

NPPG: Updates to Flood Risk and Coastal Change

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Overview – why update the PPG now?



Key points from various EA Briefing Notes provided in September 2022:

- On Thursday 25th August 2022, government published a comprehensive update to the Flood risk and coastal change section of the Planning Practice Guidance (<https://www.gov.uk/guidance/flood-risk-and-coastal-change>) which was published in 2014.
- This update follows:
 - Government’s Review of policy for development in areas at flood risk which committed to a ‘significantly revised and updated’ flood risk planning practice guidance.
 - Updates to the NPPF between 2018 and 2021
 - Jenkins Review, Public Accounts Committee review and EFRA Committee review.
- **Upon publication, the updated PPG will come into immediate effect and will be a material planning consideration for any ongoing and future planning application and planning policy work.**

Overview – Key Changes from 2014 version



Key areas where improved guidance has been provided include *(from EA Briefing Notes provided in September 2022)*:

- When/how the sequential and exception tests should be applied to improve speed, certainty and effectiveness
- Surface water flood risk and how it should be considered and addressed
- How to consider the safety of development and its potential impact on flood risk elsewhere
- How to take an integrated approach to flood risk management
- Safeguarding land for future flood risk management infrastructure
- The use of multifunctional SuDS and a clearer requirement for SuDS information with planning applications
- Natural flood management and other ways to reduce the causes and impacts of flooding
- **The use of Shoreline Management Plans and Coastal Change Management Areas**
- Unsustainable locations and how planning can support transition
- How Local Development Orders should consider flood risk
- The call-in process to improve consistency and maximise opportunities to resolve issues
- Development affecting reservoirs
- The latest supporting tools and guidance such as the CIRIA Property Flood Resilience Code of Practice and the Working with natural processes evidence directory

Overview – Coastal Change updates



Notwithstanding the fact that FRA changes also influence coastal risk management planning, focus here is on the updates specifically identified in *EA Briefing Notes provided in September 2022* as relating to PPG updates affecting planning and coastal change:

- Encourages more precautionary approach to designating Coastal Change Management Areas (CCMAs).
- Allows more flexibility for existing buildings/land-use to enable transition.
- Clearer requirement for ‘coastal change vulnerability assessment’ when development proposed in CCMAs.
- Need to consider Article 4 Directions to remove Permitted Development Rights in CCMAs.

Comparing 2014 and 2022 PPG re. Coastal Change



Old Para	Previous NPPG	New Para	Latest NPPG	Change	BCP FCERM view on what this means
069	What is the general planning approach to development and coastal change?	N/A	N/A	This intro section is no longer included in the NPPG. Rather the wording in the old NPPG is now only reflected in the NPPF (paras 170-173) which was last updated in March 2012 (see https://www.gov.uk/guidance/national-planning-policy-framework/14-meeting-the-challenge-of-climate-change-flooding-and-coastal-change).	
070	Why it is important to apply Integrated Coastal Zone Management	070	What is Integrated Coastal Zone Management?	Intro para simplified and clearer. Link added to MMO website. New para added referring / linking to LGA Coastal SIG and the Coastal Change Adaptation Planning Guidance (CCAPG) .	The CCAPG is a useful guide on when and how to define CCMA's, however it is probably now out of date given the PPG changes so needs a review and update too.
071	What is a Coastal Change Management Area?	071	What is a Coastal Change Management Area?	Only change is update of which paras of NPPF to refer to (changed from para 166 to Paras 170-173)	CCMA's should be defined where there is likely to be physical changes to the coast due to erosion, coastal landslip, permanent inundation or accretion.
072	What are the considerations in defining Coastal Change Management Areas?	072	What are the considerations in defining Coastal Change Management Areas?	First para has been expanded and now includes the wording " A Coastal Change Management Area should be defined where the shoreline management plan policy is anything other than hold or advance the line at any time during its plan period. In addition, where there is uncertainty about securing funding for the implementation of hold or advance the line policies, local planning authorities can still identify areas that could be affected by coastal change to ensure prospective developers are made aware of the potential risks and inappropriate development is avoided. " SMPs must be considered by LPAs in local plans. List of other relevant information sources expanded to also now include "shoreline / coastal strategies"	Welcomed strengthening of link to SMPs (though not reflected in NPPF). SMPs must be referred to and CCMA's defined where policy is anything other than HTL for all three epochs OR where there is uncertainty about securing funding for the implementation of hold or advance the line policies. SMPs do not guarantee funding, so this would suggest that the entire coastal zone should be defined as a CCMA , perhaps with sub-zones/tiers within those to reflect different policies for areas where SMP policy is NAI versus those that are HTL but have not got funding certainty.

Comparing 2014 and 2022 PPG re. Coastal Change



Old Para	Previous NPPG	New Para	Latest NPPG	Change	BCP FCERM view on what this means
073	What development will be appropriate in a Coastal Change Management Area?	073	What development will be appropriate in a Coastal Change Management Area?	<p>The new PPG has two new paras at the start of this section.</p> <p>First of these states "LPAs should ensure that strategic plans are sufficiently flexible to deal with changing circumstances in coastal areas, such as updates to relevant SMPs or sudden shifts in protection afforded to a particular area."</p> <p>Second of these directs to NPPF for general policy tests for considering development in CCMA.</p> <p>Rest of this para of new PPG largely same wording as before, and includes a list of what type of development is likely to be acceptable within different risk zones in a CCMA. This list has been expanded to now also include "Existing buildings, infrastructure and land-use subject to the relevant planning permission could adapt and diversify to changing circumstances, where it reduces vulnerability, increases resilience and raises funds to facilitate subsequent relocation".</p> <p>Further, the last bullet on "permanent new residential development" has been expanded to include "(including through change of use)" will not be appropriate in a CCMA.</p>	<p>The CCMA should only allow certain types of development in different risk zones, and no permanent dwellings.</p> <p>The PPG gives guidance on what should be permitted to occur within CCMA risk zones, aligned to SMP epochs.</p> <p>Change of use to permanent residential development in CCMA is no longer permitted.</p> <p>Is this going to drive the move towards long-term place-based adaptation planning at the coast?</p>
074	Can a vulnerability assessment be used to demonstrate whether development is appropriate in a coastal change management area?	074	When will a vulnerability assessment be required to demonstrate whether development is appropriate in a coastal change management area?	<p>Gives a slightly stronger steer that LPAs should be seeking coastal change vulnerability assessments (CCVA) by applicants than previous PPG, but still leaves it for LPAs to decide.</p> <p>Also gives expanded recommendation on what a CCVA should consider by way of measures for managing development at end of its planned life, to not just proposals for removal but also proposals for relocation, and promoting consideration/steer towards modular forms of construction.</p>	<p>What should a CCVA include? Local view >> inconsistency risk?</p> <p>Could / should this be integrated / aligned to FRA requirements to streamline? >> A "Coastal Risk Assessment"?</p>
075	How can planning limit the planned lifetime of development?	050	How can planning limit the planned lifetime of development?	<p>This has now been incorporated into the PPG para 012 on this subject that also relates to flood risk (was previously separate) >> <i>see next slide!</i></p>	<p>Informs policies for CCMA including end of life removal/relocation and securing funding to ensure this can happen.</p>

Comparing 2014 and 2022 PPG re. Coastal Change

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076	What approach should be taken to making provision for the relocation of development away from Coastal Change Management Areas?	012	What approach should be taken to making provision for the relocation of development and infrastructure?	<p>This has been incorporated in para 012 of new PPG and now reads as</p> <p>"Formally allocating additional land in plans for relocation or roll-back of existing development (particularly development completed prior to Shoreline Management Plans) and habitat affected by coastal change or increasing flood risk due to climate change. Including policies in plans and conditions on permissions to ensure identified land is used for this purpose."</p>	<p>Local Plan evidence base will now need to identify areas which are not likely to be sustainable in the long term due to:</p> <ul style="list-style-type: none"> - Coastal Erosion and Coastal Slope Instability - Permanently Inundated by sea or tidal estuaries / rivers or likely to become intertidal. - Flood Zone 3b and future FZ3b and land at risk of frequent, and disruptive flooding with little or no prospect of mitigating these risks through FCERM infrastructure. <p>New policies should be considered which set out "the types of development that will and will not be appropriate in these locations, including by limiting the planned lifetime of the development and preventing increases in vulnerability and development footprint." Local Authorities should also consider use of article 4 directions.</p> <p>Roll back policies should be considered for both flood risk and coastal change areas, to allocate land for moving existing development away from high risk areas, by allowing development in areas that would otherwise be refused permission.</p>
077	What issues do local planning authorities need to consider in relation to permitted development rights in coastal change areas?	075	What issues do local planning authorities need to consider in relation to permitted development rights in coastal change areas?	<p>New PPG drops time-scale element of when considering permitted development.</p> <p>Old PPG limited this to development at risk in 0-20 years. New PPG just says at risk of coastal change.</p>	<p>Permitted development in areas at risk of coastal change is suggested to no longer be allowed, and require planning permission in each case.</p> <p>Local Plan will need to consider if they want to prevent in totality permitted development in areas of coastal change risk, or be very specific on what can still be done under permitted development in such areas.</p>
078	How neighbourhood plans and neighbourhood development/community right to build orders should take account of coastal change	077	How can neighbourhood plans and neighbourhood development/community right to build orders take account of coastal change?	<p>New PPG removes first para from previous version that said "In line with the core planning principles and the policy on coastal change neighbourhood plans and neighbourhood Development/Community Right to Build Orders should avoid allowing inappropriate development in areas vulnerable to coastal change, or adding to the impacts of physical changes to the coast."</p> <p>Second para is pretty much unchanged from previous version.</p>	<p>Will require FCERM involvement in neighbourhood plan development process to input advice on the flood and/or coastal change risks.</p>