



STATEMENT OF COMMON GROUND (SoCG)

BETWEEN

**LANCASTER CITY COUNCIL and the ENVIRONMENT
AGENCY**

Lancaster Local Plan

DATE: April 2019

1.0 Introduction

1.1 This Statement of Common Ground (SoCG) has been prepared jointly between Lancaster City Council (LCC) and the Environment Agency (EA). The SoCG sets out the position and understanding of the EA's position at publication stage and identifies where there is agreement or disagreement between both parties.

1.2 The purpose of this SoCG is to demonstrate to the Inspector how matters raised by EA have been positively explored through the preparation of the local plan and where applicable resolved.

2.0 Background

2.1 Consultants JBA Consulting Ltd to prepare a Strategic Flood Risk Assessment (Level 1) on behalf of LCC. The purpose of this study included the following aims:

- To form part of the Council's evidence base to support the local plan;
- To enable LCC to meet its obligations as defined by the National Planning Policy Framework;
- To make recommendations on the suitability of potential development sites based on flood risk for LCC's Local Plan;
- To understand current flood risk from all sources and any historic and future flood risk; information to enable investigation and identification of the extent and severity of flood risk throughout the city;
- To consider a precautionary approach to climate change;
- To pay particular attention to surface water flood risk, using the Environment Agency's (EA's) third generation Risk of Flooding from Surface Water (RoFSW);
- To identify land required for current and future flood management that should be safeguarded as set out in the NPPF.
- To identify areas of Flood Zone 3b, i.e. the functional floodplain

2.2 As part of the preparation of the level 1 SFRA engagement took place with the EA and Lancashire County Council in its role as Lead Local Flood Authority. The EA endorsed the SFRA and provided written confirmation of this by letter on 31st October 2017.

2.3 Subsequently the Council undertook a Sequential Test of the Local Plan.

2.4 The EA responded to the Regulation 19 consultation on the local plan, providing representations dated 4th April 2018, which confirmed that the Environment Agency reviewed the Publication Documents and were satisfied that the Plan is sound, legally compliant, and produced in accordance with the Duty to Cooperate.

2.5 Further note was given with regards sites DOS1 and DOS4 which lie within areas subject to high flood risk, that the EA are consulted on any subsequent masterplanning, and the assessment of local flood risk and mitigation, either through strategic or site-specific flood risk analysis at these locations.

3.0 Areas of Common Ground

Duty to Cooperate and Evidence Base

To reiterate comments received as part of the Regulation 19 consultation, both parties agree that there has been ongoing and constructive cooperation between the council and the Environment Agency. This has included the preparation of evidence to support the local plan i.e. the Strategic Flood Risk Assessment Level 1. Both parties are committed to continuing to co-operating and working closely and in conjunction with other flood risk management authorities.

Sequential Test

The Council has undertaken a sequential approach to the overall distribution of development across the district. Whilst recognising that some employment and retail allocations are included within flood zone 3, all residential sites can be accommodated within areas in flood zone 1, provided that on-site open space is located in medium and high risk zones on several sites. This approach seeks to steer development to areas at least risk of flooding where possible and consistent with other sustainability objectives. Responsibility for undertaking the sequential test lies with the Local Planning Authority and the Environment Agency will advise on the impact of flooding to people and property.

Other matters

As stated in their representation the Environment Agency are supportive of the draft Local Plan. Both parties agree that there are no outstanding issues regarding soundness of the plan or legal compliance in relation to matters that fall within the Environment Agency's remit.

Subsequent to the level 1 SFRA, the Council again commissioned consultants JBA to undertake a Local Site Screening Level 2 Strategic Flood Risk Assessment (level 2 SFRA) – Site Screening Final Report (September 2018). The EA correctly pointed out that Land off Imperial Way is proposed for allocation for employment use and not residential as the assessment has considered.

The EA also point out that the UK Climate Projections 2018 (UKCP18) were launched on the 26 November 2018, however as the Local Plan was submitted for examination prior to the launch of UKCP18 it is acceptable to use the allowances and advice published in February 2016.

Signed – Lancaster City Council



Planning & Housing Policy Manager

Signed – Environment Agency



Planning Advisor

2 April 2019