

**NOTE:** Modifications set out encompass changes agreed following Stage 1 Hearings and further proposed modifications as a result of Stage 2 of the Examination.

### **Policy 93 – Managing Flood Risk**

Flood risk will be managed by:

~~A. Directing potentially vulnerable development away from high risk flood areas unless there is clear evidence that specific flood risk mitigation strategies can be implemented;~~

~~B. Ensuring essential infrastructure and less vulnerable uses within flood zone 3a pass the exception test;~~

~~C. Ensuring all development in flood zones 2 and 3 meet the sequential test;~~

~~D. Consulting relevant neighbouring authorities at borough, district and county level when a development is proposed near the borough boundary;~~

**A. Ensuring that all site allocations pass the Sequential Test, and where necessary the Exception Test, steering new development to areas with the lowest risk of flooding from all sources.**

**B. Requiring a site-specific Flood Risk Assessment (FRA) for all development proposals which are situated in Flood Zone 2 or 3, and for proposals which are situated in Flood Zone 1, which:**

~~E Requiring flood risk assessments to be undertaken where:~~

~~i. The development is situated in flood zone 2 or 3 including all minor development and change of use;~~

~~ii. The development is greater than 1 hectare (ha) in flood zone 1;~~

~~iii. The development is less than 1 hectare (ha) in flood zone 1, where this includes a change of use to a more vulnerable class and where the development may be affected by sources of flooding other than fluvial and surface water flooding;~~

~~iv. The development is situated in an area within flood zone 1 which has critical drainage issues;~~

~~F. Requiring appropriate on and off-site flood mitigation strategies to decrease vulnerability;~~

- i) **Are 1 hectare or greater in extent, or**
- ii) **Involve a change of use to a more vulnerable class<sup>1</sup>, or**
- iii) **Are within an area identified as having critical drainage problems**

**C. Requiring site-specific FRAs to provide sufficient detail to assess the risk of flooding to, and arising from, development proposals from all sources, considering flood risk now and in the future.**

~~G. Requiring all developments to provide a detailed on-site surface water management and sustainable drainage strategy; and all developments including minor refurbishments and changes of use to integrate Sustainable Drainage Systems (SuDS), especially those situated within critical drainage areas;~~

~~H. Ensuring that the creation or extension of basements would not increase the potential for groundwater flooding in the property itself or in surrounding areas and ensuring they include flood resilient and resistant techniques to reduce the impact of flooding;~~

~~I. Ensuring all developments achieve greenfield runoff rates for off-site discharge rates through the use of SuDS following the drainage hierarchy in the new London Plan;~~

~~J. Maximising the capacity of existing water storage areas and surface water facilities.~~

~~K. Where net-zero run-off standards cannot be achieved, a planning obligation in the form of a commuted sum will be secured for off-site flood risk mitigation work where a flood alleviation project directly mitigates flood risk on-site.~~

**D. As part of the site-specific FRA, development proposals must:**

**(i) carry out a Sequential Test, unless:**

**a. there is an adopted site allocation and the development proposal is consistent with the proposed use and there have been no significant changes to the known level of flood risk to the site; or,**

**b. the application is for development which is exempt from the Sequential Test<sup>2</sup>**

**ii) carry out an Exception Test, where necessary<sup>3</sup>, to ensure the proposed development will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall; and**

**(iii) demonstrate a sequential approach to layout within the development site, in order to ensure that the most vulnerable uses within a development are located in the lowest risk parts of the site.**

**E. The site-specific FRA should be proportionate to the anticipated degree of flood risk and must demonstrate how flood risk will be managed and mitigated to ensure the development is safe from flooding and the impacts of climate change for its lifetime. This must include appropriate flood-resistant design and construction, incorporation of Sustainable Drainage Systems (SuDS), safe management of residual risk, and appropriate emergency planning.**

**F. Development proposals should incorporate SuDS unless there is clear evidence that this would be inappropriate. These must aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.**

**G. Where greenfield run-off rates cannot be achieved, a payment in lieu will be secured to mitigate flood risk.**

**1. With reference to NPPF Annex 3: Flood risk vulnerability classification**

**2. With reference to NPPF paragraph 168**

**3. With reference to NPPF paragraph 163.**

~~18.15 Climate change is increasing the need to plan for heavy rainfall events and flooding. With a significant proportion of the borough lying within flood zones 2 and 3, flooding will be an increasingly prominent threat in the borough. The relocation of vulnerable development away from high flood risk areas will be supported in line with the National Planning Policy Framework using the Environment Agency's catchment flood management plans and Waltham Forest's local flood risk management strategies. Flood risk assessments will also be undertaken where appropriate in accordance with the National Planning Policy Guidance and relevant planning practice guidance.~~

**18.15 Site Specific Flood Risk Assessments are required for all development proposals situated in Flood Zone 2 or 3 or in Zone 1 on sites that are greater than 1ha, that involve a change to a more vulnerable use class or are situated in an area identified as having critical drainage problems. The objectives of a site-specific flood risk assessment are to establish:**

- **whether a proposed development is likely to be affected by current or future flooding from any source;**
- **whether it will increase flood risk elsewhere;**
- **whether the measures proposed to deal with these effects and risks are appropriate;**
- **the evidence for the local planning authority to apply (if necessary) the Sequential Test, and;**
- **whether the development will be safe and pass the Exception Test, if applicable.**

**As outlined in part E of the policy, site specific FRAs should be proportionate to the anticipated degree of flood risk. When preparing FRAs, regard should be had to the guidance set out on page 36-40, Strategic Flood Risk Assessment<sup>1</sup> - which outlines the information that should the Council expects to be contained at three levels of the site specific FRA. These are;**

**Level 1 Screening: to identify whether there are any flooding or surface water management issues related to a development site that may warrant further consideration.**

**Level 2 Scoping: to be undertaken if the Level 1 FRA indicates that the site may lie within an area that is at risk of flooding, or the site may increase flood risk due to increased runoff.**

**Level 3 Detailed Study: to be undertaken if a Level 2 FRA concludes that further quantitative analysis is required to assess flood risk issues related to the development site.**

**The information provided in Table 6-2 indicates the information requirements in relation to demonstrating aspects of the FRA.**

## **SUDS**

**Sustainable Drainage Systems (SuDS) mimic natural drainage processes to reduce the effect on the quality and quantity of run-off from developments and provide amenity and biodiversity benefits. When specifying SuDS, early consideration needs to be made of potential benefits and opportunities so that flood resistant design is able to deliver the best results.**

**SuDS measures generally operate through infiltration and attenuation combined with slow conveyance. SuDS are designed to both manage the flood and pollution risks resulting from urban runoff and to contribute wherever possible to environmental enhancement and place making.**

## **Greenfield Runoff**

**On sites that were previously developed, the peak runoff rate from the development to any drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event must be as close as reasonably practicable to the greenfield runoff rate (as specified by the Rainfall Runoff Management for Developments Report<sup>2</sup>) from the development for the same rainfall event, but should never exceed**

**the rate of discharge from the development prior to redevelopment for that event. Where the greenfield runoff rate is not able to be achieved, a payment in lieu of achieving this rate will be sought, whilst expecting the best possible on site runoff rate to be achieved.**

**Footnote 1) London Borough of Waltham Forest Level 1 SFRA, 2018, available at:  
<https://www.walthamforest.gov.uk/sites/default/files/2021-10/LB%20Waltham%20Forest%20Level%201%20SFRA%20Final.pdf>**

**Footnote 2) Rainfall runoff management for developments Report – SC030219, EA/DEFRA, 2013. Available at:  
[https://assets.publishing.service.gov.uk/media/602e7158d3bf7f7220fe109d/\\_Rainfall\\_Runoff\\_Management\\_for\\_Developments\\_-\\_Revision\\_E.pdf](https://assets.publishing.service.gov.uk/media/602e7158d3bf7f7220fe109d/_Rainfall_Runoff_Management_for_Developments_-_Revision_E.pdf)**

