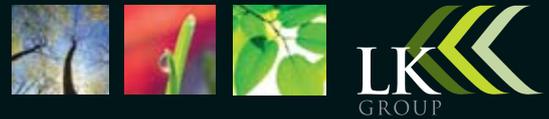


Flood Risk Assessment Capability Statement



Why Undertake a Flood Risk Assessment?

The National Planning Policy Framework (NPPF) was issued in March 2012 and sets out the core policies that are to be considered in determining planning applications. The most recent NPPF technical guidance was issued in March 2014 and expands on the processes and issues that must be considered in terms of flood risk at all levels during the planning process.

Planning authorities have a duty to consult with the Environment Agency (EA) for all applications for development in areas of flood risk or where critical drainage problems exist, and for sites of more than one hectare. The Planning Authority must notify the Secretary of State of any application for 'major development' in a flood risk area, where it is minded to grant permission against advice from the EA.

Services

The LK Group (LK) can offer a wide range of flood risk and associated services, such as drainage strategies and utilities assessments, tailored to suit all our clients' needs. Our experienced staff will discuss your requirements and recommend the best options available to you. Please visit our dedicated website for more detailed information.

The Sequential and Exception Tests

The NPPF requires that most types of development on sites in areas at risk of flooding are tested to determine their suitability in comparison with other sites at lower flood risk. The Planning Authority should ensure that the more vulnerable uses are directed to sites at lower flood risk and they should require a Sequential Test to be submitted with the planning application to demonstrate this. Then, provided that the test is positive, the proposals must also fulfil the requirements of the Exception Test with regard to sustainability, brownfield land and adequate reduction of risk to others.

The Flood Risk Assessment

The LK approach to undertaking a FRA is based on the NPPF Technical Guidance (March 2014), Flood Risk Advice for Local Planning Authorities (Dec 2013), the Flood and Water Management Act 2010, National Standards for Sustainable Drainage, technical expertise and, of course, common sense.

For planning applications it is necessary to demonstrate how all risks of flooding to the site and consequent effects of the development on others will be managed. LK will consult with the EA, the Planning Authority, Drainage Undertaker(s), Internal Drainage Boards and others as necessary to obtain the relevant data and their requirements for the protection and drainage of the site. During the process consultees may then aim to place requirements and restrictions on the scope of the development, such as access easements to watercourses and plant, inclusion of flood defence works and provision of Sustainable Drainage Systems (SuDS) elements that restrict the area and form of the development.

In some cases it is possible to demonstrate early in the development that the site is not at risk of flooding, in which case it can be agreed with the EA and LPA that a FRA need not be supplied. It can also sometimes be found that the use proposed is unlikely to be consented because it does not appear that the flood risks can be adequately managed. In this case the client will decide whether or not to proceed with the FRA and planning application in its original form and save abortive costs. LK can advise on this accordingly.



Flood Risk Assessment Capability Statement



The Flood Risk Assessment Continued

For the aforementioned reasons it is therefore important to start the FRA process early in the site development programme so that this feedback can be included into site feasibility and financial modelling to avoid unnecessary expenditure and loss of time.

The LK Group can either produce the Sequential Test and Exception Test documentation in liaison with the Client and/or their Planning Consultant with the necessary technical justification.

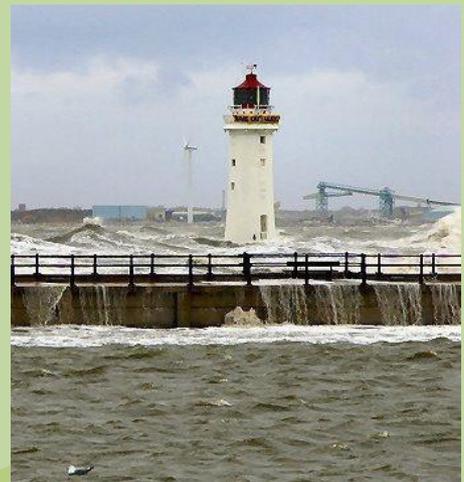
The capability statement is written specifically for English legislation. Similar but different requirements apply in Scotland and Wales, under Scottish Executive Planning Policy 7 and Welsh Assembly Government Technical Advice Note 15 (TAN15). However, the general approach and outcomes remain the same.

The LK Approach

The LK Group can, if required, approach the FRA in stages to align with the client's risk management and decision making processes:

1. An initial data gathering and review, including discussions of principle with major consultees, to arrive at a 'constraints report' setting out the identified constraints to development. (Often produced before purchase or when making an initial assessment of feasibility).
2. Detailed analysis, consultation and production of the FRA to accompany the Planning Application. Often an element of liaison with the master planners and designers is desirable during this stage, to maximise site value.

3. Assistance with the production of the Sequential and Exception Test documentation, including liaison with other client advisors, to produce the most powerful planning arguments.
4. Development of a drainage strategy to assess the forms of SuDS suitable for the site.
5. Post application discussions with the EA, NRW, SEPA, and the LPA, and inputs to Appeal or Inquiry.



Further Information

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