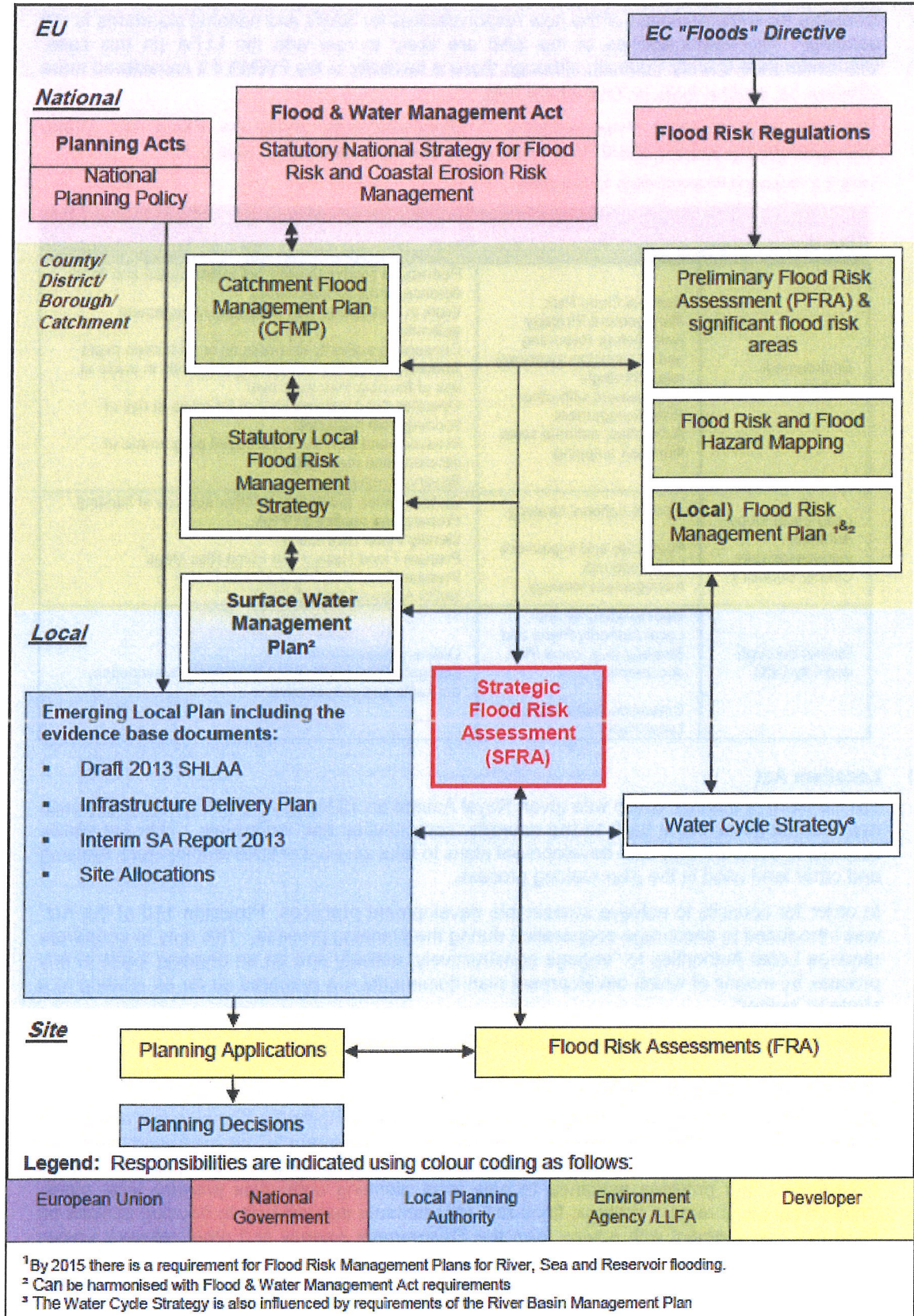


Figure 2-2: Strategic planning links and key documents for flood risk



The FWMA also calls for the establishment of a SuDS Approving Body (SAB) to be set up in county, county borough or unitary local authorities. The SAB will be responsible for approving, adopting and maintaining drainage plans and SuDS schemes that meet new national standards

for design, construction, operation and maintenance. SAB approval of drainage systems for new and redeveloped sites will be required before construction can commence. A clear timetable for implementation of the new responsibilities for SABs and national standards is still pending. The responsibilities of the SAB are likely to rest with the LLFA (in this case, Gloucestershire County Council), although there is flexibility in the FWMA if it considered more effective for another body to take on the role.

The new and emerging responsibilities in Gloucestershire under the Flood and Water Management Act and the Flood Risk Regulations are summarised in Table 2-1.

Table 2-1: Roles and Responsibilities in Cotswolds

Risk Management Authority (RMA)	Strategic Level	Operational Level
Environment Agency	National Flood Risk Management Strategy (with Defra), Reporting and supervision (overview role), Strategic Engagement with other Risk Management Authorities, national scale flood risk mapping	Permissive powers to carry out maintenance and flood defence works on main rivers Work in partnership with other risk management authorities Consenting authority for works on or near main rivers Statutory consultee on planning proposals in areas at risk of flooding from main river Operates flood warning service for areas at risk of flooding from main river Produces and delivers a risk based programme of detailed flood modelling Reservoir regulator.
Lead Local Flood Authority (Gloucestershire County Council)	Input to national strategy. Formulate and implement local flood risk management strategy.	Surface water, groundwater, other sources of flooding Prepare and publish a PFRA Identify Flood Risk Areas Prepare Flood Hazard and Flood Risk Maps Prepare Flood Risk Management Plans SuDS Approval Body (future)
District Borough and City CDC	Input to National and Local Authority Plans and Strategy (e.g. Local Plan documents) Cotswolds District Council Local Plan	Ordinary watercourse Delegated powers from LLFA for flood investigation, consents and enforcement.

2.2.2 Localism Act

The purpose of this Act, which was given Royal Assent on 15 November 2011, is to shift power from central government back to the councils, communities and individuals. This Act allows councils to establish their own development plans to take account of local employment, housing and other land used in the plan making process.

In order for councils to achieve sustainable development practices, **Provision 110 of the Act¹** was introduced to encourage cooperation during the planning process. This duty to cooperate requires Local Authorities to "engage constructively, actively and on an ongoing basis in any process by means of which development plan documents are prepared so far as relating to a strategic matter".

There are Neighbourhood Plans proposed within the District (see Section 0).

2.2.3 National Planning Policy Framework (NPPF)

The **NPPF²** was introduced in 2012 with its stated aim to simplify the planning system and to make it more accessible. It superseded Planning Policy Statement 25: Development and Flood Risk (PPS25). The NPPF also promotes the need for sustainable growth and protection of the environment and provides guidance to help local planning authorities prepare local plans. These local plans require strategic flood risk assessments that will help to develop policies on flood risk management with advice from the Environment Agency and other relevant bodies such as the LLFAs.

¹ Localism Act (2011) Section 110: Duty to cooperate in relation to planning of sustainable development. <http://www.legislation.gov.uk/ukpga/2011/20/section/110>

² Department of Communities and Local Government (2012) National Planning Policy Framework https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf
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The [Planning Practice Guidance for Flood Risk and Coastal Change](#)³, a living web-based document first published in April 2014, works alongside the NPPF and sets out how the policy should be implemented in terms of flood risk.

The NPPF states that "inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. For these purposes:

- "areas at risk of flooding" means land within Flood Zones 2 and 3; or land within Flood Zone 1 which has critical drainage problems and which has been notified to the local planning authority by the Environment Agency;
- "flood risk" means risk from all sources of flooding - including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources."

The Sequential Test and Exception Test have been carried forward from PPS25. Details of the test are described in NPPF and the accompanying NPPF Planning Practice Guidance. This test must be performed when considering the placement of future development and for planning application proposals. The NPPF Planning Practice Guidance gives a process for how to perform the tests as part of the preparation of the Local Plan (Diagram 1-3). These instructions on how to perform the test should be used with the following information from the SFRA:

- Identify the geographical area to be assessed, including a justification;
- Assess the sites chosen (including alternatives) on the Flood Zone maps that are provided with this assessment;
- Establish the risk of flooding from other sources using the maps in this SFRA; and
- Follow the instructions given in the NPPF Planning Practice Guide.

The Environment Agency has published a technical note⁴ which also provides guidance on how to apply the Sequential Test as per the NPPF and in relation to the allocation of land, individual planning applications, windfall sites, renewable energy projects, redevelopment of an existing single property and change of use.

The Sequential Test is used to direct all new development (through the site allocation process) to locations at the least risk of flooding, giving highest priority to Flood Zone 1. An increased scope SFRA provides further flood risk evidence which the CDC can use to assess whether it is necessary to revisit/update the Sequential Test.

2.2.4 Association of British Insurers (ABI): Guidelines on Planning and Insurance in Flood Risk Areas for Local Authorities in England⁵

The National Flood Forum and the ABI have published guidance which aims to help local authorities in England when producing local plans and helps them deal with the planning application process in flood risk areas. The main guidelines are:

- Ensure strong relationships with technical experts on flood risk
- Consider flooding from all sources, taking account of climate change impacts
- Take potential impacts on drainage infrastructure seriously
- Ensure that flood risk is mitigated to acceptable levels for proposed developments
- Make sure local plans take account of all relevant costs and are regularly reviewed

2.2.5 Water Framework Directive

The Water Framework Directive (WFD) is designed to improve and integrate the way water bodies are managed throughout Europe. In the UK, much of the implementation work will be undertaken by competent authorities. It came into force on 22 December 2000, and was put into UK law (transposed) in 2003.

³ Department of Communities and Local Government (2014) Planning Practice Guidance for Flood Risk and Coastal Change <http://planningguidance.planningportal.gov.uk/blog/guidance/flood-risk-and-coastal-change/>

⁴ Environment Agency (2012) Demonstrating the flood risk Sequential Test for Planning Applications version 3.1 http://www.environment-agency.gov.uk/static/documents/Business/SequentialTestProcess_v3.1.pdf

⁵ Association of British Insurers and National Flood Forum (April 2012) [Guidance on Insurance and Planning in Flood Risk Areas for Local Planning Authorities in England](#)
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Under this Directive, many of the parties listed in Table 2-1 have a specific statutory duty to protect and address water quality issues within the area, and this will be considered as part of flood risk management or development proposals. For example, removing culverts, creating riparian zones or creating open space for water.

2.3 County, District and catchment level policy

2.3.1 Gloucestershire First Edition Surface Water Management Plan⁶

In October 2008, Defra launched a call for expressions of interest for local authorities to undertake a first edition SWMP (FESWMP), with the aim of testing the emerging SWMP guidance. Gloucestershire County Council (GCC) was successful in its bid to undertake a FESWMP. The 2007 flood events identified areas of flood risk within Gloucestershire. The aims of the SWMP were to

- To test the national SWMP guidance and report back to Defra;
- To improve understanding of the extent and likelihood of surface water flooding across the whole county by undertaking an SWMP scoping study;

The SWMP identified within CDC that surface water was an issue. The worst affected areas included Moreton-in-Marsh, Fairford and Whelford. The exact source of flooding was not necessarily clear, but the perceived sources listed include overwhelmed sewers, road gullies or blocked drains combined with fluvial sources.

Sewer flooding within Cotswold District was identified within the SWMP as an issue in nine areas where properties were flooded internally. These included Fairford, South Cerney, Ampney St Mary, Upper and Lower Slaughter, Moreton-in-Marsh, Bourton-on-the-Water and Quenington. Records also describe that areas were affected externally by overloaded sewers resulting in flooding to gardens and open spaces. In addition, the cause of flooding was perceived to be from fluvial flooding affecting the sewer system where high levels in receiving watercourses impedes the free discharge from sewers.

The FESWMP produced surface water mapping which was then used in the Preliminary Flood Risk Assessment (PFRA).

2.3.2 Gloucestershire Preliminary Flood Risk Assessment (PFRA)

The regulations required Gloucestershire County Council (as the LLFA) to prepare and publish a PFRA on past and future flood risk from local sources of flooding. The Regulations also require the LLFA to identify significant Flood Risk Areas. The PFRA reports on significant past and future flooding from all sources except Main River and Reservoir (covered by Environment Agency).

Key outputs of the Gloucestershire PFRA include⁷:

- The PFRA was a broad-scale assessment of flood risk from local sources (surface runoff, groundwater and ordinary watercourses) across the county. Existing available data was gathered from a variety of sources. Incidents of past flooding from local sources were investigated.
- Surface water modelling undertaken to inform a First Edition Surface Water Management Plan for Gloucestershire (this was also used as the locally agreed surface water information for the PFRA).
- The analysis of available data predicting future flood risk suggests that the level of risk in Gloucestershire is not significant enough to propose a new indicative Flood Risk Area at a European scale. However, the evidence collected demonstrates that there are local flooding issues that must be addressed in the Local Flood Risk Management Strategy.

⁶ Gloucestershire First Edition Surface Water Management Plan Pilot A partnership study initiated by the Department for the Environment, Food and Rural Affairs to test the national SWMP Guidance, Final Pilot Report, March 2010

⁷ Gloucestershire County Council (November 2011) Preliminary Flood Risk Assessment <http://www.gloucestershire.gov.uk/extra/article/109983/Preliminary-Flood-Risk-Assessment>



2.3.3 Gloucestershire County Council Local Flood Risk Management (FRM) Strategy⁸

In fulfilling the role of LLFA, Gloucestershire County Council (GCC) has new roles and responsibilities, duties and powers to enable it to manage flood risk from localised sources across the County and a duty to develop, maintain, apply and monitor a strategy for local flood risk management that encompasses all sources of flooding.

In general terms the Flood and Water Management Act (2010) requires Risk Management Authorities to act consistently with the Local FRM Strategy when undertaking flood risk management functions, except for water companies who will need to have regard to it.

The Strategy includes the following:

- Information on local flood risk in Gloucestershire, highlighting where problems have already occurred, or where areas are most vulnerable to local flooding
- Clarification of which authority is responsible for what in relation to the prevention and management of flooding
- Detail on the measures that will be undertaken to manage flood risk
- Clarification on how work is prioritised
- Measures that communities can undertake to improve flood resilience, as it is not possible to stop all flooding

Seven of the 21 parishes/ wards highlighted as vulnerable to local flooding are within Cotswold District Council, these include:

- Chipping Campden
- Cirencester
- Fairford
- Lechlade
- Moreton in Marsh
- Northleach with Eastington
- Weston Subedge

Specific measures have been identified within the LFRMS relating to further defence, resilience and alleviation measures in specific settlement areas. Appendix A discusses where these measures relate to one of the 19 settlements referred to in this SFRA.

⁸Gloucestershire County Council Local Flood Risk Management Strategy available at <http://www.gloucestershire.gov.uk/CHttpHandler.ashx?id=56193&p=0>
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2.3.4 Catchment Flood Management Plans (CFMPs)

A CFMP is a high-level planning strategy through which the Environment Agency works with their key decision makers within a river catchment to identify and agree policies to secure the long-term sustainable management of flood risk.

Cotswold District Council is covered by four CFMPs: The [Thames CFMP](#) covers the majority of the District; the [Severn CFMP](#) covers the northern tip of the District, the [Bristol Avon CFMP](#) covers the southern tip of the District and a small section of the south western border is covered by the [Severn Tidal Tributaries CFMP](#), see Figure 2-3.

There are six pre-defined national policies provided in the CFMP guidance and these are applied to specific locations through the identification of 'Policy Units'. These policies are intended to cover the full range of long term flood risk management options in the catchment that can be applied to different locations. Within any CFMP six standard flood risk management policies have been applied:

- Policy 1 – Areas of little or no flood risk where we will continue to monitor and advise.
- Policy 2 – Areas of low to moderate risk where we can generally reduce existing flood risk management actions.
- Policy 3 – Areas of low to moderate risk where we are generally managing existing flood risk effectively.
- Policy 4 – Areas of low, moderate or high flood risk where we are already managing the flood risk effectively but where we may need to take further actions to keep pace with climate change.
- Policy 5 – Areas of moderate to high risk where we can generally take further action to reduce flood risk.
- Policy 6 – Areas of low to moderate flood risk where we will take action with others to store water or manage run-off in locations that provide overall flood risk reduction or environmental benefits.

Severn CFMP

The policy unit selected within CDC for the Severn catchment is Policy 3 - continue with existing or alternative actions to manage flood risk at the current level. This may mean for the catchment that the level of flood preparedness (flood warning, flood proofing and flood resilience) should be increased and promoted in this area, and promotion of Environmental Stewardship Schemes will have the beneficial effects of decreasing run-off. Close communication between the Environment Agency Development Control and Local Planning Authority is required to ensure that development does not occur in areas of flood risk. The application of the Sequential Test to new development is therefore vital.

Thames, Severn Tidal Tributaries and Bristol Avon CFMPs

The policy unit selected for each of these CFMPs is Policy 6 – take action with others to store water or manage run-off in locations that provide overall flood risk reduction or environmental benefits. CDC should seek to protect the natural floodplain from inappropriate development. In addition, it should promote resistance and resilience of existing development at risk of flooding, as for many of the settlements within CDC flood defence works may not prove feasible.

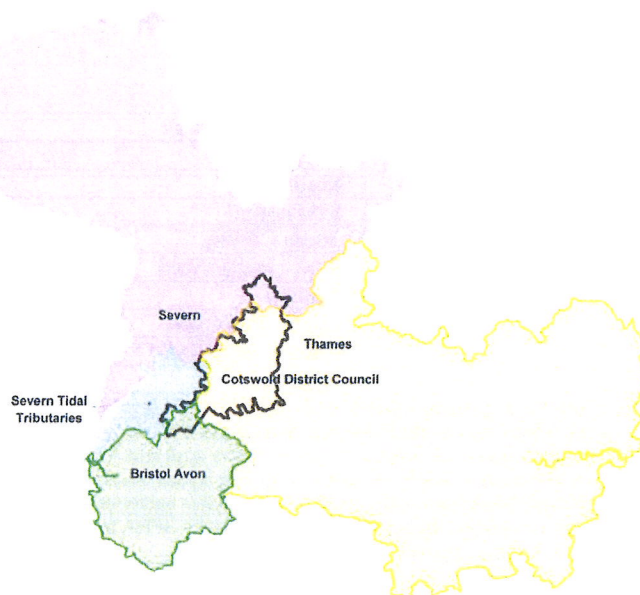


Figure 2-3 Catchment Management Flood Plans (CFMP)⁹

2.3.5 Cotswold District Council Local Plan

The District Council is producing a new Local Plan to replace the Cotswold District Local Plan, adopted in 2006. Once the new Local Plan is adopted, this will provide a framework for future development across Cotswold District. Up-to-date information on planning in Cotswold District and the Local Plan can be found at <http://www.cotswold.gov.uk/residents/planning-building/planning-policy/>.

The Local Plan together with any Development Planning Documents (DPDs), and any neighbourhood plans prepared by the community will make up the 'development plan' for the District. All planning applications will be determined in accordance with the development plan, taken as a whole, unless material considerations indicate otherwise. The following policies and references relate to the management of flood risk within the District.

Key issues to be addressed

Climate change and flood risk have been highlighted as key issues to be addressed within the district. This is carried through in 'The Vision' for Cotswold District and where Cotswold District aims to create an environment that adapts to climate change and avoids flood risk by:

- Enabling development in the most sustainable locations that incorporates sustainable transport options, have good accessibility to work, services and facilities, and are not liable to flooding
- Designing new developments to ensure that they are capable of meeting the impacts of climate change.¹⁰

⁹ Figure taken from the Level 1 SFRA Volume 1 Cotswold District Council (Sept 2008) - Figure 6.1

¹⁰ Cotswold District Council (May 2013) Local Plan Consultation Paper Preferred Development Strategy available at <http://www.cotswold.gov.uk/residents/planning-building/planning-policy/>
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