



# **Draft Flood Risk and Water Management Supplementary Planning Document (SPD)**

## **Consultation Statement**

## **Introduction**

1. Craven District Council has prepared a draft Supplementary Planning Document (SPD) in relation to Flood Risk and Water Management which provides further guidance on flood risk and water management in the Craven Local Plan area. In accordance with the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended) and [NPPF](#) definitions of SPDs, it adds further detail to help explain the objectives relating to the listed policies below of the [Craven Local Plan \(Nov 2019\)](#) and is a material consideration in the determination of relevant planning applications.

- Policy ENV6: Flood Risk
- Policy ENV8: Water Management
- Policy SD1: Presumption in favour of sustainable development
- Policy SD2: Meeting the challenge of Climate Change
- Policy SP4: Spatial Strategy and Housing Growth
- Policy SP2: Economic Activity and Business Growth

## **Purpose of the Consultation Statement**

2. Regulation 12 (a) of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires that, before adopting a Supplementary Planning Document, Local Planning Authorities (LPAs) should prepare a Consultation Statement. This should include the following information:

- (i) The persons the local planning authority consulted when preparing the supplementary planning document;
- (ii) A summary of the main issues raised by those persons; and
- (iii) How those issues have been addressed in the supplementary planning document.

3. Regulation 12(b) requires both the consultation statement and the SPD to be made available for the purpose of seeking representations on a draft SPD.

## **Public Consultation**

4. In line with Regulations 12 and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), and the Council's [Statement of Community Involvement](#) (SCI) 2022, draft SPDs are subject to two rounds of public consultation. Regulation 12 requires LPAs to invite comments on a draft SPD during a period of public participation. Regulation 13 then requires LPAs to invite representations on a draft SPD over a period of not less than four weeks.

5. The first public consultation on the draft Flood Risk and Water Management SPD ran for a period of four weeks from Tuesday 4<sup>th</sup> January until Tuesday 1<sup>st</sup> February 2022. The first draft SPD was published on the Council's website and comments were invited to be submitted in writing, no later than Tuesday 1<sup>st</sup> February 2022 either by post or email.

6. Following this first round of public consultation, representations are invited on a second draft of this SPD over a four-week period from Monday 11th July until Monday 8th August 2022, in line with Regulation 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
7. The Council has developed a comprehensive local plan consultation database which includes specific and general bodies and individuals for consultation purposes. The [Subscriptions](#) web page on the Council's website allows individuals and organisations to submit their details and be entered onto the local plan consultation database, via Mailchimp at any time. All contacts within the local plan consultee database were notified of the draft Flood Risk and Water Management SPD consultation by either postal or electronic mailshot. Consultees include:
  - Specific Consultation Bodies as defined in The Town and Country Planning (Local Planning) (England) Regulations 2012 and amended Regulations, including Town and Parish Councils;
  - General Consultation Bodies as defined in The Town and Country Planning (Local Planning) (England) Regulations 2012 and amended Regulations;
  - Individuals that have subscribed to receive details of spatial planning consultations.
8. A press release was issued by the Council the week commencing 20<sup>th</sup> December 2021. This was subsequently published in the Craven Herald & Pioneer newspaper on Thursday 23<sup>rd</sup> December 2021. The consultation was also promoted on social media (Twitter and Facebook). A copy of the press release is included at Appendix 1 to this report.

### **What issues were raised and how have they been addressed?**

9. A total of 14 representations were received to the public consultation. Table 1 below sets out who submitted the response, a summary of the main issues raised, the Council's response and how the issues raised have been addressed in the SPD together with details of any changes to the SPD, where appropriate.

Table 1: Summary of the issues raised by respondents, the Council’s response and recommended changes to the SPD

Respondent	Summary of issues raised	Council’s response and recommended changes to the SPD (shown in bold)
Network Rail	<p>When designing drainage proposals adjacent to and in close proximity to the existing operational railway – the applicant and Council should include consideration of the potential for SUDS to increase the risk of flooding, pollution and soil slippage on the railway and its boundary.</p> <p>Proposals should ensure that no SUDS are included less than 30m from the existing railway boundary (50m from railway tunnels) and that all surface waters and foul water drainage is removed from site via a closed sealed pipe system. Network Rail would need to agree details of how drainage systems are to maintained throughout the life of a proposal.</p> <p>Swales, attenuation basins and ponds should not be included for proposals adjacent to a railway cutting / railway land to ensure there are no stability issues for railway land. Any inclusion of attenuation basins etc. should be discussed with Network Rail prior to submission of the planning application.</p> <p>Proposals seeking to direct surface water run off via culverts under the railway / adjacent to railway land would need to be agreed with Network Rail and would be subject to necessary agreements. Railways are identified as a Major Hazard Industry.</p>	<p>Neither Policy ENV6 or Policy ENV8 include specific requirements relating to drainage design adjacent to and in close proximity to an existing operational railway, and hence no such policy requirements can be introduced into the SPD. However, some advice can be included as general guidance around railways, encouraging applicants to discuss proposals that are adjacent to or within close proximity to an existing operational railway with Network Rail.</p> <p><b>Change to SPD – a new paragraph 2.2.6 after 2.2.5 with subsequent paragraphs renumbered correctly with wording as follows: “When designing drainage proposals adjacent to and in close proximity to an existing operational railway, the applicant should consider the potential for SuDS to reduce the risk of flooding, pollution and soil slippage on the railway and its boundary. Applicants are encouraged to discuss any development proposals and associated drainage systems located within close proximity to an existing operational railway with Network Rail.”</b></p>
Marine Management Organisation	Standard advice regarding marine licensing, marine planning and minerals and waste plans and local aggregate assessments.	The standard advice is noted. <b>No change to SPD required.</b>
Kate Jennings, Settle resident	2.1.0 Development in the lowest areas of flooding [Policy ENV6 (a)]	The NPPF sets strict tests to protect people and property from flooding which all local planning authorities are expected to

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	<p>A precautionary approach should be taken to the identification of areas at risk of flooding to 'future-proof' flood risk assessments. As a result of climate change the risks of flooding are likely to extend some way beyond the current extent of flood risk mapping (as presented here <a href="https://flood-map-for-planning.service.gov.uk/">https://flood-map-for-planning.service.gov.uk/</a>) within the lifetime of any proposed developments.</p> <p>2.2.0 Sustainable Urban Drainage Systems [Policy ENV6 (b)] The wording should be altered to make clear that inclusion of (and requirements for) SUDS should be the default for all forms of development, with limited derogations from this requirement only being considered in exceptional circumstances.</p> <p>2.3.0 Maintaining access to watercourses and flood defences, and avoiding likely flood resilient areas [Policy ENV6 (c) &amp; (d)] Support that the draft SPD is clear about the need to avoid the degradation of peat soils and upland habitats. Also support for the reference here to the importance of safeguarding land for flood risk management.</p> <p>2.4.0 Maximise opportunities for incorporation of water conservation [ENV8 (b)] Here as elsewhere in the document suggest that the technologies and measures are listed, CDC could make clear those which will be expected as a minimum requirement.</p>	<p>follow. Paragraph 2.1.1 of the draft SPD states that criterion a) to ENV6 reflects the general approach to development and flood risk in the NPPF and the NPPG by focusing development in areas of lowest flood risk where possible and by applying the necessary sequential and exception tests. <b>No change to SPD required.</b></p> <p>Policy ENV6 requires the incorporation of SuDS where possible and this is reflected in the draft SPD at paragraph 2.2.0. The suggestion that SuDS should be the default for all forms of development, and that some elements of SuDS should be required as standard in all developments, is beyond the requirements of Policies ENV6 and ENV8, and hence cannot be included in the SPD. <b>No change to SPD required.</b></p> <p>Support is welcomed for the text on peat soils and upland habitats, and also to the importance of safeguarding land for flood risk management. <b>No change to SPD required.</b></p> <p>Water conservation and efficient technologies are referred to paragraph 2.4.2 with examples of these listed. Whilst it is agreed that the specific technologies and measures relating to water conservation are worthwhile, such references to their inclusion as minimum requirements go beyond the policy requirements of ENV6 and ENV8, and hence cannot be included in the SPD. <b>No change to SPD required.</b></p>

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	<p>2.5.0 Adequate provision for foul and surface water disposal and waste water treatment infrastructure [Policies ENV6 (e) &amp; ENV8 (a)]  Along the River Ribble, the river level is currently half way up the gravity outfalls for surface water disposal at the recently constructed houses on Riverside View in Settle. CDC should reflect on whatever policies were in place at the time of consenting this development and revise them as they were very clearly inadequate (or ignored).</p> <p>3.14.0 Outline, Reserved Matters and Planning Conditions  Welcome the statement that 'The Council may wish to encourage details relating to flood risk and water resources on or near a development site to be agreed as part of the initial permission, so that important elements are not deferred for later consideration' but would suggest that this should be strengthened, as the Council <u>should</u> encourage and expect this, and should also be clear that subsequent reserves matter applications and applications for alternations to permissions should not be used to seek to relax requirements established at the outline permission stage.</p>	<p>This comment relates to a determined planning application rather than to the draft SPD itself. The aim of the SPD is to provide further guidance to adopted Craven Local Plan Policies ENV6 &amp; ENV8, which will be used to assess planning applications when relevant. The local plan was adopted in November 2019 and the Council is required to review the plan every five years. Policies will therefore be reviewed and updated as necessary. This is a separate process to the preparation of SPDs.  <b>No change to SPD required.</b></p> <p>In order to provide clarity relating to this issue, paragraph 3.14.1 is to be amended. This amendment also relates to the comment made by CPRE below. <b>Change to SPD – first sentence of paragraph 3.14.1 altered as follows: “The Council encourages details relating to flood risk and water resources on or near a development site to be agreed as part of the initial permission, so that important elements are not deferred for later consideration.”</b></p>
Sutton Parish Council	<p>No comments on the content of the SPD.</p> <p>A request to use the information from an attached report within the response (Flood Investigation Report for South Craven; North Yorkshire County Council, 2016) in the SPD, and also in reference to any future planning applications.</p>	<p>The Flood Investigation Report for South Craven referred to relates to an investigation carried out following an extreme rainfall event and subsequent flooding from rivers, surface water and ground water in December 2015. The purpose of this report is to investigate which Risk Management Authorities (RMAs) had relevant flood risk management functions during the flooding incident, and whether the relevant RMAs have exercised, or propose to exercise, their risk management functions, as per section 19(1) of the Flood and Water Management Act 2010. It does not address wider issues beyond that remit, nor include</p>

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		<p>recommendations for future actions. Policy ENV6 states that it is important to refer to the latest and best flood risk information. Given the age and purpose of this report, it is not considered appropriate to refer to it in the draft SPD.</p> <p><b>No change to SPD required.</b></p>
<p>The Canal &amp; River Trust</p>	<p>Section 2.7 Water Quality: the proposed text could assist in ensuring that efforts are taken by prospective developers to ensure that their proposals do not adversely result in pollution towards water resources, helping make Local Policy more effective in meeting the aims of paragraph 174 (part e) of the NPPF, which seeks to ensure that negative impacts of development on the water environment are limited. This includes need to identify appropriate mitigation, such as suggested in paragraph 2.7.4.</p> <p>There is a risk that the current wording of this section, which refers to 'watercourse' and 'water resources', does not specifically address what water bodies would be impacted by the text. The addition of a glossary or additional text detailing the type of water bodies affected by section 2.7 can make the document more effective, making it more obvious to applicants what water resources the document applies to.</p> <p>Section 3.4 Flood Risk from Canals: note reference to the flood risk from canals, which cross-references the Craven SFRA. There is a residual risk of flooding from (unlikely) asset failures or the overtopping of water from natural watercourses into the canal. Section 4.5.1 of the SFRA is robust, and the cross-reference to this document should help make the SPD effective in guiding developers to the relevant documentation.</p>	<p>Support welcomed for the text contained in Section 2.7.</p> <p><b>No change to SPD required.</b></p> <p>Additional text to be included on the water body types. <b>Change to SPD – additional sentence in paragraph 2.7.1 as follows: “Water resources refer to rivers, lakes, canals, streams, and small ditches. All of these water resources could be impacted by development in terms of water quality.”</b> <b>Change to SPD - the term ‘water courses’ has been replaced with ‘water resources’ in para 2.7.1.</b></p> <p>The comments and support for Section 3.4 are noted.</p> <p><b>No change to SPD required.</b></p>

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	<p>2.5 Surface Water Disposal: The Canal and Rivers Trust as Landowner and Navigation Authority of the Leeds &amp; Liverpool Canal, note that any discharge of water to our network would require the Trust's prior consent. This would also involve a requirement to assess any impact on navigation or the management of water resources across our network. Suggestion that the draft SPD include text to inform prospective applicants of the need for this consent and an assessment of the impact on the network. Example text included in submission.</p>	<p>Suggested additional text within Section 2.5 accommodated. <b>Change to SPD – additional text at the end of paragraph 2.5.1 worded as follows: “It should be noted that the formation of a new discharge or alteration to an existing discharge to the Leeds and Liverpool Canal would require the prior consent of the Canal &amp; River Trust. Applicants proposing to discharge to the Canal may wish to enter pre-application discussions with the Trust prior to the development of their drainage proposals.”</b></p>
<p>Pendle Borough Council</p>	<p>No identification of any direct implications for Pendle. Note the positive aspects of the relevant Craven policy and will seek to replicate these in their emerging LP policies on Flood Risk &amp; Water Management, to ensure that Craven's strategic aims and objectives are reflected in Pendle, particularly within that part of Aire catchment that is within the borough.</p>	<p>Support is welcomed for the document's content, and the comments are noted. <b>No change to SPD required.</b></p>
<p>Bradley Parish Council</p>	<p><u>General Comments and relationship to the emerging Neighbourhood Development Plan</u>            Need to explain the relationship to existing and future neighbourhood plans which may contain more local policies and provisions for developments involving flood risk and water management.</p> <p><u>Comments on Part 3 – Preparing and Submitting Planning Applications</u>            Acknowledge and welcome that paragraphs 3.1.1 and 3.1.3 of Part 3 of the draft SPD references the importance of community engagement</p>	<p>This SPD provides further guidance to adopted Craven Local Plan Policies ENV6 and ENV8. <b>Change to SPD – an additional sentence in paragraph 1.1.3 as follows: “Once made or adopted, neighbourhood plans form part of the development plan. It will therefore be necessary for development proposals to comply with any flood risk and/or water management policies in neighbourhood plans where they exist and cover the location where development is proposed.”</b></p> <p>Support for the content of paragraphs 3.1.1 and 3.1.3 is welcomed. Paragraph 3.1.3 sets out the importance of early discussions between applicants, Craven District Council and the</p>



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	<p>by developers when developing schemes. Although more emphasis should be placed on applicants to demonstrate how they have effectively engaged with communities and how final scheme designs have reflected and taken on board the views of the local community. This will be particularly important within Bradley village when considering appropriate SUDs measures as part of new development schemes, as their effectiveness will depend on the local context and topography of the area, and the Parish Council and local community have valuable intelligence that would assist in scheme design. This would need to be proportionate to the scale of development proposed but it ought as a minimum be required for schemes comprising multiple new houses.</p>	<p>relevant local community in clarifying development expectations and reconciling local and commercial interests. Paragraph 3.1.3 states 'Early discussions between applicants, Craven District Council and the relevant local community is important for clarifying development expectations and reconciling local and commercial interests', therefore it is considered that the draft SPD already sets out the importance of early community engagement when developing schemes.</p> <p><b>No change to SPD required.</b></p>
<p>CPRE NY (The Countryside Charity, North Yorkshire)</p>	<p>Supportive of this draft SPD in general; it clearly sets out the intentions of the relevant policies in the adopted Local Plan. It is considered part 3 of the SPD will be incredibly useful to potential applicants to understand what evidence and information is required to be submitted during the planning application process. The detailed process set out to undertake the sequential and exception tests is considered useful.</p> <p>Suggested amendment for paragraph 3.14.1 included in submission. This is to ensure that adequate mitigation measures (where appropriate) can be delivered as part of the application's determination to ensure appropriate development. If this important matter is deferred to a condition, then the principle of development will have been established regardless of the viability and potential effectiveness of mitigation.</p>	<p>The support for the SPD content is welcomed.</p> <p>A slightly amended version of the suggested change of wording can be made to the draft SPD. <b>Change to SPD – first sentence of paragraph 3.14.1 changed as follows: “The Council encourages details relating to flood risk and water resources on or near a development site to be agreed as part of the initial permission, so that important elements are not deferred for later consideration.”</b></p>
<p>Bentham Town Council</p>	<p>Due to the length of this document, a request for a summary of the new proposals and/or changes in order to be able to respond fully.</p>	<p>The current consultation format is deemed most appropriate both for consultees and the Council. Craven DC responded to this</p>

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	<p>There are no comment forms for this consultation. However, a comment form enables the Council to respond easily and facilitates consultation, and would have been extremely useful.</p>	<p>submission during the consultation period, with the key points as follows:</p> <ul style="list-style-type: none"> <li>• Explained how the second draft of this SPD will show amendments made to the first draft (shown as strike-through text and underlined text as appropriate);</li> <li>• The table of contents is useful to direct commentators to sections that are of most importance to them if all the material cannot be consumed. Any comments on such sections or other SPD content are most welcome;</li> <li>• The consultation notification letter sent out to all interested parties at the commencement of the consultation period stated that there was no comments form for the consultation, and set out that consultees should identify which section or paragraph their comments relate to.</li> </ul> <p><b>No change to SPD required.</b></p>
<p>United Utilities</p>	<p>Our Assets: in addition to maintaining access to watercourses and flood defences (Section 2.3.0 of the SPD), it is important to outline the need for United Utilities' assets to be fully considered in development proposals. UU will not normally permit development over or in close proximity to their assets. All United Utilities' assets need to be afforded due regard in the master planning process for a site. Strongly recommend that the LPA advises applicants of importance of fully understanding site constraints as soon as possible, ideally before any land transaction is negotiated.</p>	<p>The SPD can include stronger references to the importance of fully understanding site constraints associated with utility assets as soon as possible. <b>Change to SPD – additional text to paragraph 2.3.2 with the following wording: “It is advised that applicants liaise with the Environment Agency and other risk management authorities (Local Lead Flood Authority, Internal Drainage Board, United Utilities, Canal &amp; Rivers Trust etc.) to identify any existing criteria relating to access to watercourses and existing assets of these authorities. It should be noted that an 8 metre easement buffer along watercourses where development is not permitted is recommended by the Environment Agency to</b></p>

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	<p>Water Management: support for guidance on sustainable water management. Welcome the SPD being intrinsically linked to wider policies in the Local Plan, including the Council's emerging Good Design SPD and the Green Infrastructure &amp; Biodiversity SPD.</p> <p>Green &amp; blue infrastructure and landscape provision play an important role in managing water close to its source, and sustainable surface water management is at the forefront of the design process. The necessary links between green &amp; blue infrastructure, surface water management, landscape design and biodiversity should be made in the SPD.</p>	<p><b><i>allow ease of access to watercourses for maintenance works."</i></b></p> <p>Support is welcome for guidance on sustainable water management.  <b>No change to SPD required.</b></p> <p>There is linkage between this SPD and the emerging Biodiversity &amp; Green Infrastructure SPD, and its promotion of green and blue infrastructure to help reduce flood risk (for example in paragraph 2.3.5). Additional text has been inserted at paragraph 2.7.6 in response to this comment and comments from the Environment Agency relating to this issue (see below).  <b>Change to SPD – additional text to paragraph 2.7.6 as follows: “There are strong linkages between Biodiversity Net Gain (BNG) provision, protecting Green Infrastructure, reducing flood risk and improving water quality, i.e. the retention and enhancement of habitats in order to achieve BNG has cross-over benefits for flood risk and water quality. This multi-functionality of land and water environments should be noted and implemented by applicants where possible. The Biodiversity and Green Infrastructure SPD provides further details to adopted local plan policy ENV4 and ENV5, including details regarding BNG and the use of the Biodiversity Metric, which requires that river, stream, canal and ditch habitats are assessed independently from land habitats.”</b></p> <p>Agreed that there is a strong link between landscaping, public realm improvements, and sustainable water management design</p>

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	<p>Landscaping and Public Realm Improvements: Suggest that stronger reference is made in the draft SPD to the need for landscaping and any public realm improvements to be integrated with sustainable surface water management design objectives.</p> <p>As part of any public realm improvements, including Craven's town centre regeneration opportunities, we specifically request that the Council and applicants consider opportunities for source control and slowing the flow of surface water. Note inclusion of permeable surfacing in examples of SuDS in Table 1. In addition to permeable paving, this can be achieved through swales; and bioretention tree pits/rain gardens.</p> <p>UU enclosed some case studies taken from the Susdrain website which provide imagery of example SuDS components. UU recommend additional wording as included in the submission.</p>	<p>objectives, and the draft SPD can be amended to provide a stronger reference to this. <b>Change to SPD – additional sentence to paragraph 2.2.8 with the following wording: “Where landscaping and public realm improvements are proposed within a scheme, opportunities should be taken to ensure that these are integrated with sustainable surface water management design objectives.”</b></p> <p><b>Change to SPD: Additional text included in Table 1 to identify permeable surfacing, swales and bioretention tree pits/rain gardens as examples of SuDS that slow the flow of surface water as follows:</b></p> <p><b>Change to second column relating to Permeable Surfaces: “Permeable surfaces can help to achieve source control and slow the flow of surface water.”</b></p> <p><b>Additional row in Table 1:</b></p> <p><b>“Types of SuDS: Swales, Bioretention tree pits/rain gardens.”</b></p> <p><b>Details provided of SuDS mechanism utilised: “Swales and bioretention tree pits/rain gardens can help to achieve source control and slow the flow of surface water. Swales are low or hollow places, especially a marshy depression between ridges. Bioretention tree pits / rain gardens are a versatile bioretention stormwater management device providing passive irrigation of street trees, stormwater quality treatment, groundwater recharge, peak flow and volume attenuation, and other significant non-stormwater benefits.”</b></p> <p><b>Suitability for Major or Minor Development: “Both; suitable for all development types.”</b></p>

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	<p>New Development Opportunities: as set out in Policy ENV6(e) Flood Risk, UU wish to highlight that every opportunity should be taken to ensure that surface water can discharge to a sustainable alternative to the public sewer system. They should consider the incorporation of water efficiency measures as part of any approach to sustainable construction.</p> <p>As noted above, prior to undertaking any public realm improvements, UU request that an approach to foul and surface water management for all potential development sites is given further consideration and integrated with landscaping proposals for the public realm in the best way possible.</p> <p>UU request that any briefs to advising consultants require the early consideration of foul and surface water management, as well as opportunities for water efficiency. Issues should be linked to the design of buildings and spaces and integrated with the approach to landscaping.</p> <p>Water Efficiency: to support Local Plan Policy ENV8(b) (maximising opportunities for incorporating water conservation into design), we wish to recommend that the SPD includes a requirement for new development to be built to the optional water efficiency standard prescribed in Building Regulations. Recommend the following additional wording as part of the SPD: <i>“New dwellings will be required to meet the higher National Housing Standard for water consumption of 110 litres per person per day.”</i></p> <p>Surface water should be managed as close to its source as possible. There are opportunities such as rainwater recycling, green roofs and water butts and encourage the LPA to embrace all water efficiency</p>	<p>The additional wording set out above is intended to address surface and wastewater management in terms of landscaping proposals for the public realm. Water efficiency and conservation is promoted in Section 2.4.0. Further detail relating to the requirement of criterion (e) of policy ENV6 is provided in Section 2.5.0 relating to the adequate provision for foul and surface water disposal and wastewater treatment infrastructure. Table 2 in Part 3 identifies a Surface Water Drainage Scheme as being one of the supporting documents which are commonly required to accompany a planning application document and forms part of the Council's local validation list, where a development proposes to discharge surface water into a public sewer. With this document, the applicant is required to demonstrate why alternative options are not available. <b>No change to SPD required.</b></p> <p>The optional water efficiency standard prescribed by Building Regulations can be implemented through local planning policy, where there is a clear need based on evidence. Adopted LP Policy ENV8 does not require this standard, hence it cannot be introduced via this SPD. If there was a clear need for this standard to be applied in Craven, it can only be introduced via an update to Craven LP policy following review. Guidance on how to take all reasonable opportunities to reduce water use in new development is included in the note on Sustainable Design and Construction Statements contained in Appendix C of the emerging Good Design SPD. The Council promotes water efficiency and conservation measures in section 2.4.0 of this SPD. <b>No change to SPD required.</b></p>

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	<p>measures. Modern design techniques can promote measures for water recycling to reduce the impact on infrastructure requirements.</p> <p>Sustainable Drainage - Foul Water and Surface Water New development should manage foul and surface water in a sustainable way in accordance with national planning policy. UU emphasise the importance of any future policy setting out the need to follow the hierarchy of drainage options for surface water in national planning practice guidance which clearly identifies the public combined sewer as the least preferable option for the discharge of surface water. Noting that not all applications are required to submit a flood risk assessment, UU outline that policy should set an expectation that all applications will be required to submit clear evidence that the hierarchy for surface water management has been fully investigated to ensure that flood risk is not increased elsewhere. UU recommend that policy requires applicants to submit a foul and surface water drainage strategy.</p> <p>UU recommend the additional wording for inclusion within Section 2.5.0 requiring all planning applications to be supported by strategies for foul and surface water drainage strategies and supplemented by maintenance and management regimes of the lifetime of any drainage schemes.</p>	<p>The proposed additions under section 2.5.0 related to this subject area cannot be accommodated as they raise numerous requirements that are not within the wording of either Policy ENV6 or ENV8. For example, neither policy includes specific requirements for minimum water run-off rates, nor that applications for detailed approval will be expected to be supplemented by appropriate maintenance and management regimes for the lifetime of any drainage schemes. However, additional wording on the volume and rate of surface water discharge can be included as part of amendments made to paragraph 2.8.2 (see below). The Council have a requirement for a Surface Water Drainage Scheme (see paragraph 2.5.1 and table 2 in Part 3).</p>

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		<p><b>No change to SPD required.</b></p> <p>Section 2.5.0 provides further detail relating to the requirements of criterion e) of policy ENV6 and criterion a) of ENV8 relating to the adequate provision for foul and surface water disposal and waste water treatment infrastructure. Table 2 in Part 3 identifies the requirement for a Surface Water Drainage Scheme (as required by policy ENV6) and a Foul Drainage Assessment (as required by policy ENV8) when appropriate. These documents are identified as those commonly required to accompany a planning application document and form part of the Council's local validation list.</p> <p>Section 2.2.0 provides further guidance relating to the requirement of criterion (b) of policy ENV6 that all surface water drainage systems should be economically maintained for the lifetime of the development.</p> <p><b>No change to SPD required.</b></p> <p>It is considered that elements of this suggested additional text can be accommodated within the draft SPD to provide further guidance on the requirements of policies ENV6 and ENV8 in section 2.2.0, which relates to SuDS &amp; criterion (b) of Policy ENV6. This additional text also strengthens the linkages between this SPD and the emerging draft GI &amp; Biodiversity SPD through the provision of clear working for applicants. It is considered that this draft SPD cannot require that any SuDS is designed in accordance with 'Ciria C753 The SuDS Manual' or any subsequent replacement guidance as this is not a specific requirement of Policy ENV6, however the SPD can be amended to encourage applicants to refer to it when designing schemes.</p>

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	<p>UU also recommend additional wording for inclusion within Section 2.6.0 of the draft SPD relating to the expectation for applicants to design sustainable drainage in accordance with the four pillars of sustainable drainage and that any sustainable drainage system should be designed in accordance with 'Ciria C753 The SuDS Manual' or any subsequent replacement guidance.</p> <p>Groundwater: with respect to Section 2.8.0, we would recommend that paragraph 2.8.2 clearly states that: <i>"In groundwater source protection zones, applicants may be required to risk assess the impact on the groundwater environment and thereafter, if the principle of development is acceptable, incorporate appropriate mitigating measures agreed in liaison with the Environment Agency and the relevant water / wastewater undertaker. The mitigating measures</i></p>	<p><b>Change to SPD – new paragraph 2.2.9 with the following wording: <i>"Applicants are encouraged to design sustainable drainage in accordance with the four pillars of sustainable drainage - water quantity, water quality, amenity and biodiversity, and incorporate site drainage as a part of a high quality green and blue environment. Strategies for surface water management could include sensitive biodiversity proposals, as well as appropriate hard and soft landscaping to reduce the volume and rate of surface water discharge, for example permeable surfaces and bio retention areas (see Table 1 above). Unless a below ground infiltration system is proposed for the management of surface water, applicants are encouraged to manage surface water through sustainable drainage features with multi-functional benefits as opposed to a reliance on underground conventional piped and tanked storage systems. Applicants are encouraged to refer to the 'Ciria C753 The SuDS Manual' or any subsequent replacement guidance when designing SuDS. Regarding the implementation of SuDS, the applicant is advised to cross reference to the Craven Local Plan's policies (ENV4 and ENV5) and the subsequent SPD on the subjects of biodiversity and green infrastructure."</i></b></p> <p><b>Change to SPD – additional wording added to paragraph 2.8.2 as follows: <i>"In considering the impact of any proposal on source protection zones (SPZs) and any appropriate mitigation measures, applicants are advised to liaise with the Environment Agency and the relevant water/waste water undertaker. The mitigating measures could relate to the masterplanning of the site, the detailed design of the site</i></b></p>



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	<p><i>could relate to the masterplanning of the site, the detailed design of the site and measures to manage the impact of the construction process on the groundwater environment.”</i></p> <p>The Sewerage Network in Craven: it is important to explain that existing drainage systems in the district are often dominated by combined sewers. This method of sewer infrastructure is a result of the time it was constructed, with combined sewers taking both foul and surface water. If there is a consistent approach to surface water management as part of new development, it will help to manage and reduce surface water entering the sewer network, decreasing the likelihood of flooding from sewers, the impact on residents and businesses, and the impact on the environment.</p> <p>Stepped Approach to Sequential &amp; Exception Testing, Introduction: With respect to Paragraph 3.4.1, UU highlights the need for the identification of flood risk to include dialogue with the relevant wastewater undertaker for the area so that any flood risk from public sewers can be identified and thereafter considered appropriately in accordance with national planning policy and guidance. UU highlight the need for related references to ‘fluvial flood risk’ to be deleted to make reference to simply ‘flood risk’. For example, Step 3 at paragraph 3.6.0 refers to ‘The fluvial (rivers and watercourses) flood risk sequential test’. Similarly, Step 3 (d) states: Are there any available and appropriate alternative sites of lower fluvial flood risk than the proposed residential development site’.</p>	<p><b><i>and measures to manage the impact of the construction process on the groundwater environment.”</i></b>  <b>This paragraph has also been amended to be clearer where the SPZs in Craven can be found.</b></p> <p>It is agreed that a brief explanation would be useful to applicants in terms of existing combined sewers. <b>Change to SPD – additional text to new paragraph 2.5.4 as follows: “<i>The existing drainage systems in the local plan area are often dominated by combined sewers, taking both foul and surface water. This is a result of the time the sewer infrastructure was constructed. Policy ENV6 criterion (e) and ENV8 criterion (a) promotes a consistent approach to surface water management as part of new development, which will help to manage and reduce surface water entering the sewer network. Hence this will decrease the likelihood of flooding from sewers, the impact on residents and businesses, and the overall impact on the environment.</i>”</b></p> <p>The proposed wording alterations are accepted. <b>Changes to SPD as follows – in Step 3, the heading of paragraph 3.6.0 changes and reduces to: ‘<i>The Flood Risk Sequential Test</i>’. Within Step 3(d), the heading of paragraph 3.10.0 is changed to: ‘<i>Are there any available and appropriate alternative sites of lower flood risk than the proposed residential development site?</i>’</b></p> <p>In terms of the comment made in respect of stage 3(d), Policy ENV6 is in line with paragraph 16 of the NPPF regarding application of a sequential test, and ENV6 states that it will be important to refer to the latest and best flood risk information etc.</p>

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	<p>In addition, in relation to Step 3 (d) UU highlight that if the relevant flood risk is from public sewers, it would be necessary to liaise with the relevant sewerage company regarding the availability of appropriate alternative sites (see para 16 of the NPPF).</p> <p>With respect to Step 5 UU also recommend that the SPD makes it clear that flood risk assessments may also be required in respect of circumstances relating to other forms of flood risk.</p> <p>Outline, Reserved Matters and Planning Conditions As noted above, UU request that the SPD is clear that at the outline stage, the applicant should provide details of a foul and surface water management strategy. UU recommend that reserved matters and</p>	<p>In terms of the comment made in relation to Step 5, paragraph 3.13.2 quotes from the PPG that one of the objectives of a FRA is to establish whether a proposed development is likely to be affected by current or future flooding from any source. Therefore, the SPD is considered to be clear that FRA are required in respect of potential flooding from any source, which would include flooding from a public sewer.</p> <p><b>No change to SPD required.</b></p> <p>As set out in the response to the UU comment above relating to the need for foul and surface water drainage strategies and maintenance regimes, Section 2.5.0 provides further detail relating to the requirements of criterion (e) of policy ENV6 and criterion (a) of ENV8 relating to the adequate provision for foul and surface water disposal and wastewater treatment infrastructure. Table 2 in Part 3 identifies the requirement for a Surface Water Drainage Scheme (as required by policy ENV6) and a Foul Drainage Assessment (as required by policy ENV8) when appropriate. These documents are identified as those commonly required to accompany a planning application document and form part of the Council's local validation list. Section 2.2.0 provides further guidance relating to the requirement of criterion b) of policy ENV6 that all surface water drainage systems should be economically maintained for the lifetime of the development.</p> <p>Paragraph 3.14.1 is clear that the Council encourages details relating to flood risk and water resources on or near a development site to be agreed as part of the initial permission, so that important elements are not deferred for later consideration.</p>

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	<p>applications for full planning permission should provide details on the approach to foul and surface water drainage including details of finished floor and ground levels as well as levels of the proposed drainage system. This is critical information so that the resilience of a site to climate change can be assessed.</p>	<p>Table 2 in Part 3 and section 3.14.0 together provide further guidance on the requirements of policies ENV6 and ENV8 relating to foul and surface water management.  <b>No change to SPD required.</b></p>
<p>Environment Agency</p>	<p>Flood Risk: The EA have highlighted that there have been updates to the NPPF since the Craven Local Plan was prepared and adopted. For flood risk, the principal evidence comes from the Strategic Flood Risk Assessment. In Craven, the current SFRA was published in 2017 and since then the SFRA guidance has been updated to reflect the current NPPF and NPPG. The EA have provided comments below with regards to aspects of the SFRA that are likely to require updating; or that would benefit the Council and developers if it were to be updated.</p> <p>Paragraph 1.4.2 &amp; 1.4.3: the latest wording in the NPPF emphasises that flood risk should take into account risk now and in the future; and should give consideration to all sources of flood risk. Whilst the previous wording was similar, the 2021 changes make it much clearer how flood risk should be taken into account. Policy ENV6 could make it clearer for example that current flood risk and the future impacts of climate change need to be taken into account, as well as flood risk from all sources.</p> <p>2.2.3 – 2.2.7 &amp; 2.5.3: the latest wording within the NPPF is that SuDS should be incorporated, unless they would be inappropriate (NPPF Paragraph 169). This is a subtle change in language, but puts the</p>	<p>It is recognised that the Council's SFRA will need updating and the Council plans to update the 2017 SFRA as part of work to update the Craven Local Plan evidence base, in line with the requirements of the NPPF &amp; NPPG.</p> <p>Paragraph 1.1.2 of this SPD explains that the SPD provides further guidance on flood risk and water management in the Craven Local Plan area (principally policies ENV6 &amp; ENV8). Changes to adopted local plan policies can only be made via the statutory planning process of reviewing and updating a local plan, and cannot be made via a SPD.  Section 1.4.0 sets out that the preparation of the local plan and its examination has been based on provisions of the 2012 NPPF, and the accompanying NPPG and that policies ENV6 and ENV8 remain consistent with the latest version of the NPPF.  <b>No change to SPD required.</b></p> <p>Criterion (b) of policy ENV6 states that development will incorporate SuDS and where the use of SuDS is not possible, feasible or appropriate other means of flood prevention and water</p>

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	<p>emphasis on developments utilising SuDS; and only accepting alternatives if SuDS are not appropriate.</p> <p>In relation to 2.2.7, the recently updated SuDS Codes for Adoption may help to secure ongoing maintenance of SuDS.</p> <p>EA recommend that the commentary around the use of SuDS is discussed with the Lead Local Flood Authority, and other Risk Management Authorities who comment on detailed drainage matters – such as Internal Drainage Boards and Yorkshire Water. These comments also apply to para 2.5.3, relevant to the design of SuDS.</p> <p>2.3.1 &amp; 2.3.2: It would be useful if the SPD reflected on the likely criteria for access to watercourses. This could, for example, set out the normal easements adjacent to watercourses as well as any access requirements. The Environment Agency normally requests that there is no development within 8m (16m if tidal) of any watercourse identified as a main river. EA recommend that you discuss these requirements with the LLFA, IDB, Utility Companies and Canal &amp; Rivers Trust; and include these within the SPD. If they are included elsewhere, for example within your SFRA, it may be appropriate to specify “no</p>	<p>management should be used. Section 2.2.6 of the SPD provide further guidance on this policy criterion. Therefore, it is considered that whilst policy ENV6 is based on the provisions of the 2012 NPPF, both the policy and the guidance included in the draft SPD are consistent with paragraph 169 of the NPPF (2021).</p> <p><b>Change to SPD – additional wording in paragraph 2.2.8 as follows: “The <u>SuDS Codes for Adoption</u> can assist to secure on-going maintenance of SuDS.</b></p> <p>Both North Yorkshire County Council, in their role as the lead local flood authority, Yorkshire Water, United Utilities etc. were consulted on this draft SPD. Their comments are included in this Consultation Statement and have informed the subsequent draft of the SPD.</p> <p>Para 2.2.5 of the draft SPD states ‘Where SuDS are proposed as part of a planning application, the Council will regularly seek advice from North Yorkshire County Council, who acts as the Lead Local Flood Authority, including on what type of SuDS is considered to be reasonably practicable for a particular proposal.’</p> <p><b>No change to SPD required.</b></p> <p>The point regarding access to watercourses is noted. In order to deal with this comment and a similar comment from United Utilities (see above), the following change is proposed. <b>Change to SPD – additional text to paragraph 2.3.2 as follows: “It is advised that applicants liaise with the Environment Agency and other risk management authorities (Local Lead Flood Authority, Internal Drainage Board, United Utilities, Canal &amp; Rivers Trust etc.) to identify any existing criteria relating to access to watercourses and existing assets of these</b></p>

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	<p>development within the specified distances set out in the SFRA Section x.xx." Additional permits / consents are normally required when working in close proximity to watercourses and/or flood and drainage infrastructure.</p> <p>2.3.3 &amp; 2.3.4: generally supportive of the text under these headings, but it would be useful to confirm how these are then practically applied within the allocations and/or subsequent windfall sites. The opening sentence of 2.3.3 might read better if it suggests that "...using opportunities provided by new development to reduce the causes and impacts of flooding." This could be achieved through, for example, safeguarding of specific sites (as per the current 2.3.4 text) that may contribute to the reduction of flood risk, utilising Natural Flood Management or the use of the examples within the current text.</p> <p>2.6.2: this refers to the need to ensure that flood risk is not increased elsewhere, and falls under a sub-heading relating to drainage design (2.6.0). There is no clear link between floodplain compensation measures and the existing Local Plan policy ENV6, although ENV 6(d) seems to match some of the terminology used within NPPF para 167. If consideration is given to updating of ENV6, use of the phrase "developments should be made safe, without increasing risk elsewhere" is advantageous. This matches with NPPF Paragraphs 159 and 167.</p> <p>2.6.3: this refers to flood resilient design but appears under the subheading of ENV 6(f) which is about drainage requirements. EA recommend that this point would seem to be more relevant to ENV 6(d) which mentions 'flood resilient design' and therefore more compatible with NPPF Paragraph 167(b) and the NPPG Paragraphs 059 &amp; 060.</p>	<p><b>authorities. It should be noted that an 8 metre easement buffer along watercourses where development is not permitted is recommended by the Environment Agency to allow ease of access to watercourses for maintenance works."</b></p> <p>The first sentence in paragraph 2.3.3 repeats criterion (d) of policy ENV6. The wording of this policy criterion cannot be changed. <b>No change to SPD required.</b></p> <p>The points are noted regarding floodplain compensation and flood risk potentially increasing elsewhere. Section 2.3.0 of the draft SPD provides further guidance to criterion (d) of policy ENV6. Any wording changes and suggested updating to Policy ENV6 can only be achieved via the statutory process of reviewing and updating a local plan. <b>No change to SPD required.</b></p> <p>This comment relates to flood resilient design of new development and buildings. Criterion (d) of policy ENV6 requires development to avoid areas with the potential to increase flood resilience. It is therefore considered that this paragraph be moved to be included in section 2.3.0 relating to criterion (d) of</p>

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	<p>2.7.3: EA recommend making it abundantly clear that new culverts are unlikely to be supported, in line with the EA's position on culverts because of their adverse impacts on the environment. Physical modifications such as those listed in 2.7.3 are also likely to require additional consents or permits – such as Flood Risk Activity Permits from the EA and/or Consent from the LLFA, depending on the watercourse(s) affected. Useful to make it clear that such permits / consents are additional to permission.</p> <p>3.4.3: this paragraph should be clearer that the EA Flood Map for Planning does not delineate Flood Zone 3 into 3a or 3b. The SFRA should be used as the starting point for identifying Flood Zone 3b (the functional floodplain). Links to the EA flood maps could link to those associated with reservoirs which have been updated. Guidance on the</p>	<p>policy ENV6. <b>Change to SPD - The paragraph 2.6.3 is to be moved to a new paragraph 2.3.4 (and subsequent paragraphs renumbered) under the section under ENV6(d). Paragraph 2.3.4 is set out below: “<i>Flood-resilient buildings are designed and constructed to reduce the impact of flood water entering the building so that no permanent damage is caused. The Ministry of Housing Communities and Local Government published <a href="#">Improving the Flood Performance of New Buildings: Flood Resilient Construction</a> in 2007, which provides guidance to developers and designers on how to improve the resilience of new properties in low or residual flood areas.</i>”</b></p> <p><b>Change to SPD – additional text after third sentence of paragraph 2.7.3 as follows: “Physical modifications such as those listed may require additional consents or permits, such as Flood Risk Activity Permits from the Environment Agency and/or consent from North Yorkshire County Council depending on the watercourse(s) affected. Such permits/consents are in addition to any planning permission and developers are encouraged to contact the relevant bodies when necessary. It should be noted that in line with the Environment Agency’s position on culverts, proposed new culverts are unlikely to be supported because of their adverse impacts on the environment.”</b></p> <p><b>Change to SPD – additional text within paragraph 3.4.4: “The SFRA maps do identify Flood Zone 3a or 3b and should be the starting point for identifying 3b (functional flood plain).</b></p>

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	<p>new maps and links to accessing the maps is provided at Reservoir flood maps: when and how to use them - GOV.UK (www.gov.uk). The current SFRA does not include the mapped extent of reservoir flood risk on its maps, conflicting with the text in Section 3.4.4, although it does provide a link to the EA website.</p> <p>3.5.1: whilst the Sequential Test may not need to be revisited for sites that have already had it applied, it should be noted that NPPF Paragraph 166 does state that the Exception Test may need to be reapplied if “...relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.” EA draw specific attention to comments in relation to the SFRA and the approach to identifying areas that may be at future flood risk. There is a circular approach to assessing future flood risk within the SPD. Whilst Section 3.5.1 correctly identifies that future flood risk associated with fluvial (river) flooding is considered, it relies on the conclusions of the SFRA. EA recommend inclusion of text that encourages a sequential approach to development within a site, ensuring that the most vulnerable elements are restricted to land at lowest risk of flooding. This may be most appropriate on sites that fall across multiple flood zones, or where flood risk from other sources may also contribute to flood risk issues within a site.</p> <p>3.5.2: The use of the language “A fluvial flood risk sequential test is not appropriate for certain types of development in Flood Risk Zones 3a</p>	<p><b>Change to SPD – additional text within paragraph 3.4.3 “<i>The EA also produces reservoir flood maps and guidance on them can be accessed using the following link: <a href="https://www.gov.uk/guidance/reservoir-flood-maps-when-and-how-to-use-them">https://www.gov.uk/guidance/reservoir-flood-maps-when-and-how-to-use-them</a>. This information explains what the reservoir flood maps show, how they were created and how to use them in assessments. It should be noted that some locations in Craven, the flood extents associated with reservoir flooding extend beyond the flood zones and/or where other sources of risk are present.</i>”</b></p> <p><b>Change to SPD – a new paragraph 3.6.3 with wording as follows: “<i>In line with the EA’s advice, a sequential approach is encouraged to development within a site, ensuring that the most vulnerable elements are restricted to land at lowest risk of flooding. This may be most appropriate on sites that fall across multiple flood zones, or where flood risk from other sources may also contribute to flood risk issues within a site</i>”.</b></p> <p><b>Change to SPD – the first sentence in paragraph 3.5.2 has been replaced by the following text: “<i>In line with Table 3 of</i></b></p>

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	<p>and 3b" introduces different terminology to that used in NPPF and NPPG, which might cause confusion. EA recommend something like: "In line with Table 3 of the NPPG, certain development in Flood Zones 3b and 3a, should not be permitted. The Sequential Test should be applied (where required) to areas of lowest overall flood risk."</p> <p>3.5.3: this includes the following text: "For other non-fluvial flood risks, and for land use compatibility issues identified in the flood risk documents given in Step 1 above, applicants should contact the Council's DM team to discuss the need for an alternative sequential test and the suitability of the intended land use." EA recommend that rather than using "non-fluvial flood risks" that you refer to "other sources of flood risk" to follow the language used within NPPG.</p> <p>3.6.1: to reflect the latest NPPF and NPPG wording, the aim of the sequential test is to direct development to areas at lowest overall flood risk. This includes areas that are at future risk of flooding (i.e. as a result of climate change), and where other sources of flood risk may be present. Useful within the SPD to explain how the sequential test (ST) will be applied, perhaps with some visual aids (tabular or flowcharts). This could also help show that the ST will provide equivalent weighting to other sources of flood risk, and also show how future flood risk is taken into account.</p>	<p><b><i>the PPG (see Appendix B), certain development in Flood Zones 3b and 3a, should not be permitted. The Sequential Test should be applied (where required) to areas of lowest overall flood risk. This is because such development should not be permitted in these high flood risk areas and cannot generally be justified by the sequential or exception test. The NPPF has further information under its paragraphs 159 – 169.</i></b></p> <p><b>Change to SPD – within paragraph 3.5.3, the phrase 'non-fluvial flood risks' is to be replaced by 'other sources of flood risk'. Change to SPD – the first sentence of paragraph 3.5.3 has been amended to read as follows: "For other sources of flood risks, and for land use compatibility issues identified in the flood risk documents given in Step 1 above, applicants should contact the Council's Development Management team to discuss application of the sequential test and the suitability of the intended land use in this context."</b></p> <p>Paragraphs 3.6.0 – 3.11.0 sets out detailed guidance on the application of the Sequential Test.  <b>No change to SPD required.</b></p>



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	<p>3.12.3: this table refers to the application of the Sequential and Exception Tests for residential development. Rather than saying “not required” in FZ3b, it would be clearer to say “development not permitted” to follow language used in the Planning Practice Guidance (e.g. Table 3). Whilst this is included in the footnote of that table, it may be misleading to say “not required” when the development is not appropriate in principle. This table should also make it clearer where the application of the ST may need to take account of future impacts of climate change or other sources of risk (NPPF paragraphs 161 &amp; 162). Useful to identify where Exception Test may need to be reapplied for sites already allocated in the LP, for example if more recent information about existing or potential flood risk should be taken into account (NPPF paragraph 166).</p> <p>Appendix B Tables (Pg. 34): Within the document, Appendix B, Table 1 (Flood risk vulnerability classification) appears to match Table 2 within NPPG. This table also now appears as Annex 3 to the NPPF. Within the document, Appendix B Table 2 (Flood Zones and Flood Risk Vulnerability Classification) appears to match Table 3 within NPPG. There are a number of footnotes to this table within the NPPG that do not appear within Appendix B. The use of alternative Table references in the document when compared with the NPPG introduces a possible</p>	<p><b>Change to SPD – In order for Table 3, found at paragraph 3.12.3 of the SPD, to be consistent with the wording of Table 3 included in the PPG, the phrase “development should not be permitted” will be utilised in relation to FZ3b rather than “not required”. The table has been amended to make it clearer where the application of the Sequential Test may need to take account of future impacts of climate change or other sources of risk, as per NPPF paragraphs 161 &amp; 162.</b></p> <p><b>Change to the SPD – Paragraph 3.5.1 has been amended to refer to the requirements of paragraph 166 of the NPPF, which states that “Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again.”</b></p> <p><b>Change to SPD – paragraph 3.12.1 to include the following text: “Paragraph 166 of the NPPF states that ‘the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account’.”</b></p> <p><b>Change to SPD – the references of Appendix B are amended to match the references in the corresponding table of the NPPG regarding the details highlighted.</b></p> <p><b>The following note is added at the end of Table 2 in Appendix B:</b></p> <p><b><i>“It should be noted that the table above is also included in the NPPF (2021) as Annex 3”</i></b></p>

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	<p>confusion. It would also be useful to reflect that the Table 2 within NPPG now also appears as Annex 3 within the NPPF, which potentially affords it greater weight.</p> <p>SFRA: EA would encourage you to update your SFRA in line with recent guidance and new information. EA welcome any discussions regarding a review of the SFRA. Formation of this SPD is challenging without an up to date SFRA – and therefore updating the SFRA is likely the best option going forward. EA comments may be useful as prompts for aspects to consider when the SFRA is considered for updates.</p> <p>Functional Floodplain (FZ3b): The current SFRA (2017), Appendix D, includes an approach to designating the functional floodplain (FZ3b). EA are aware of a number of sites recently where development is being considered within the functional floodplain. This is often complicated where the functional floodplain is not identified based on detailed modelling. This SPD could make it clearer how the LPA intend to approach development sites coming forward within the functional floodplain.</p> <ul style="list-style-type: none"> <li>• Making it clear that the designation of Flood Zone 3b has been made based on the approach set out in the SFRA, which is a mix of modelled, historic, designations (e.g. FSAs) and proxy information.</li> </ul>	<p>Policy ENV6 states that in applying all the criteria set out in the policy, it will be important to refer to the latest and best flood risk information from Craven's strategic flood risk assessment and any relevant site-specific flood risk assessment, plus advice from the Environment Agency and the contents of the NPPF. Reference to Craven's SFRA is not specific to the 2017 SFRA and includes any update to that SFRA.</p> <p>As referred to previously, the Council will be updating the 2017 SFRA as part of work to update the Craven Local Plan evidence base, in line with the requirements of the NPPF &amp; NPPG. These comments are noted and will be considered when the SFRA is updated. <b>No change to SPD required.</b></p> <p>It is agreed that more information can be provided on the approach to any development in the functional floodplain. <b>Change to SPD: New paragraph 3.4.5 with the following text: "The designations of Flood Zone 3b in Craven has been made based on the approach set out in the Council's SFRA (2017), which is a mix of modelled, historic, designations and proxy information. Further investigation (for example as part of a Flood Risk Assessment or further modelling) may indicate that the functional floodplain is larger, or smaller, than that presented in the SFRA. If intending to challenge the functional floodplain (FZ3b) extent, the applicant is responsible for providing evidence to demonstrate flood risk to a site. Areas that would naturally flood should be</b></p>

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	<ul style="list-style-type: none"> <li>• Further investigation (e.g. as part of a FRA or further modelling) may indicate that the functional floodplain is larger, or smaller, than that presented in the SFRA.</li> <li>• If intending to challenge the functional floodplain (FZ3b) extent, that the developer is responsible for providing evidence to demonstrate flood risk to a site.</li> <li>• Being clear that areas that would naturally flood should be considered as functional floodplain, and not removed unless solid infrastructure or buildings exist. (NB: the current approach removed areas if they were "built-up/urban areas" which is not supported in the current guidance).</li> </ul> <p>Accessing Environment Agency data: EA recommend considering the addition of text into this document that makes it clear that the EA holds a number of detailed flood models that may be relevant to assessment of flood risk for a site. Include more up to date modelling and/or data that may be used to help better understand flood risk on any specific site. Can make it clear that detailed flood models do not exist in all locations.</p> <p>Biodiversity / Water Quality: EA welcome that the SPD recognises the value of the natural environment in reducing flood risk (2.2.3) and that GI networks play a major role in resilience to flooding (2.3.5).</p> <p>2.7.0 Water Quality: EA agree that it is important to set out that direct impacts to the quality of a watercourse can involve physical modifications (2.7.3). EA agree that it is important to set out WFD requirements (2.7.5). EA pleased to see that gaining multiple benefits and removing artificial physical modifications is encouraged at paragraph 2.7.6.</p>	<p><b><i>considered as functional floodplain, and not removed unless solid infrastructure or buildings exist. The Environment Agency holds a number of detailed flood models that may be relevant to the assessment of flood risk for a development site, which may include more up to date modelling and/or data that can assist in better understanding flood risk on any specific site. Applicants are advised to contact the EA to access this information".</i></b></p> <p>The support is welcomed for the linkages to the content of the emerging Green Infrastructure &amp; Biodiversity SPD. <b>No change to SPD required.</b></p> <p>The support for the details regarding water quality maintenance and WFD requirements is welcomed. <b>No change to SPD required.</b></p>

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	<p>Please see appendix 1 for some additional information regarding WFD. EA also highlighted this and further information in the response to the GI &amp; Biodiversity SPD. It would be beneficial if the two SPDs, and also the Good Design SPD signpost to each other for clarity and usefulness.</p> <p>3.2.0 Documents to Support a Planning Application</p> <p>Table 2 lists relevant supporting documents. The row relating to EIA also should set out that a WFD assessment would be required for applications that may impact on waterbodies as in 2.7.5: an assessment of the potential impacts on water bodies and protected areas is required under the Water Environment Regulations, 2017 (related to the Water Framework Directive). These regulations apply to surface waters and groundwater. Suggest that the document makes links to Biodiversity Net Gain, particularly because watercourses are assessed independently in the Biodiversity Metric 3.0, and so that element of BNG is particularly relevant to this plan.</p> <p>Groundwater Protection: section 2.2.2 mentions a hierarchy of drainage options and the first is "(1) into the ground – infiltration". No clarification is made as to how deep this infiltration will be and so EA ask that mention is made of the EA approach to groundwater</p>	<p>The further information is noted regarding the response to the emerging GI &amp; Biodiversity SPD. It will be ensured that there is appropriate signposting between the three emerging SPDs mentioned.</p> <p><b>Change to SPD – Table 2, the row relating to EIA amended as follows: “Environmental Impact Assessment (EIA) is a national validation requirement and may be necessary to accompany a planning application. It should be noted that a Water Framework Assessment would be required for applications that may impact on waterbodies”.</b></p> <p>It is agreed that appropriate linkages can be made to the emerging GI &amp; Biodiversity SPD. <b>Change to SPD – additional text to paragraph 2.7.6 as follows:</b></p> <p><b>“There are strong linkages between Biodiversity Net Gain (BNG) provision, protecting Green Infrastructure, reducing flood risk and improving water quality, i.e. the retention and enhancement of habitats in order to achieve BNG has cross-over benefits for flood risk and water quality. This multi-functionality of land and water environments should be noted and implemented by applicants where possible. The draft Green Infrastructure &amp; Biodiversity SPD provides further guidance to adopted local plan policies ENV4 and ENV5, including details regarding BNG and the use of the Biodiversity Metric, which requires that river, stream, canal and ditch habitats are assessed independently from land habitats.”</b></p> <p>It is agreed that reference is made of the EA approach to groundwater protection. <b>Change to SPD – additional text to the end of paragraph 2.2.2 as follows: “Applicants are advised to study the <a href="#">EA approach to groundwater protection</a>, which</b></p>

Respondent	Summary of issues raised	Council's response and recommended changes to the SPD (shown in bold)
	<p>protection:  <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692989/Environment-Agency-approach-to-groundwater-protection.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692989/Environment-Agency-approach-to-groundwater-protection.pdf</a>. Reference sections G10 and G13 of our approach, which ask for drainage components to be used in a series to achieve a robust surface water management system that does not pose an unacceptable risk of groundwater pollution. EA normally object to new developments posing an unacceptable risk of groundwater pollution.</p> <p>The reference to the Environment Agency approach to groundwater protection should also be added to section 2.2.5, alongside the reference to the North Yorkshire Flood Risk Strategy. In section 2.8.2 Source Protection Zones are mentioned, and a link to online maps of them referenced. Again, the EA approach to groundwater protection should be referenced here too, for completeness.</p> <p>The EA has submitted Appendix 1 as part of their comments specifically relating to the Water Framework Directive (WFD). The contents of this appendix are summarised below:</p> <ul style="list-style-type: none"> <li>• The WFD needs to be considered throughout the development of the Local Plan and SPDs.</li> <li>• The Water Framework Directive (WFD)(E&amp;W) Regulations 2017 requires all water bodies to reach good status by 2027. Part 6, paragraph 33 places a duty on each public body including local planning authorities to 'have regard to' River Basin Management Plans (RBMPs).</li> <li>• The EA publish RBMPs that identify measures that will achieve WFD requirements for all water bodies in England and Wales.</li> <li>• The EA recommend when WFD assessment is needed for planning applications and require mitigation or other measures</li> </ul>	<p><b><i>provides guidance on SuDS in new development where this is appropriate, and in particular, sections G10 and G13, which ask for drainage components to be used in a series to achieve a robust surface water management system that does not pose an unacceptable risk of pollution to groundwater.</i></b></p> <p><b>Change to SPD – at the end of both paragraphs 2.2.5 and 2.8.1, the applicant will be referred to the above new content under paragraph 2.2.2, by means of the following text: <i>“Please refer to paragraph 2.2.2 of this SPD for information on the approach of the Environment Agency to groundwater protection.”</i></b></p> <p>The Council acknowledges the content of Appendix 1 provided by the EA submission – Water Framework Directive, and all points are noted. Policy ENV8(d) sets out that <i>“development will not lead to pollution of controlled waters in line with the requirements of the Water Framework Directive.”</i> Section 2.7.0 of this SPD explains and provides detailed guidance to applicants on how this criterion of policy ENV8 should be achieved.</p> <p><b>No change to SPD required.</b></p>

Respondent	Summary of issues raised	Council's response and recommended changes to the SPD (shown in bold)
	<p>to meet WFD requirements. The EA strongly encourage the Council to set out water policies that reflect the requirements of River Basin Management Plans and WFD.</p> <ul style="list-style-type: none"> <li>• Opportunities to re-naturalise watercourses should be supported, for example by removing existing artificial engineering works.</li> <li>• Any new physical changes to watercourses in the district should be avoided unless there are compelling grounds for doing so and all alternative options have been considered.</li> <li>• Suggest that when considering new development, the council will aim to ensure best practice is followed regarding foul and surface water drainage; by following the hierarchy and guidance set out within Planning Policy Guidance and NPPF.</li> <li>• Developer contributions from new development can help to enhance watercourses in the district and their value as an amenity to the local community.</li> <li>• WFD enhancement will also be linked to Biodiversity Net Gain and achieving those goals and ambitions.</li> </ul>	
The Coal Authority	It is noted that this current consultation relates to a Flood Risk & Water Management SPD and it is confirmed that the Coal Authority have no specific comments to make on this document.	The response content is noted. <b>No change to SPD required.</b>
Skipton Town Council	The proposals are broadly welcome. With particular reference to the Sustainable Urban Drainage Systems, there is no point in instigating tighter control unless pressure is put on the water companies (Yorkshire Water) to invest sufficiently to prevent discharges of polluted water into water courses as happens now during times of high rainfall.	Support for the document content is welcomed.  The point raised regarding water companies and financial investment is external to the criteria content of Policies ENV6 and ENV8, and hence cannot be included in this SPD. <b>No change to SPD required.</b>

Respondent	Summary of issues raised	Council's response and recommended changes to the SPD (shown in bold)
Councillor Shuttleworth	Table 1 in the SPD – that the use of water butts are more suitable for smaller developments, including household extensions etc.	<b>Change to SPD – The last column in the first row of Table 1 has been amended as follows: “Both; suitable for all types of development, but particularly smaller developments, such as extensions, single dwellings etc.</b>

## Appendix 1

### **Craven Herald Press Release (text from website) – 23<sup>rd</sup> December 2021**

#### **Comments to be invited on flooding and homes for rural workers policies**

23<sup>rd</sup> December 2021

#### **CRAVEN residents are being invited to comment on policies of the area's local plan including flooding and homes for rural workers.**

A four week consultation will get underway in the new year on draft Supplementary Planning Documents (SPDs) of the Craven Local Plan, which was adopted by Craven District Council two years ago at the end of 2019.

The consultation will invite people to comment on first drafts of supplementary documents on flood risk and water management; and also on green infrastructure and biodiversity, and will be used to add further detail to the local plan.

Also out for consultation are second draft documents on good design and rural workers' dwellings.

The Craven Local Plan will be used to assess and decide planning applications and how land is used in the area outside the Dales national park up until 2032.

The four Supplementary Planning Documents will add further detail to the relevant policies of the local plan and once adopted should help those submitting planning applications to the council.

The public consultation will run from Tuesday, January 4 until February 1. To find out more, from January 4, visit: [www.cravencdc.gov.uk/spatialplanningconsultations](http://www.cravencdc.gov.uk/spatialplanningconsultations). Paper copies will also be available at the council offices, Belle Vue Square, Skipton, and at libraries.

The Spatial Planning Team can be contacted by emailing [spatialplanning@cravencdc.gov.uk](mailto:spatialplanning@cravencdc.gov.uk) .

<https://www.cravenherald.co.uk/news/19804618.comments-invited-flooding-homes-rural-workers-policies/>