



**OFFICER REPORT TO CABINET MEMBER**

**GOVERNMENT CONSULTATION ON PROPOSED  
AMENDMENTS TO PLANNING POLICY STATEMENT 25:  
DEVELOPMENT AND FLOOD RISK  
14 October 2009**

**KEY ISSUE/DECISION:**

To endorse the outline draft SCC response to Communities and Local Government's (CLG) consultation on amendments to Planning Policy Statement 25 (PPS25): *Development and Flood Risk*.

**BUSINESS CASE:**

1. Flooding is an issue of national importance that has real significance to Surrey. The county council takes the issue of flooding very seriously.
2. The amendments proposed to the existing policy are small, yet significant. They relate to Surrey's experience of the Summer 2007 floods and planning for, and dealing with, other flooding incidents. This CLG consultation, on proposed amendments to the existing policy, therefore necessitates an SCC response.
3. The objective of the SCC consultation response is to help ensure that amendments are made to the existing policy that will minimise the risk to Surrey communities and businesses in the event of flooding. And to ensure that amendments made maximise the benefits for Surrey. These include access for all to emergency services, appropriate siting of any new waterside, emergency services and (appropriate) renewable energy developments.

**The Government consultation document**

4. The intention of the proposed amendments is not to change the policy approach of PPS25, but to clarify aspects of the existing policy to ensure it is used more effectively and is applied more consistently. Amendments are proposed to two tables in Annex D of the existing policy.

Government believes the proposed changes would be beneficial to: communities in high flood risk areas; planning authorities; operators of utilities and services concerned; and relevant business interests.

The principle aims of the existing policy are to:

- ensure flood risk is taken into account at all stages in the spatial (town and country) planning process
- avoid inappropriate development in areas at high risk of flooding
- direct development away from areas of highest flood risk
- where new development is (exceptionally) necessary in such high risk areas, to make it safe without increasing flood risk elsewhere and (where possible) reduce flood risk overall.

The detailed policies in PPS25 should be taken into account:

- in the preparation of regional spatial strategies
- by local planning authorities in the preparation of local development documents
- in consideration of individual planning applications.

#### **Outline draft Surrey County Council response**

5. Surrey County Council (SCC) recognises the overall positive effect of the existing Planning Policy Statement 25: *Development and Flood Risk* to increase the profile of flood risk assessment.

We also recognise the unforeseen effects of the existing policy. We have direct experience of this. Therefore we approve in principle to making amendments to the policy now, as opposed to a 'do nothing' approach (i.e. waiting until the planned review of the policy in 2011).

We approve of the continued attention being given to the issue of flood risk for local communities and businesses. And the spirit of the proposed amendments to ensure all (geographic) communities at risk of flooding have equal access to emergency services, and businesses can better plan for business continuity.

However, by taking the approach in this consultation process to request consultees to identify costs and/ or benefits, the impact assessment does nothing to guide our response. In principle Government should have provided more detail upon which to base its consultation.

Our comments on the detailed proposals are as follows:

- We approve of certain proposed amendments that will serve to benefit the access of all Surrey residents to police, fire and ambulance services. One example where the existing policy had an unforeseen negative effect was objection from the Environment Agency, on PPS25 grounds, to SCC's planned replacement of an existing fire station in north Leatherhead to a site better suited to its catchment south of Leatherhead in 2007
- We approve of amendments that reduce reliance on the modelled 1:20 floodplain as a definition for 'functional floodplain'. This better reflects

how the existing definition is applied in practice. The broadened definition is already used in some local strategic flood risk assessments in the county. It also brings much needed recognition to the designed elements of our green infrastructure that contribute to the county's flood infrastructure. Surrey County Council has experience of creating flood storage capacity in disused mineral workings, including projects in partnership with the mineral industry and Surrey Wildlife Trust

- We welcome the proposed elevation of utility infrastructure to the classification of 'Essential infrastructure' (Annex D Table D.2). Experience of the Summer 2007 floods in Surrey bears this out
- We understand the rationale for introducing wind turbines into the classification in recognition of their role in energy infrastructure, and in reflection of Government's agenda to encourage development of renewable energy. However, given that many sites of nature conservation importance, including wetlands, are situated in the floodplain and therefore attract wildfowl; we maintain that there will be instances where development of wind turbines will be inappropriate in the floodplain, and indeed elsewhere
- We recognise the positive benefits to waterside business of inclusion of installations requiring hazardous substances consent as 'Highly vulnerable' and/or 'Essential infrastructure' according to level of need
- We agree that ambulance and fire stations do not need to be operable during times of flooding, once vehicles and personnel are off site. However, we firmly believe that all police stations need to be operational during flooding events. In practice, all of these services in Surrey have business continuity plans and take account of any local risk of flooding including assessment of control rooms.

### **Financial and value for money implications**

6. Such implications are likely to be minimal, although absence of useful information in the Government's impact assessment makes it impossible to predict exactly what implications there may be.

### **Equalities implications**

7. The existing policy already places transport infrastructure (including mass evacuation routes) as essential infrastructure. The proposed amendments serve to potentially improve access for all to emergency services and not just restrict the provision of new facilities to those living outside the floodplain.

### **Risk management implications**

8. Broadly speaking the proposed amendments serve to manage risk better for Surrey residents and businesses in the event of flooding, particularly in maintaining critical infrastructure services.

### **Implications for the Council's priorities or Community Strategy/ Local Area Agreement targets**

9. The proposed amendments will help to keep Surrey's economy successful, by ensuring business continuity in times of flooding.

10. Relevant priorities and targets are:

SCS Priority G: help people achieve more sustainable lifestyles.

Relevant LAA targets under this priority include:

NI 186 Reducing per capita CO<sub>2</sub> emissions.

SCS Priority H: Create better, more sustainable developments that deliver more social environmental and economic benefits. Relevant LAA targets under this priority include:

NI154 Net additional homes provided

NI 155 Affordable homes

NI169 Non-principal roads where maintenance should be considered.

SCS Priority I: Improve public confidence in the ability of public services to keep Surrey safe, prepare for emergencies and reduce crime and anti-social behaviour.

There is also potential impact on other national indicators that SCC is measured on. These include NI 188 Adapting to climate change and NI 189 Flood and coastal erosion risk management.

If the proposed amendments are implemented, the policy could help/ enhance the delivery of the above priorities.

### **Section 151 Officer commentary**

11. There are no direct financial implications arising at this stage.

### **Legislative implications**

12. There is no proposed new legislation.

### **RECOMMENDATIONS:**

It is recommended:

- (1) That the Cabinet Member for Environment endorses the outline draft SCC response to the CLG consultation on proposed amendments to PPS25: *Development and Flood Risk*, as set out in paragraph 5 above. The full response will also cover the technical/ practical detail.
- (2) That the Cabinet Member delegates final approval of the Surrey County Council response to the Lead Manager for Environment and Economy, in consultation with the Cabinet Member for Environment following consultation on the draft response with the Environment and Economy Select Committee.

### **REASONS FOR RECOMMENDATIONS:**

Principally, these are to:

- ensure that SCC's views are made known to Government

- ensure that proposed amendments reflect the situation in Surrey and minimise risks and maximise benefits to people in Surrey.

<b>WHAT HAPPENS NEXT:</b>
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- Cabinet Member to sign off draft SCC response 14 October
- Environment and Economy Select Committee to add views on 19 October
- Final sign off and submission of SCC response to Government by 3 November
- It is intended that Government will take into account responses to this consultation and expects to publish a response to the consultation and a revised version of PPS25, incorporating amendments covered by this consultation, by December 2009.

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**Consulted:**

Consultation will take place with the Cabinet Member for Environment on 9 October. Consultation will take place with the Environment and Economy Select Committee on 19 October.

Surrey County Council officers consulted:

Trevor Pugh, Strategic Director, Environment & Infrastructure

Ian Good, Emergency Planner, Chief Executive's Office

Tony Gould, Planning Policy Manager, Environment

Peter Agent, Asset Planning Manager, Surrey Highways

Russell Pearson, Chief Fire Officer, Customers and Communities.

**Sources/background papers:**

Communities and Local Government, *Consultation on proposed amendments to Planning Policy Statement 25: Development and Flood Risk*, August 2009

Communities and Local Government, *Planning Policy Statement 25: Development and Flood Risk*, December 2006

Surrey County Council, A Surrey County Council response to the DEFRA consultation on the draft Flood and Water Management Bill, July 2009

Defra, Draft Flood and Water Management Bill, April 2009

Surrey County Council, Report of the Pitt Review Monitoring Task Group, 2009.

Sir Michael Pitt, *Learning lessons from the 2007 floods*, June 2008.

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