

Broads Authority Local Plan: Environment Agency Hearing Statement for Matter 7 – Water, flooding and navigation

Issue – Does the Plan set out a positively prepared strategy and policies for protecting the water environment, dealing with flood risk and facilitating navigation, which are justified, effective and consistent with national policy?

We confirmed in our formal representations on the Publication version of the Local Plan that we were satisfied that the Plan was sound in respect of these issues which fall within our remit, and confirmed our support for those matters. We did however suggest a number of minor wording changes to improve clarity.

The purpose of this Hearing Statement is to provide an update in respect of our previously proposed changes, outline the current situation with the Strategic Flood Risk Assessments and update the expected flood modelling timetable. These issues will be addressed in response to some of the specific questions raised by the Inspector for Matter 7:

Question a)

Do Policies PUBDM1 and PUBDM2 provide effective guidance for the protection and enhancement of water quality and dealing with foul drainage? Are there any outstanding objections from Anglian Water Services and the Environment Agency?

As highlighted, we expressed our support for Policy PUBDM1 in our formal representation; water quality and foul drainage being an issue that we have commented on throughout the preparation of the Local Plan. We requested an amendment to the wording of the fourth paragraph of PUBDM1 to clarify that wastewater from septic tanks should not enter waterbodies. This change has been included in those proposed by the Broads Authority (LP-SUB2 Schedule of Proposed Changes).

We also supported Policy PUBDM2, in respect of protecting water quality and preventing the spread of invasive species. The Proposed Change to the supporting text has not caused us to amend our view.

Subsequently we can confirm that we are satisfied with these policies and have no outstanding objections.

Question c)

Do the Strategic Flood Risk Assessments covering the Broads provide a suitable evidence base for managing development and flood risk? Is the precautionary approach to flood zone 3b in the Position Statement between the Broads

East Anglia area (East) - Iceni House

Cobham Road, Ipswich, Suffolk, IP3 9JD

General Enquiries: 08708 506506 Fax: 01473 724205

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Email: enquiries@environment-agency.gov.uk

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Authority and the Environment Agency (EB33) a suitable interim measure prior to additional modelling being completed? Is the interim position and relevant area clearly explained in Policy PUBDM4 and Appendix M? Are there any implications for the assessment of and/or the selection of allocations in the Plan?

As above, we confirmed in response to the Published Local Plan that we were satisfied with Policy PUBDM4, subject to a further minor clarification. The suggested wording change has been included in the Schedule of Proposed Changes. We were also satisfied with the flood risk sequential test of allocations (EB26, November 2017) prepared by the Broads Authority.

Since the Local Plan was published in November 2017, work has progressed on the Strategic Flood Risk Assessments (SFRAs) covering the Broads Authority area. The Norfolk Level 1 SFRAs are complete (covering Broadland, South Norfolk, Norwich, Great Yarmouth and North Norfolk); and the Waveney SFRA is nearing completion. The Waveney SFRA incorporates additional detailed flood modelling to identify Flood Zone 3b in the Beccles area, which is outside the extent of the Norfolk SFRAs. We have advised the Broads Authority that the Norfolk SFRAs should be used across the whole area until the Waveney SFRA is finalised, which should then be used for the section of Waveney district falling within the Broads Authority area.

Both the Norfolk and Waveney SFRAs adopt a similar precautionary approach to areas where detailed flood modelling is not currently available, that is, parts of the Broads Authority area covered by the 'BESL' model. Both assume the full extent of Flood Zone 3 to be Flood Zone 3b (the functional floodplain – areas that would be inundated in a 5% (1 in 20) annual probability flood event). Those proposing development in such areas will need to either ensure that proposals are appropriate in the functional floodplain, or demonstrate that the area is not in fact Flood Zone 3b.

All applications proposing development in Flood Zone 3 (or Flood Zone 2) are required by the NPPF and PUBDM4 to be accompanied by a Flood Risk Assessment. A key part of this assessment will be to identify the nature of the flood risk affecting the site, including whether any part of the site is in fact functional floodplain. So while the SFRA's are not currently able to identify the full extent of Flood Zone 3b across the Broads area, this will be completed at the site level as a detailed consideration of flood risk is a usual requirement for most development proposals submitted to the Broads Authority.

Regarding the future availability of detailed flood modelling, this will now be later than previously expected. Due to the size of the BESL model and the intricacies of flooding across the Broads we now expect the model update to take longer than first thought. We want to make sure this model is updated accurately and that the final output is as useful as possible. This is likely to be ready towards the end of 2021, rather than mid-2019. For the reasons outlined above, we believe that the interim precautionary approach currently in place can continue to be used until the updated model outputs are available.

We are satisfied, given the situation with the BESL model, the nature of the proposed site allocations, and the proposed policies, that appropriate consideration has been given to flood risk during the preparation of the Local Plan.

The Strategic Flood Risk Assessment Position Statement between the Broads Authority and the Environment Agency (EB33) will be updated to reflect the current situation in respect of the SFRAs and BESL model.