



Asiantaeth yr
Amgylchedd Cymru
Environment
Agency Wales

NATIONAL ASSEMBLY FOR WALES

SUSTAINABILITY COMMITTEE - Inquiry into Planning

Supplementary Information provided by Environment Agency Wales

At the evidence session on the 23 September 2010, we agreed to provide the Committee with information relating to local planning authority uptake of our advice on flood risk. We have divided this into two parts, strategic influence (Local Development Plans) and site specific applications.

1. Local Development Plans

Through our role as a statutory consultee in the development planning process, we have consistently recommended that Local Planning Authorities (LPAs) undertake a strategic flood consequence assessment (SFCA) to support their Local Development Plan (LDP). The approach we advocate provides a structured methodology for LPAs to follow when considering flood risk. It can also help them evidence how they have had regard to relevant Welsh Assembly Government Planning Policy, namely Planning Policy Wales and TAN15.

Of the twenty-five LPAs in Wales;

- Seventeen have already undertaken, or are in the process of undertaking, a strategic flood consequence assessment (or equivalent) to inform their Local Development Plan (LDP).
- Five LPAs have not undertaken an assessment on the basis that they do not intend to include sites in zone C of the TAN15 Development Advice Map and
- Four LPAs are at the very early stages of LDP production and so have not started the process.

It should be noted that LPAs are not required to undertake an SFCA as part of the development plan process. They should however evidence how they have had regard to National Planning Policy. This should include showing how they have applied the precautionary framework and in situations where development in a flood risk area cannot be avoided, show that the consequences are capable of being managed.

2. Site Specific

The High Level Target 13 Development and Flood Risk in Wales (HLT13) report examines the extent to which Local Planning Authorities (LPAs) have taken into account Environment Agency Wales' (EA Wales) advice on flood risk when making decisions on planning applications. The most recent report covers the period 1st April 2008 to 31st March 2009.

The following table has been produced using data extracted from the 2008 / 2009 HLT 13 Report. Figures for the previous reporting period have also been included for comparison purposes. The figures for both periods show that the final outcome was in line with EA Wales' advice in over 96% of cases.

	Objections 2008 / 2009	% of total 2008 / 2009	Objections 2007 / 2008	% of total 2007 / 2008
Total number of EA Wales' objections where decision notices received from LPA ¹ .	754	100	898	100
Number of applications which were either withdrawn by the applicant , refused by the LPA or where EAWales' objections were resolved.	730	96.8	867	96.6
Number of applications permitted by LPAs contrary to EA Wales' advice or where planning conditions only partially mitigated or met EA Wales' concerns.	21	2.8	30	3.3
No of applications referred to WAG due to non-determination by LPA.	3	0.4	1	0.1

7th October 2010

¹ It should be noted that we are not always kept informed of outcomes, although we do actively request decision notices. Whilst we are satisfied that the data is representative, it does not reflect the complete picture.