

**COUNCIL FOR NATURE CONSERVATION
AND THE COUNTRYSIDE**
An Advisory Council to the Department of the Environment

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Mr Michael Francey
PPS 15 Review Consultation
DOE Central Policy and Resources Group
23 Castle Place
BELFAST
BT1 1FY

Dear Mr Francey

PPS 15: PLANNING AND FLOOD RISK

CNCC welcomes the review of this PPS in view of the fact that 'our understanding of climate change is evolving as new evidence and experience is gained'. While we have gained some further insight into climate change in the intervening period our basic understanding has not changed. The precautionary approach adopted in the original PPS therefore still seems appropriate.

In addition we have seen the introduction of the EU Floods Directive in November 2007 which requires Member States to assess the risks of flooding for all water courses and coastlines, to map the extent of flooding and to take adequate and co-ordinated measure to reduce the risk of flooding. This strongly reinforces the precautionary approach to development in areas identified as being at risk of flooding.

However the Floods Directive also requires active flood risk management which must involve the headwaters of rivers as well as the flood plains, and will involve changes to land use and drainage in large areas that the current PPS does not consider, so that rainfall can be stored and dissipated within the landscape rather than instantly filling the rivers. The necessary changes will not be possible to implement if the areas required have been developed, whether this involves scattered individual houses, windfarms or mineral extraction sites. It is therefore essential that the revised PPS15 takes account of the need to manage flood risk in areas other than just the flood plains in the lower reaches of our river basins, and seeks to regulate development that would preclude this sort of active management, which is much more cost-effective than flood protection and flood losses.

ANNEX C: SUSTAINABLE DRAINAGE SYSTEMS

CNCC welcome the inclusion of this Annex in the PPS, but it will need considerable updating to reflect 5 years of experience and development of these systems, and their incorporation into other areas of the planning system eg PPS 7 Safeguarding the Character of Established Residential Areas. The incorporation of SuDs into development schemes should become universal as a real step towards flood risk management, and as such their role should be made more explicit in the body of the PPS.

Continued/

Specific points

2.0 Policy Context

Regional Development Strategy. A Revision of the RDS was announced in June 2008, and we understand that this should be completed shortly. This raises a number of issues around timing of the various policy documents that set the context for planning in Northern Ireland. It would seem logical to revise this PPS in the light of the new RDS, but only if that does not cause undue delay.

CNCC would strongly support the existing statements in Paragraphs 2.1 and 2.2, setting the scene for a precautionary approach to potential planning problems such as flooding.

Implications of Climate Change for Northern Ireland. A significant amount of work has been carried out on coastal processes and climate change, by teams at both Queen's University and the University of Ulster. This includes the study carried out for the National Trust, *Shifting Shores – Living with a changing coastline (2007)*. These studies should be taken into account in this section.

The EC Floods Directive. A section is required here on the Floods Directive. It should also stress the links between the Floods Directive and the Water Framework Directive.

Other Government Strategies. Para 2.10, the River Conservation Strategy and the Biodiversity Strategy remain relevant and important documents in the context of this PPS. Para 2.12 The Rivers Agency Flood Management strategy is also still relevant and important, but will be largely superseded by the Floods Directive, where the Rivers Agency is the lead agency for the NI Government. The first bullet point, with its reference to the storage of flood water is likely to require considerable amplification to include upstream areas as well as flood plains.

3.0 Flood Risk – Raising awareness

It is worth noting that the Floods Directive also reinforces the rights of the public to access information on flood risk and management and to have a say in the planning process.

4.0 Policy Objectives

CNCC supports the policy objectives set out in this area. We suggest that there will be a need to set out the importance of headwater areas as well as floodplains in this section.

6.0 The Role of Development Plans

CNCC believes that Development Plans have a vital role to play in this aspect of planning, and we recognise that the PPS can only set the guidelines for the detailed work of these plans. Unfortunately the success of the planning strategy for flood risk, as for all other areas of planning depends on having a plan-led system with up-to-date plans. The current state of Development Plans for most of Northern Ireland, coupled with uncertainties over the future of the planning system mean that the PPS will have to stand virtually on its own for some considerable time, unless the detailed maps on flood plains and flood risk that are being prepared by the Rivers Agency through the Floods Directive are adopted for the planning system. Planning Service has a poor record of using resources from other parts of government (eg Areas of Outstanding Natural Beauty) but needs to rethink its approach, particularly at a time when resources are limited.

We welcome the clear statements of principle in this section, both in regard to Achieving Sustainable Patterns of Development and Promoting a Joined-up Approach. We would however point out that Coastal Zone Management Plans (Para 6.8) have still not emerged, in spite of having been discussed for more than 20 years.

7.0 Development Control Considerations

We suggest that Para 7.3 will need an additional section on Flood alleviation zones in the upper reaches of river basins.

POLICY FLD 1 Development in Flood Plains

Definition of a Flood Plain. The definition of flood plains needs to be clear and unequivocal lines on definitive maps, not statements that suggest that flood plains may change over time. This provides a clear invitation to challenges to planning decisions that will be exploited by developers and lawyers. There are clear maps of flood plains available from the Ordnance and Geological surveys, as well as the Flood Risk assessment maps prepared by the Rivers Agency, and these should provide the definitions of where development will and will not be considered.

We believe that there will need to be a Policy developed for control of planning in flood alleviation zones in the upper reaches of river basins.

Yours sincerely

A handwritten signature in black ink, appearing to read "Patrick Casement". The signature is written in a cursive style with a horizontal line underneath the name.

PATRICK CASEMENT
CHAIRMAN