

**From:** [REDACTED]  
**To:** [Strategy](#)  
**Subject:** West Somerset Flood Group - Local Plan consultation responses  
**Date:** 16 March 2020 16:33:49

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Dear Strategy Team,

I attach the responses from the West Somerset Flood Group to the consultations on the Issues and Options document and on the Sustainability Appraisal document.

With all good wishes,

Teresa

Teresa Bridgeman  
Chair, West Somerset Flood Group

[REDACTED]

Dear Nick,

## **West Somerset Flood Group response to consultation on documents relating to the New Local Plan to 2040**

We are pleased to see the positive will in the new Local Plan to take account of the declared Climate Emergency and hope that our response can help integrate consideration of the impacts of the Climate Emergency to the plan as it develops.

As a Flood Group, we are of course most concerned with flood and water management and, as you know, this is going to be a key area for action to mitigate and adapt to the impacts of Climate Change.

### Availability of evidence for decision-making

Our observation of the planning cycle has led us to realise how critical for decision-making the availability of robust evidence at the right time can be.

This consultation relates in particular to early stages at which evidence is required in the process of consent, from the SHLAA call for sites onwards.

Clearly, for flood and water management, it is the topographical, geological and hydrological aspects of our landscape, whether natural, rural, or urban, that have a bearing on decision-making, not only in these early stages but throughout the consent process from pre-application advice and outline planning to the discharging of conditions.

We consider that information on flooding from all sources, surface water, ground water, ordinary watercourses, main rivers and the sea, and on coastal erosion, is of equal relevance to the decision making process. Adaptation to the Climate Emergency will involve a re-framing of our approach to spatial planning.

### Evidence through Planning Documents

While the NPPF may currently be restrictive in some respects, there is the opportunity through Supplementary Planning Documents and other supporting documentation to ensure that Somerset West and Taunton planning policy fits with the Council's adaptation and mitigation policies for the Climate Emergency.

A number of other Local Planning Authorities have issued SPDs on Flood and Water Management, for example the 5 LPAs in Cambridgeshire, Tewkesbury BC, South Worcestershire DC. With regard to SuDS, In the wider Anglian Water area for example, all local councils are working with Anglian Water to ensure that SuDS in all new developments are designed to adoptable standard. We understand from Anglian Water that applications

will be refused if applicants do not undertake to achieve this standard. Last, you are aware that SPDs are being now produced to address the issue of Coastal Erosion.

An SPD to cover Climate Emergency measures, Flood and Water management and Coastal Erosion would be, we feel, worthy of your consideration.

We would also urge you to encourage the Lead Local Flood Authority to bring forward as soon as possible new Surface Water Management Plans for Minehead and Taunton, and surface-water studies for Williton, Washford, and Carhampton.

Last, unsurprisingly, we would like to see the earliest possible production of an up-to-date Level 2 Strategic Flood Risk Assessment for Somerset West and Taunton, to consider flood risk from *all* sources.

### Making Space for Water

One of our concerns for the planning process is that early consideration should be given at landscape scale to ensure that sufficient space is made for water in an uncertain future. This might include two measures now included in NPPF, the de-allocation of previously allocated sites (for this or other reasons) and the protection of areas designated for future attenuation purposes.

Because allocated or 'developable' sites are often held over from earlier plans and SHLAAs, we have noticed a tendency for their re-examination to be perhaps more cursory than if they were to come forward now. Perhaps subconsciously, the knowledge that a site has already been either considered developable or allocated in a Local Plan can influence decision making.

We urge the Council to remember how critical for future generations such decisions can be. We would ask you whether avoiding a legal challenge now is of greater importance than getting it right for the future.

This document mentions the need to allocate land for the renewable energy sector. But attenuation areas also need to be allocated for mitigation of the impacts of climate change.

Perhaps the most obvious instance is Minehead. Under the SMP and the BMP, current attenuation land will be lost under set-back arrangements due to rising sea levels. This will affect the current attenuation system of rhynes for Minehead. Even if not one more house is built in Minehead, space will need to be found for attenuation. Currently, the extent of such space is not known as no technical assessment has been carried out for such future needs.

The current local plan is the strategic moment to begin to consider what this means for land allocations, not only for larger developments, but also for windfall developments which will continue across the District, regardless of the allocation of specific sites by the LPA to meet housing supply requirements.

Furthermore, and of course, future no-build zones may also have to be considered in light of coastal erosion. At least one site currently allocated in West Somerset might end up in this situation.

#### Flood and water management constraints on previously allocated sites in West Somerset

Before looking in further detail at the questions in the consultation documents, we would like to suggest an answer to a question you pose on p. 20.

Minehead, Watchet and Williton are not delivering as much housing as planned. We will need to look at why this is and what it means for the new Local Plan.

Having looked in detail at the SHLAA evidence base and selection process for the previous West Somerset Local Plan, we would suggest that the reason that some sites are not being developed is, at least in part, because the viability and developability of the sites themselves were often over-estimated at an early stage and this was not challenged.

The Council is aware, not least through the rather belated master-planning process, that the Hopcott and Periton sites, which are the major allocations in Minehead, have extremely problematic constraints deriving from the steepness of the sites and, in particular, an appropriate location for a link road between the two is hard to identify given the topography. Water management of these sites is also seriously difficult. Achieving viable housing density with such difficult sites is proving hard.

#### Climate Emergency and Flood and Water Management Infrastructure

The degree and type of impact of the climate emergency on the inhabitants of Somerset West and Taunton will be affected by the approach adopted towards the planning of the flood and water management infrastructure for more extreme weather events. While responsibility for this lies, in part, with Wessex Water, the Lead Local Flood Authority and with Highways, there is a significant role to be played by the Local Planning Authority. Every road that is planned for the Garden Town has implications for water management, remembering that the highways requirement for drainage is to only a 1 in 30 specification. Every streetscape in Taunton centre has the potential for blue green infrastructure that addresses both water quality and exceedance. Every house that is at risk of flooding from whatever source can have resilience measures designed in to a far higher level than is currently the case, along with resilience to overheating etc, and grey-water management.

As set out currently, this document does not really address these issues, which are confined to sub-sections of sub-sections. SFRA1 is, we have been told, a purely technical document, not a strategic or policy document so it doesn't fill this gap. Equally, there is currently no Infrastructure Management Plan for West Somerset available on the website and this would, in any case, be superseded by the forthcoming plan for the new District. We would therefore welcome more substantial strategic and policy statements on how the planning process will address the wider issue of flood and water management for the Climate Emergency at all scales. This might be included in the current document (certainly greater reference to it would be appreciated) or could appear in a separate SPD on Climate Emergency matters.

The key concerns we raise for this draft document and its associated Sustainability Appraisal are as follows:

- Absence of **adaptation and resilience objectives**
- Lack of reference to the use of the planning system to better mitigate and manage the **impacts of surface water flooding** given the increased risk. This means a more serious approach to **SuDS** and its role, not only within new developments, but in our wider urban **infrastructure**
- Need for consideration of climate-related water management requirements for developments **under 10 houses**. This is the form that much windfall development takes in West Somerset. Such developments (and larger ones) should be considered for their **cumulative impact**.
- Need for greater cohesion in the approach to **coastal erosion** and its implications for wider spatial planning in coastal settlements and beyond
- Need for a robust and clear set of parameters for **sequential and exception tests**

## LOCAL PLAN 2040 ISSUES AND OPTIONS DOCUMENT

Only those questions relevant to the Group's interest are answered.

### Objectives question:

*Climate change adaptation and resilience objectives* should be included in the main list of objectives. Currently, the Climate Emergency is incorporated in a few objectives but not in a consistent way and these lean towards mitigation of the causes rather than of the impacts.

### Question 1a

This question is about the timing of requirements. It cannot be answered without information on the resources available to set up enforcement mechanisms. . In particular, the current regime of private consultants and outsourcing makes it very hard to join up building regulations and planning. Unless a delivery structure is devised that allows for closer working between Planning and Building Control departments, and additional capacity is provided to make these links and to enforce any regulations, the timing is of little impact.

### Question 2a

NB In the preceding text, coastal erosion should be added to the end of the first paragraph of Section 5.2.1, p. 17.

The distinction between Tiers 5 and 6 is hard to grasp and allocations seem to include very different settlements. Transport and access appear to be almost the sole criteria applied. As in the current plan, the metrics for allocation often miss a community's understanding of 'their place'.

### Question 2b

Watchet and Williton are being joined up anyway through current planning allocations and windfall developments. More serious conversations with both Watchet and Williton Councils would seem imperative. Place-making is important and the piecemeal disposal of

land by a single major landowner is further distorting joined-up thinking. From a water management point of view, this leads to ad hoc and post hoc consideration of serious infrastructure questions. Possible avenues for integrated solutions are being closed off by this piecemeal process.

*De-allocation of some sites should be considered in the interests of greater infrastructure cohesion and in light of an evolving situation under climate change and coastal erosion.*

### **Question 2c**

The overall approach is too blunt. The differences between constraints and opportunities in different settlements are smoothed out by this process. Option B is inappropriate because existing allocations in West Somerset have already been demonstrated to be inappropriate. Option D is attractive for West Somerset because it reduces the pressures on existing infrastructure and flood and water management systems, but it would require, urgently, an update to the Minehead Surface Water Management Plan, an assessment of future attenuation in light of coastal change as set out in the Shoreline Management Plan and the Beach Management Plan, and a re-evaluation of allocated sites at Hopcott and Periton. The Taunton Surface Water Management Plan would also need to be updated and serious consideration given to integrated flood risk management for the entire town and its surrounding settlements that goes beyond a few hard engineered defences on the River Tone itself. Option E is good for Minehead, not just for the reasons set out here, but because it is running out of viable land for development without further compromising the safety of existing residents. The same measures would be needed for Taunton.

### **Question 2d**

Not all existing allocated sites are deliverable without major compromise on quality or cost or both. De-allocation should be considered and the sites should be put through the SHLAA process again without prejudice and with due consideration to evidence not available or put forward in the original allocation process.

As currently set out, the template for site selection in the Sustainability Appraisal does not meet Climate Emergency or Water Management needs. We give examples in our response to that document, below.

Likewise, site appraisals by applicants for small sites do not undergo adequate scrutiny under the current NPPF. While part of this lies with national legislation, more could be done to ensure that inappropriate or problematic sites are identified at an earlier stage in the planning process.

### **Question 3c**

The construction of affordable and accessible homes in flood risk areas exacerbates inequality. It invites those least able to cope with the impacts of flooding to live in areas that are most at risk. Mitigation measures achieve very little in terms of the well-being of the occupants, especially where viability depends on low building costs.

### **Question 3e**

The definition of 'sustainable locations' in 3e/5 is really important. Sustainable locations are not just those close to public transport, services and facilities. A sustainable location is also one that doesn't expose those who live there to the consequences of the Climate Emergency. That means de-coupling 'affordable' and 'accessible' from cheap sites (they are cheap for a reason), cheap building standards, poor flood mitigation and poor climate resilience measures.

#### **Question 5a**

This section is not really about infrastructure. It is about developer contributions.

Of course we approve of additional policy approach 5b/4 and are concerned that it should be as robust as possible. But it also frames SuDS in terms of water *disposal*, not water management. Grey water management should be a feature of Climate Emergency design. SuDS are part of Climate Emergency design. Flood resilience measures are part of Climate Emergency design.

This makes it impossible to answer the question which offers a prioritisation for developer contributions that does not fully represent the options available, nor the interaction between developer contributions and other sources of funding for infrastructure. Upgrading of urban drainage, street-level measures, etc are all part of Climate Emergency resilient infrastructure, but are dealt with neither here nor under flooding.

#### **Question 7b**

As elsewhere in this document, the listed 'additional' policy approaches sometimes go further and are better targeted than the discussion that precedes them.

In the discussion, flooding seems to be addressed as part of the natural and historic environment. First, from a planning perspective, flooding is caused by how we occupy space, not by the natural environment itself. So, although flooding can certainly impact on biodiversity, it is how we manage water in our environment, whether rural or urban, that is not only important in terms of mitigating the impacts of climate change but also in terms of the impact it has on others and on the natural environment.

Protecting , as far as possible, urban streets and homes from flood water filled with sewage as the result of heavy downpours should be a major part of planning for the Climate Emergency. Protecting vulnerable populations from the impacts of building on flood plains should also be a major part of planning for the Climate Emergency. Along with a number of other measures in between.

The Climate Emergency will bring as much risk from surface water flooding as it will from rivers and sea. This means that Local Planners need to use all the tools at their disposal to improve capacity, encourage green infrastructure, even in the most densely occupied areas, and plan for exceedance. Because sudden downpours will inevitably generate exceedance.

*Not only low-lying areas and coastal areas are at risk from flooding.*

We are aware that addressing the issue of surface water flooding through the planning process is in many ways more complex than flooding from rivers and sea. Still, repeatedly, from all sides, we see it treated as a post-consent engineering problem. Unless this Local Plan takes the lead in recognising that surface water is an issue for consideration from site allocation onwards, that data on surface water does exist, both modelled and historical, and that its management not only on new developments of all sizes, but also through existing and new infrastructure, is a necessity under the Climate Emergency, then we are storing up problems for the future.

Flood Zone 1 may be seen by planners as somewhere where water is not a concern. We see steep and saturated hillsides above settlements whose water infrastructure (whether Highways or Wessex Water) is old, often unmapped, leaky, and not nearly sufficient to protect those who live there from overflowing surface water and foul sewers into their homes. We see flow paths diverted with little thought to the consequences. And we see the consequences.

**Measure 7b** does go some way to addressing some of these issues. But we would ask that some attention be paid to the parameters for the *Sequential and Exception tests*, both in general allocations of land for development by this Authority, and in how these are explained to applicants and applied to private individual site Flood Risk Assessments.

We strongly urge that you also include surface water information in the template for the Sustainability Analysis of individual sites. While static maps exist in the 2019 SFRA Level 1, more up-to-date and detailed maps are provided through the government portal. Please remember that our Lead Local Flood Authority will not look at applications for under 10 houses.

#### **Question 8a**

Opportunities for rural settlements to thrive should always be encouraged. However, like larger settlements, they have infrastructure needs in terms of water management. Developments around the edges and uphill of settlements on a watercourse will always risk compromising the infrastructure of the central parts of the settlement which often become a receptor for all water and sewage.

Additional policy 8b/7 with regard to coastal erosion is particularly welcome. However, limiting (and why only limiting?) development only within the coastal change management areas does not take account of the wider spatial and infrastructure management issues that will arise for all coastal settlements beyond these areas. We understand that you are in discussion with risk management partners on this complex issue and would urge caution in planning development that might in any way compromise future necessary adaptation measures.

#### **Question 9a**

The well-being of communities is not enhanced by occupation of poor quality homes without adequate mitigation and resilience measures. Nor is it enhanced by the construction of homes below sea-level. Even small amounts of water in a home can lead to

long term mental health problems. We would ask that these factors be taken into consideration.

### **Question 10b**

Although the Tone and Taunton's waterways are to be placed at the heart of the town, with improved access to them, there is no other reference to blue-green measures, the possibility of using green spaces to create natural filters for pollution, the urgent need to review the drainage in Taunton centre and look for 'greening the street' initiatives that benefit public health, water management, both quality and quantity, etc.

NB we note that Taunton's planned flood defence scheme appears to consist of entirely hard engineering measures. We would ask what will be done in association with this project to ensure community well-being, to look at the possibility of dual purpose green attenuation spaces and large-scale SuDS, etc. and to integrate it with the lived experience of the community.

Equally, we are aware that only some of the measures in the previous Surface Water Management Plan for Taunton were implemented. We would hope that these would be reviewed and a new SWMP drawn up that takes account of an integrated approach to water management in the town, to include river access, new development, street greening measures etc.

### **Question 12a**

Greater joined-up thinking on infrastructure developments in light of climate change and coastal erosion are needed. For example, the recent improvements of the seafront at Minehead were undertaken with no reference to the recommendations of the Beach Management Plan. Now is the time to incorporate climate emergency adaptation planning into spatial planning for all the towns and villages along this 'strip'. That doesn't just mean a focus on our crumbling cliffs but on the need for adaptation in all local settlements.

SFRA1 clearly states that Minehead, Carhampton, Washford, Williton are all faced by serious water infrastructure issues, not least because of failure in previous plans to allow space for water.

To summarise, both coastal and rural settlements in West Somerset have a particular set of water management issues, including:

1. Coastal erosion, instability, impacts of development on water and subsequent erosion, but also of erosion on scope for water management on site etc.
2. Sea level rise and threat of flooding from sea. With setback, new attenuation areas will be needed to hold river and surface water at high tide.
3. Steep slopes, a lot of FZ1 poses serious challenges to viable development. Surface water management should not be compromised in the name of viability. If it isn't viable with appropriate measures, don't build.

4. Ageing water management infrastructure in centres of settlements which are often the receiving basins for surface water run-off.

While this document is not the place to set out detailed information on these, greater reference to them both in proposed policy approaches and within the body of the text would be much appreciated.

## **Sustainability Appraisal Objectives and Alternatives Report**

Although the Objectives of the Local Plan are out for consultation, this Sustainability Analysis takes them as already fixed. The analysis does not ask whether they are the right objectives or the only objectives to achieve sustainability. It instead accepts the objectives as a given and asks whether each individual objective meets certain criteria. Within this narrow framework, these criteria are sensible and relatively detailed.

However, the template criteria applied to the assessment of sites themselves are far more crude. We have already indicated how important this template is for the whole planning process. Although it shouldn't do so, it establishes an a priori approval of a given site that it is hard to undo and that will influence decision making for the site right through to the completion of the development.

For this reason, it is important for it to include robust questions and be based on equally robust evidence.

From a flood and water management perspective, our concerns are as follows:

1. Climate Change. Why is Climate Change, in all its complexity, only assessed by a very limited question on flood zones for rivers and sea?
2. Why is there no mention of surface water in either the Climate Change or Water sections of the template? Water management under the Climate Emergency requires an integrated place-based approach that is absent from this assessment. At the very least, information on surface water risk should also be included, preferably using live EA modelled data in conjunction with historic information in the SFRA.

The limitations of the template from a flood and water management perspective are demonstrated by the assessment of two locations in Appendix B. We should stress that these are just examples.

S061

This site has been a source of flooding of the highway and properties in Washford. It contains a small flood alleviation scheme for the Halcombe Stream which lies a little further to the west. Both the stream and the scheme flood easily when blocked and considerable quantities of water come down off the hill. The Sustainability Appraisal template mentions none of this, despite the fact that the scheme was devised and constructed by West

Somerset engineers. The nearest water body is given as the Washford river which is incorrect.

Although this information would not preclude the allocation of this site for development, it should certainly impact on its viability. Were a water management assessment to be carried out for Washford, along with the other settlements suffering from water management issues, as suggested at the end of SFRA Level 1, this would inform decision making in a constructive way, enabling a more realistic approach to the development constraints of the site and its viability.

From a water management and climate emergency perspective it is important for the viability of sites to be accurately determined early in the decision-making process. Where unforeseen costs arise, it is often the quality of SuDS and of measures for property resilience that are then squeezed as the developer allows less space for attenuation, increasing density and shaving unit costs with lower standards of resilience. Applications for variations of conditions are often granted, leading to riskier development. SuDS will be constructed to lower standards and will then not be adopted by water companies, leading to maintenance issues further down the line.

While this may save on the up-front costs for both the Local Planning Authority and the Developer, it is not helpful in assisting adaptation to climate change, improving well-being, or creating better places to live.

S066

Allocated in the previous local plan, this site, which is the subject of an ongoing planning application, is now under investigation for geological instability. In light of the geology of the site, the Lead Local Flood Authority has asked that all SuDS must be on the surface, which will require it to be re-designed. In addition a 50m no-build strip was recommended by the applicant's own geological consultant because of the potential effects of construction on the stability of the site, and the B3191 may be re-routed through the site. All three of these factors will affect the potential lay-out, reduce the numbers of dwellings, thereby its viability. The site is steep and drains into the Washford River.

No mention is made of these factors in the November 2019 Sustainability appraisal for the site. This exposes the inadequacy of the template for serious decision-making and the need for the Local Planning Authority to be prepared to de-allocate sites that turn out to be unsuitable for development.

In light of these examples, we would suggest that the process of decision-making and the evidence base for those decisions be reviewed with respect to the Climate Emergency and flood and water management.

