA are:
- Policy 60 Floodplain Protection: Areas vulnerable to flooding should continue to be protected from development, which would cause a net loss of flood storage area or interrupt the free flow of water or adversely affect their environmental or ecological value. In allocating land for development in local plans, consideration must be given to measures to mitigate the impact on the existing land drainage regime to avoid exacerbating flooding problems.
  - Policy 61 Development Areas Liable to Marine Flooding: Provision should only be made for development in areas vulnerable to marine or tidal flooding where; the development is needed in that location, no alternative exists for the development and adequate measures exist or can be readily provided to protect the development.

## Local Policies

### Exmoor National Park Local Plan (Adopted March 2005)

- 1.9 The Exmoor National Park Local Plan guides development within the administrative area up to 2011 including minerals and waste. The Exmoor National Park Local Development Framework (LDF) will replace the Local Plan in the future. This SFRA forms part of the evidence base used to inform policies contained within the emerging LDF. At present, the policies contained within the Local Plan relevant to flood risk are:
- Policy U7: The National Park Authority will seek to reduce the risk of flooding through the application of a risk-based approach to development in accordance with a sequential test. Development in areas of high flood risk as shown as the Proposals Map or other areas considered to be at risk of flooding will not be permitted unless:
    1. *there is no reasonable location available in a low risk category, consistent with National Park purposes and other sustainable development objectives; and*
    2. *the development is protected from flooding to the appropriate standard throughout its lifetime and is appropriately planned and designed;*
    3. *any flood defence works conserve and enhance the natural beauty, wildlife and cultural heritage of Exmoor and do not result in exacerbating flood risk.*
  - Policy U8: *New development that generates surface water run-off likely to increase the risk of flooding or cause damage or pollution to the river environment will not be permitted. To avoid adding to flood risks elsewhere, new development should, wherever possible, incorporate sustainable drainage measures*
- 1.10 It should be noted that these policies are currently saved and maybe subject to revision as part of the LDF.

## Exmoor National Park Management Plan 2007 to 2012

1.11 The Exmoor's Natural, Resources, Waste and Pollution objective is as follows:

*'By 2020, Exmoor's air, water and soil are of high quality and we will be closer to achieving a carbon-neutral National Park to help tackle climate change'*

1.12 Objective D1, Target D.15 is specifically relevant to flood risk management within Exmoor:

*'A Strategic Flood Risk Assessment will be completed by the end of 2009 to ensure that future development takes place with adequate regard to flooding and flood risk. The process shall include the mapping of 'Functional Floodplain' areas, as defined within the government's Planning Policy Statement 25 (PPS 25). Lead organisations: Exmoor National Park and Environment Agency'*

## West Somerset Local Plan (Adopted April 2006)

1.13 The West Somerset Local Plan guides development within the administrative area up to 2011 excluding minerals and waste. The West Somerset Local Development Framework (LDF) Core Strategy document will replace the Local Plan in the future. At present, the policies contained within the Local Plan relevant to flood risk are:

- *Policy W/6: Development which would result in significant additional surface water run-off and result in contributing to an increase in the risk of flooding within the site and elsewhere, particularly in relation to areas liable to flooding (as shown on the Proposals Map) will only be permitted where appropriate mitigating measures are taken as a part of the development.*
- *Policy W/7: Development on flood plains or that which would result in increased flood risk of water courses, land and property, whether on the site or elsewhere will only be permitted where satisfactory environmentally acceptable measures are undertaken to mitigate these risks.*

1.14 It should be noted that these policies are currently saved and will be carried forward into the LDF Core Strategy document.

## Somerset County Council Minerals Local Plan and Waste Local Plan (Adopted April 2004 and February 2005)

1.15 The Somerset County Council Minerals Local Plan and separate Waste Local Plan guides development within the administrative area up to 2011. The Somerset County Council Local Development Framework (LDF) Minerals Core Strategy and Waste Core Strategy documents will replace the existing Local Plans when adopted. At present, the policies contained within the Minerals Local Plan (M) and Waste Local Plan (W) relevant to flood risk are:

- *Policy M13: Proposals for mineral development will only be permitted where they will not have a harmful effect on the quality or quantity of any ground or surface water resource in terms of the risk of pollution and/or derogation of the resource; the future use of the resource; and the ecological value of the resource.*
- *Policy M14: Proposals for mineral development will only be permitted where:*
  1. *the proposal will not increase the risk of flooding in the vicinity of the site, in the water catchment within which the site lies or elsewhere;*

2. *the proposal will not prevent the proper maintenance of the channels of watercourses;*
3. *the proposal will not have a significant harm on the integrity of tidal or fluvial defences;*
4. *the proposal will not result in watercourse channel instability.*

- *Policy W16 – Landfill for beneficial purposes: The proposed development will have no adverse effect on surface drainage or flood storage capacity. (This is an excerpt relating to flood risk from the wider Policy W16).*

1.16 It should be noted that these policies are currently saved and will be carried forward into the LDF Core Strategy document.

## Environment Agency Guidelines

### Catchment Flood Management Plan (CFMP)

1.17 CFMPs are high-level strategic planning documents that provide a catchment overview of the main sources of flood risk and how these can be managed in a sustainable way for the next 50 to 100 years. The Environment Agency engages stakeholders within the catchment in order to produce policy options in terms of sustainable flood management solutions whilst also considering the land use changes and effects of climate change.

1.18 Four CFMPs cover the Exmoor National Park and West Somerset administrative areas, these are:

- Parrett CFMP (draft v8, October 2008)
- West Somerset CFMP (Final, September 2008)
- North Devon CFMP (Final, August 2008)
- Exe CFMP (Final, August 2008)

1.19 It should be noted that the Parrett CFMP is currently in draft form and therefore may be subject to change, however, this covers a small proportion of West Somerset.

1.20 The policies contained within these documents should be considered in the development of the LDF Core Strategy for each administrative area. This allows wider policy considerations to be implemented and avoid conflicting drivers for flood risk management. There are six main policy options that are broadly consistent across the four CFMPs, these are:

- P1 - no active intervention (including flood warning and maintenance), continue to monitor and advise;
- P2 - reduce existing flood risk management actions (accepting that flood risk will increase with time);
- P3 - continue with existing or alternative actions to manage flood risk at the current level (accepting that flood risk will increase over time);
- P4 - take further action to sustain the current level of flood risk into the future (by responding to the potential increases in risk from urban development, land use change and climate change);

- P5 - take further action to reduce flood risk (now and in the future);
- P6 - take action to increase the frequency of flooding to provide benefits locally or elsewhere (which may mean an overall reduction in flood risk).

1.21 Within each CFMP, catchments have been grouped into policy units with a policy option assigned for the continued management of flood risk. The relevant policy unit and associated policy option are provided in Table B-1.

**Table B-1: Policy options for policy units within the study area**

Policy Unit	CFMP	LPA	Policy Option
North West Parrett	Parrett	WSC	P3
Upper Tone	Parrett	WSC	P3
West of Porlock Bay	West Somerset	ENPA	P1
Lower Aller River	West Somerset	ENPA	P3
Exmoor Plateau	West Somerset	ENPA (Majority)/ WSC	P6
Middle Catchments	West Somerset	ENPA/WSC	P4
Lower River Avill	West Somerset	ENPA/ WSC (Majority)	P4
Minehead	West Somerset	ENPA/ WSC (Majority)	P5
Area behind Minehead	West Somerset	ENPA (Majority)/ WSC	P1
Quantock Hills	West Somerset	WSC	P1
Watchet	West Somerset	WSC	P4
Williton	West Somerset	WSC	P5
East of CFMP Area	West Somerset	WSC	P1
Combe Martin	North Devon	ENPA	P4
Lynmouth	North Devon	ENPA	P4
Exmoor	North Devon	ENPA	P6
Sh Headwaters and High Ground	Exe	ENPA (Majority)/ WSC	P6

### Shoreline Management Plan (SMP) - Bridgwater Bay to Bideford Bay

1.22 The Bridgwater Bay to Bideford Bay SMP is divided into eight management units within the West Somerset/Exmoor National Park area, these are:

- Lym – Combe Martin to Foreland Point
- Fore – Foreland Point to Porlock
- Selw – Porlock to Minehead
- Mine – Minehead to Blue Anchor
- Watc – Blue Anchor to St Audries Bay

- Lils – St Audries Bay to Hinkley Point
  - Parr – Hinkley Point to River Brue
- 1.23 Each management unit within the SMP is subdivided into implementation lengths. The implementation lengths within the area of interest and the associated strategic management options for each of these are provided in Table B-2.
- 1.24 There are four strategic management options for the implementation lengths within the study area, these are:
- *Hold the Existing Defence Line – Existing defences have been estimated to offer the required standard of protection. Maintenance of these structures will be undertaken to maintain the required standard of protection.*
  - *Observe and Monitor – Establishment of existing and long-term evolutionary trends of coastal processes to inform a structured review of the sustainability of current defences, potential for localised managed retreat options, habitat creation and economic viability. This allows sustainable management of the coast by protecting assets where required and enhancing the environment.*
  - *Retreat the existing line – Achieved by intervention to adopt a more landward defence position and take advantage of wider natural defence formation.*
  - *Do nothing – No human intervention allowing natural coastal processes to operate.*
- 1.25 The SMP is currently being updated and therefore the implementation lengths and associated strategic management options may be subject to change. These updates should be reassessed when this Level 1 SFRA is reviewed in the future.

## Other Relevant Policies

### Sewers for Adoption - 6th Edition (2006)

- 1.26 Sewers for Adoption (2006) provides industry standard guidelines for the planning, design and construction of foul and surface water infrastructure for adoption by the water undertaker (Wessex Water) through a Section 104 Agreement under the Water Industry Act 1991. This includes guidance on the design criteria for the adoption of SuDS.

**Table B-2: Shoreline management strategies for individual implementation lengths**

Implementation lengths		LPA Area	Strategies
LYNM1	Combe Martin to Lynmouth	ENPA	Do nothing
LYNM2	Lynmouth	ENPA	Hold the existing defence line
LYNM3	Lynmouth to Foreland Point	ENPA	Do nothing
FORE1	Foreland Point to Glenthorne	ENPA	Do nothing
FORE2	Glenthorne to Gore Point	ENPA	Do nothing
PORL1	Gore Point to Porlock Weir	ENPA	Observe and monitor (Shingle ridge)
PORL2	Porlock Weir	ENPA	Hold the line
PORL3	Porlock Weir to Hurlstone Point	ENPA	Retreat the existing defence line
SELW1	Porlock Bay to Minehead	ENPA	Do nothing
MINE1	Culver cliff to Minehead	ENPA/WSC	Hold the existing defence line
MINE2	Minehead	WSC	Hold the existing defence line
MINE3	The Warren	WSC	Observe and monitor (Semi Natural Defence)
MINE4	Dunster Beach Holiday Park	WSC	Observe and monitor (Semi Natural Defence)
MINE5	Ker Moor	WSC	Observe and monitor (Semi Natural Defence)
MINE6	Blue Anchor	WSC	Hold the existing defence line
WATC1	Blue Anchor to Watchet	WSC	Do nothing
WATC2	Watchet	WSC	Hold the existing defence line
WATC3	Watchet to east Helwell Bay	WSC	Observe and monitor (natural cliffs)
WATC4	Helwell Bay to Doniford Camp	WSC	Observe and monitor (natural cliffs)
WATC5	Doniford Camp	WSC	Hold the existing defence line
WATC6	Doniford Camp to St Audries Bay	WSC	Do nothing
WATC7	St Audries Bay Holiday Camp	WSC	Observe and monitor (natural cliffs)
LILS1	St Audries Bay to Lilstock	WSC	Do nothing
LILS2	Lilstock	WSC	Hold the existing defence line
LILS3	Lilstock to Hinkley Point	WSC	Do nothing
PARR1	Hinkley Point	WSC	Hold the existing defence line
PARR2	Hinkley Point to Stolford	WSC	Hold the existing defence line
PARR3	Stolford to Fenning Island	WSC	Observe and monitor

# Policy Considerations

- 1.27 National, regional and local policies have been reviewed against the local flood risk issues and objectives identified by the Environment Agency. From these policies, the following catchment wide and specific area strategies have been developed under the headings Flood Risk, SuDS, Flood Mitigation and the Water Environment. Integration of these suggested strategies into policy considerations into LDF / LDD should ensure that the objectives and aspirations of the Environment Agency and national policy are met whilst strengthening the position of the Local Planning Authority with regard to flood risk management.

## Flood Risk

- 1.28 The sections below describe catchment wide and area specific strategies in relation to flood risk. These reinforce the principles set out within national, regional and local policies on a catchment wide scale but also address those areas where more specific measures may need to be taken as identified in the focussed assessments.

### Catchment Wide Strategies

- Allocate all sites in accordance with the Sequential Test to reduce flood risk and ensure that the vulnerability classification of the proposed development is appropriate to the flood zone classification according to PPS25;
- Flood Risk Assessments should be undertaken for all developments within Flood Zones 2 and 3, and sites with identified flooding sources, to assess the risk of flooding to the development and identify options to mitigate the flood risk to the development, site users and surrounding area;
- Flood Risk Assessments are required for all major developments in Flood Zone 1. The Environment Agency are statutory consultees for any operational development greater than 1 ha. Where critical drainage problems have been identified within Flood Zone 1, liaison with the Environment Agency and Local Planning Authority should be undertaken to determine the scope and level of Flood Risk Assessment required;
- Flood risk to development should be assessed for all forms of flooding;
- Where floodplain storage is removed, the development should provide compensatory storage on a level for level and volume for volume basis to ensure that there is no loss in flood storage capacity.

### Area Specific Strategies

- Surface Water Management Plans (SWMPs) should be undertaken in Minehead and Williton (West Somerset) to reduce the risk of surface water flooding to people, property and transport routes within the settlements;
- Action should be taken to increase the frequency of flooding in the study areas upper catchment areas where there is low risk to people or property. The storage of water and management of run-off in areas such as the Exmoor Plateau (Exmoor National Park) would reduce overall flood risk within the study area;

- Flood risk management measures should be developed to ensure that safe access and egress routes are achievable from the Dulverton Police and Fire Stations (Exmoor National Park), which are located in areas at risk of flooding.

## Sustainable Drainage Systems

- 1.29 Information on Sustainable Drainage Systems (SuDS) is provided in Chapter 8. Sustainable drainage policies should address the following issues as:

### Catchment Wide Strategies

- SuDS should be included in new developments unless it is demonstrable that it is not possible to manage surface water using these techniques;
- PPS25 requires the use of SuDS as an opportunity of managing flood risk, improving water quality and increasing amenity and biodiversity;
- Runoff rates from new developments on greenfield sites should not exceed greenfield runoff rates pre-development and should allow for increased runoff as a result of climate change;
- Runoff rates and volumes from previously developed, developable land should not exceed existing rates of runoff and runoff volumes and should seek betterment. In addition, an allowance should be made for climate change;
- Runoff and/or discharge rates should be restricted to greenfield runoff rates, where viable, in areas known to have a history of sewer and/or surface water flooding.

- 1.30 The developer should consult the Environment Agency and the Local Planning Authority when considering the design of SuDS.

### Area Specific Strategies

- Where practicable, future development within Minehead (West Somerset) should seek to reduce runoff to greenfield rates on previously developed land to provide betterment and alleviate the flood risk posed by Bratton Stream;

## Flood Mitigation

- 1.31 The sections below describe mitigation measures that may be implemented to ensure future development remains safe for its lifetime and does not propagate flood issues to third parties.

### Catchment Wide Strategies

- Where an allocation is located within an area benefiting from flood defence, opportunities should be sought for the maintenance and upgrading of these flood defences to be partly funded by the development for its lifetime.
- Opportunities should be sought to open culverted watercourses, where possible, to return them to a natural system. When opening up culverted watercourses consideration should be given to ensure flood risk is not exacerbated downstream;

- River channel restoration should be undertaken where possible to return the river to its natural state and restore floodplain to reduce the impact of flooding downstream;
- New development in Flood Zones 2 and 3 including floodplains benefiting from defence schemes should set finished floor levels at an agreed level above existing ground levels and incorporate other necessary flood mitigation measures.
- The provision of safe access and egress accounting for climate change needs to be agreed with the Environment Agency for developments within Flood Zones 2 and 3.

### **Area Specific Strategies**

- Where flood mitigation works, such as a diversion channel around the west of Williton (West Somerset) are shown to be feasible, opportunities should be sought for developers to contribute these works;
- Where possible, opportunities should be sought to open up the Bratton Stream which is culverted along much of its route within Minehead (West Somerset). This should be investigated as part of a SWMP covering the Minehead area;

## **Water Environment**

### **Catchment Wide Strategy**

- Development should not have a detrimental impact on the water environment through changes to water quality or resources. This should be ensured through the use of appropriate drainage systems that limit the occurrence of pollution to the water environment.
- Developments should look to incorporate water re-use and minimisation technology for example green roofs, water butts. This will aid developments in contributing to the Code for Sustainable Homes and will contribute in adoption of source control SuDS as part of PPS25 requirements.

1.32 The area specific strategies should be updated following the application of the Sequential Test to provide more specific strategies for allocated development sites.