Newark & Sherwood Allocations & Development Management Development Plan Document

Sequential Approach to Flood Risk

1.0 Introduction

1.1 This document sets out Newark and Sherwood District Councils response to flood risk arising from long term climate change in connection with the Allocations and Development Management Development Plan Document (A&DMDPD).

1.2 The National Planning Policy Framework (NPPF) requires Local Plans to take account of the effect of long term climate change, including flood risk, and plan new development to avoid increased vulnerability from the range of impacts arising from it.

1.3 The NPPF specifically requires that Local Plans be supported by a Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources. It goes on to say they should apply a sequential, risk based approach to the location of development by:

- Applying the sequential test;
- If necessary, applying the Exception Test;
- Safeguarding land from development that is required for current and future flood management;
- Using opportunities offered by new development to reduce the causes and impacts of flooding; and
- Where climate change is expected to increase flood risk so that some existing development may not be suitable in the long- term, seeking opportunities to facilitate the relocation of development, including housing, to more sustainable locations.

2.0 Planning Context

2.1 Whilst the Newark and Sherwood Local Development Framework (LDF) was initiated under the auspices of Planning Policy Guidance Note 25: Development and Flood risk, which has now been replaced by the NPPF, the work that has been carried out to date in relation to flood risk remains consistent with national policy.

2.2 The Strategic Flood Risk Assessment Level 1(SFRA L1) required by the NPPF was completed in 2009 and this together with the Council's Strategic Housing Land Availability Assessment (SHLAA) in turn informed the sequential risk based approach that the NPPF also advocates. This methodology identified flooding as a critical factor in assessing the suitability of developing land for housing and all initial SHLAA sites and a range of officer identified sites were included within the SFRA L1. The

results of the Draft SHLAA were subject to public consultation during May 2009. The Draft SHLAA indicated that 27,315 homes could be built on 219 sites. The results of the SFRA L1were used to assess SHLAA sites which had been identified by the time work on the SFRA L1 had commenced.

2.3 Having adopted the Core Strategy, including Strategic Sites, in March 2011 and progressed to the stage of selecting the remainder of sites for allocation, it is now necessary to apply the sequential approach to these sites and put in place, through the Development Management Policies, the facility to apply the Exception Test to both.

3.0 Site Selection

3.1 The development of the Council's spatial strategy has been shaped by Newark's role as a Sub-Regional Centre and the expectations of the former Regional Spatial Strategy that the majority of new development in the District would be focused in Newark. These assumptions underpinned the development of the options and the finalised Core Strategy. The results of the SHLAA indicated that Newark Urban Area had the most significant development potential within the District to accommodate new housing and employment development.

3.2 Whilst elements of this could be accommodated within the existing Newark Urban Area, the Council identified at an early stage that in order to achieve a step change in the facilities and infrastructure that Newark requires, significant development would need to be accommodated on sustainable urban extensions. These were allocated through the Core Strategy on the strategic sites at Land South of Newark (NAP 2A), Land East of Newark (NAP 2B) and Land around Fernwood (NAP 2C) The Strategic Flood Risk Assessment, Level 2 , Phase 1, received June 2010 dealt with these sites. Whilst the sites include land within Flood Zones 2 and 3, the relevant polices state that housing and employment development will not be allowed within these areas unless exceptional unforeseen circumstances are identified. Development within these sites would need to be subject to the sequential/exceptions test as part of any planning application determination process.

3.3 The Strategic Flood Risk Assessment Level 2, Phase 2, (SFRA L2 Ph2) received in April 2012 deals with all other sites considered through the process leading up to the production of the A&DM DPD. It has provided the means to sequentially assess these sites and, where appropriate, set out the known factors that will be required to satisfy the Exception Test.

3.4 In selecting sites for inclusion within the A&DM DPD, preference has been given to locating new development in Flood Zone 1 however, in order to meet the growth requirements of the Core Strategy, it has been necessary to identify 11 sites that are

at risk of flooding. Utilising SFRA L2 Ph2, they have been sequentially assessed in the following order;

4.0 Newark Area

4.1 NEWARK URBAN AREA

4.2 NUA/Ho/2 – Land to the south of Quibells Lane.

4.3 Approximately 80% of the site lies within Flood Zone 2 and there are historical records of flooding within the northern part of the site.

4.4 The sustainable location of this site within the Sub-Regional Centre and its brownfield status makes it very suitable for meeting the aims of the Spatial Strategy. In the absence of other such suitable and available sites at lesser risk of flooding, it is therefore it is considered sequentially appropriate to allocate this site. In light of its flood risk, the site is not considered suitable for bungalows. In order to satisfy the Exception Test:

- The site should be accessed from the south east, outside the areas at risk of flooding.
- Vulnerable development should be located in areas at lower risk flooding,
- Minimum finished floor levels should be set above maximum flood depth where practicable. Where this is not possible, flood resilient construction must be incorporated into development.
- Development proposals should further assess surface water flood risk as part of a site specific flood risk assessment. Development should be designed to ensure it does not flood during low annual probability rainfall events, exacerbate off site flood risk or place additional pressure on the existing drainage regime.

4.5 NUA/E/4 – Land at the former Nottinghamshire County Council Highways Depot on the Great North road.

4.6 The site is entirely located within Flood Zone 3 and covered by historical flooding records. A flood defence runs to the west of the site providing a barrier between the functional floodplain and the site.

4.7 As the site is in a very sustainable location within the Sub-Regional Centre, it constitutes brownfield land and the intended employment use has low flood sensitivity, is considered sequentially appropriate to allocate. In order to satisfy the Exception Test:

- Minimum finished floor levels should be set at least 300mm above maximum flood depth where practicable. Where this is not possible, flood resilient construction must be incorporated into development.

- Development proposals should further assess surface water flood risk as part of a site specific flood risk assessment. Development should be designed to ensure it does not flood during low annual probability rainfall events, exacerbate off site flood risk or place additional pressure on the existing drainage regime.

- Due to the unlikelihood of safe escape in a flood event, safe refuge should be investigated as part of a site specific flood risk assessment.

4.8 SUTTON ON TRENT

4.9 ST/MU/1 –Land to the east of Hemplands Lane

4.10 None of the allocated site lies within a Flood Zone or has been subject to historical flooding but is within a Flood Warning Area. Less than 1% of the Main Open Area (MOA) to the east of the site lies within Flood Zone 2 and has been subjected to historical flooding. Whilst the allocation policy for site ST/MU/1 makes allowance for development to extend into the MOA, it is not anticipated it will extend as far as the flood zone or area of historical flooding and the site is therefore considered sequentially appropriate.

4.11 Whilst development on the allocated part of the site would not trigger the requirement for a flood risk assessment, a flood plan should be submitted with development proposals detailing what action should be taken in preparation for and in the event of a flood. This should include details of safe escape and/or refuge and information on the Environment Agency Flood Warning System.

5.0 Southwell Area

5.1 SOUTHWELL

5.2 So/Ho/3 – Land at Nottingham Road

5.3 Less than 5% of the site is within Flood Zones 2 and 3. There are no historical records of flooding on the site although this does not mean that flooding has not occurred as these events may not have been recorded.

5.4 Given the small amount of the site within the Flood Zones and the consequent opportunity to direct flood sensitive development away from this, the site is considered sequentially appropriate.

5.5 The locally agreed surface water information maps indicate the site is located within close proximity to an area susceptible to surface water flooding. Further assessment of surface water flood risk should therefore be included with a site specific flood risk assessment.

5.6 So/MU/1 – Land at the former Minster School site

5.7 Approximately 20% of the total site is located within Flood Zone 2, 10% is located within Flood Zone 3 and the south eastern part of the site is adjacent to a functional flood plain. There are no records of historical flooding on the site however there is a fluvial flooding event and four sewer flooding events recorded close to the site.

5.8 A previous development proposal for the site has demonstrated that it can be developed by siting flood sensitive development outside of the Flood Zones and managing surface water through layout and design of development within the site. The site is therefore considered sequentially appropriate.

5.9 In order to satisfy the Exception Test:

- Development should be located outside of the parts of the site within Flood Zones 2and 3.
- Further assessment of surface water flood risk should be included within the site specific flood risk assessment. Development proposals should not place additional pressure on the existing drainage regime and should be designed so as not to flood during low annual probability rainfall events or exacerbate the flood risk off site.
- Access to and from the site should be outside the Flood Zones.
- Finished floor levels should be set above the maiximum flood level where practicable. Where this is not possible a range of measures including flood resilient construction should be considered.

6.0 Sherwood Area

6.1 Ollerton and Boughton

6.2 OB/MU/1 – Land at the rear of Petersmiths Drive

6.3 Approximately 50% of the site is located within Flood Zone 2 and 40% within Flood Zone 2. A large part of the northern half of the site is located within the functional floodplain, historical flooding is indicated along the western boundary of the site and the site is covered by a flood warning area.

6.4 Consideration of the allocation of this site has been on the basis of no flood sensitive development taking place within Flood Zones 2 and 3. The site allocation policy

clearly sets out this requirement and this approach is considered to satisfy the Sequential Test. For development proposals on the site to satisfy the Exception Test:

- Further assessment of surface water flood risk should be included with the site specific flood risk assessment. A drainage strategy should be provided to ensure that the development does not flood during low probability rainfall events or exacerbate the flood risk off site.
- Safe access and egress should be directed to the east of the site.
- Finished floor levels must be set above maximum flood depth with an allowance of 300mm freeboard where practical. If single storey dwellings are proposed this is essential. Where this is not possible then a range of measures including flood resilient construction must be considered.

6.5 OB/E/1 - Boughton Industrial Estate (North) Policy Area 1

This site comprises an established employment area, a small part of which lies within Flood Zones 2 and 3. The site allocation policy makes it clear that no flood sensitive development should take place in Flood Zones 2 and 3 and this approach is considered to satisfy the Sequential Test. For any development proposals on the site that need to satisfy the exception test:

- Further assessment of surface water flood risk should be included with any site specific flood risk assessment.
- Safe/dry access and egress should be provided
- Localised surface water flood risk should be assessed through a site specific flood risk assessment including consideration of SuDs.
- Finished floor levels should be 150mm to 300mm above ground levels.

6.6 OB/E/2 - Boughton Industrial Estate (South) Policy Area 2

This site comprises an established employment area, a small part of which lies within Flood Zones 2 and 3. The site allocation policy makes it clear that no flood sensitive development should take place in Flood Zones 2 and 3 and this approach is considered to satisfy the Sequential Test. For any development proposals on the site that need to satisfy the exception test:

- Further assessment of surface water flood risk should be included with any site specific flood risk assessment.
- Safe/dry access and egress should be provided
- Localised surface water flood risk should be assessed through a site specific flood risk assessment including consideration of SuDs.
- Finished floor levels should be 150mm to 300mm above ground levels.

6.7 OB/E/3 – Land to the south of Boughton Industrial Estate

A small area along the western boundary of the site lies within Flood Zones 2 and 3. The site allocation policy makes it clear that no flood sensitive development should take place in Flood Zones 2 and 3 and this approach is considered to satisfy the Sequential Test. For any development proposals on the site that need to satisfy the exception test:

- Localised surface water flood risk should be assessed through a site specific flood risk assessment including consideration of SuDs.
- Safe/dry access and egress should be provided
- Finished floor levels should be 150mm to 300mm above ground levels.

7.0 Mansfield Fringe Area

7.1 Rainworth

7.2 Ra/MU/1 – Land at Kirklington Road

7.3 A marginal amount of the northern part of the site lies within Flood Zone 2 which is also adjacent to a SINC. The site allocation policy states that no development should take place within the Flood Zone and this approach is considered to satisfy the Sequential test. The area of the site within Flood Zone 2 is the closest to the SINC and therefore best suited to form the buffer to this.

7.4 Ra/E/1 – Land west of Colliery Lane

Approximately 10% of the eastern part of the site is located within Flood Zones 2 and 3. The site allocation policy states that no development should take place within the Flood Zones and this approach is considered to satisfy the Sequential test. For any development proposals on the site that need to satisfy the exception test:

- Flood risk from surface water should be assessed as part of a site specific flood risk assessment. A drainage strategy should be provided to ensure that the development does not flood during low annual probability rainfall events or exacerbate the flood risk off site. This should not place increased pressure on the existing drainage regime.
- Access should be located away from areas of the site within Flood Zones.
- Finished floor levels should be set above maximum flood depth where practicable. If single storey dwellings are proposed this is essential. Where this is not possible then a range of measures including flood resilient construction should be considered.

7.5 Clipstone

7.6 Cl/MU/1 – Land at the former Clipstone Colliery

7.7 Approximately 3% of the eastern edge of the site is located within Flood Zones 2 and 3, the remainder being in Flood Zone 1 and not subject to any other flooding issues. The site allocation policy states that no development should take place within the Flood Zone and this approach is considered to satisfy the Sequential test. For any development proposals on the site that need to satisfy the exception test:

- Access should be located away from areas of the site within Flood Zones.
- Finished floor levels should be set above maximum flood depth where practicable. Where this is not possible a range of measures including flood resilient construction should be considered.

8.0 Development Management

8.1 Where development is proposed on non allocated sites in areas at risk of flooding it will also be necessary to apply the Sequential Test and, where appropriate the Exception Test. Criterion 9 of Policy DM5 and the Technical Guidance of the NPPF referred to in this will be used for these purposes.

8.2 This policy will also be used where development is proposed on allocated sites that are partly within Flood Zones and there is the need to take a sequential approach to the location of development within it.