

Barton Willmore, now Stantec on behalf of Story Homes

Examination into the Lancaster District Local Plan (Climate Emergency Review of the Strategic Policies and Land Allocations Development Plan Document and the Climate Emergency Review of the Development Management Development Plan Document)

Hearing Statement

Matter 6 – Water Management

Q6.1 Is Policy DM33 justified, effective and consistent with national policy?

1. No. There is no requirement within the NPPF for development to provide a material betterment in terms of the alleviation of flooding elsewhere or increase flooding storage capacity.
2. While development proposals in areas of flood risk that achieve betterment should be viewed favourably in this regard, proposals that do not, but meet the NPPF requirement that development should be made safe for its lifetime without increasing flood risk elsewhere, should not be refused planning consent on this basis.
3. Limb VI of DM33 should therefore be removed.
4. Paragraph 2 of the policy requires proposals to accord with the Council's Flood Risk SPD. The SPD is not a document that has been the subject of examination previously and is not being scrutinised as part of the Local Plan Review process. As such, there can be no requirement for the SPD to be conformed with.
5. This text should therefore be removed and clarification provided that the Flood Risk SPD should be considered as a material consideration during the preparation and determination of planning applications.

Q6.2 Has sufficient regard been given to the PPG's advice in terms of flood risk vulnerability?

6. The Flood Risk Vulnerability Classification at Paragraph: 066, Reference ID: 7-066-20140306 is clear that '*Amenity open space, nature conservation and biodiversity, outdoor sports and recreation and essential facilities such as changing rooms*' is water compatible development.
7. As such, play/recreation areas and gardens should be removed from limb V of the policy.

Q6.4 Are the requirements of Policy DM34 justified, effective, and consistent with national policy? Is Policy DM34 sufficiently flexible?

8. No. The proposed wording is currently not compatible with the drainage hierarchy set out, as part the same policy. As such it does not accord with paragraph 16 of the NPPF.
9. The third paragraph of the policy makes no reference to any solution to surface water drainage other than above ground solutions. This does not reflect the drainage hierarchy set out below, which includes other elements such as the use of storage tanks or controlled discharge into sewers.
10. The third paragraph of Policy DM34 should therefore be amended to the following to increase flexibility:

"Surface water should be managed through the provision of above ground sustainable drainage features with multi-functional benefits as part of an integrated high-quality green and blue environment, where possible. All development must incorporate SuDS which have been designed to incorporate the following."