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Dear Ian Kemp,

SHEFFIELD LOCAL PLAN: INSPECTOR'S MATTERS, ISSUES AND QUESTIONS

1. Thank you for consulting with the Home Builders Federation (HBF) on the Sheffield Local Plan: Inspector's Supplementary Matters, Issues and Questions for Stage 1.
2. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.
3. The HBF would like to submit the following comments on selected questions posed within the Inspector's Matters, Issues and Questions.

Yours sincerely,



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Matter 1: Procedural/Legal Requirements

Issue 1: Whether the Council has complied with relevant procedural and legal requirements in preparing the Plan?

Integrated Impact Assessment (including Sustainability Appraisal)

1.6a What information has been used to inform the flood risk findings for the options considered within the IIA and are the assumptions used reasonable in light of the findings of the Strategic Flood Risk Assessment Level 1 and 2 work completed to date?

1.6b Paragraph 160 of the Framework confirms that strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. Diagram 1: Taking flood risk into account in the preparation of strategic policies of the Planning Practice Guidance Paragraph 7-007-20220825 sets out a flowchart for key steps involved in preparing strategic policies.

Was the aforementioned policy and guidance set out in the Framework and the Planning Practice Guidance followed by the Council? Given that the Council has proposed development within areas of flood risk now or in the future and has undertaken a Strategic Flood Risk Assessment Level 2, has the Council then gone on to assess alternative development options using the IIA, transparently balancing flood risk against other planning objectives and used the IIA to inform the allocation of land in accordance with the Sequential Test?

1. The HBF notes that Sheffield Plan Integrated Impact Assessment (IIA) Report was produced by AECOM and was published in December 2022 and that the Sheffield Level 1 Strategic Flood Risk Assessment (SFRA) was produced by JBA and was published in January 2023.
2. The HBF also notes that section 7.2 of the IIA in relation to Establishing Strategic Locations for Housing Growth highlights that the NPPF makes it clear that a sequential approach to site selection should be taken with regard to flood risk. It goes on to state that in this respect, sites that overlap substantially with flood zones 2 and 3 ought to be avoided in the first instance.
3. Section 10.10 of the IIA highlights that in terms of resilience to the effects of climate change some of the sites, allocations and broad locations are more vulnerable to the effects of climate change as they overlap areas of higher flood risk (flood zones 2 and 3), and it lists the potential sites impacted. It also identifies that locating a substantial level of growth in flood zones 2 and 3 brings the potential for negative effects in terms of climate change resilience. The IIA notes that with regard to resilience negative effects are likely given that there is a significant amount of new housing development in areas at risk of flooding, as the strategy directs a substantial level of new housing to areas that are at risk of flooding in the City Centre.

4. The IIA does not provide details as to what information has been used to inform these assessments. Although Appendix F suggests that the SFRA was used in relation to the parameters for identifying significant constraints in the Green Belt.
5. The HBF considers that the assumptions made within the IIA will likely need to be updated to reflect the analysis of the Level 2 SFRA. This is likely to require the further assessment of alternative options, and further consideration of whether the spatial policy and site allocations remain appropriate, and where needed to demonstrate that wider sustainability benefits to the community outweigh flood risk of particular sites or areas. This may also lead to the need for the Plan to be updated to reflect the results of both the IIA and the SFRA, following the guidance set out in the NPPF and the PPG.

Matter 4: The Spatial Strategy

Issue 3: Is the Plan's Spatial Strategy soundly based?

4.9a Noting Policy SP1 n) and the Council's Strategic Flood Risk Assessment Level 2 (EXAM38 – 42)(April 2024), how have flooding constraints been taken into account in determining the spatial distribution of development? Is the Plan consistent with paragraph 161 of the Framework?

6. The HBF does not consider that the Plan is consistent with the NPPF, the NPPF¹ states that all plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible flood risk to people and property.
7. The Council undertook a Level 1 Strategic Flood Risk Assessment (SFRA), this recommends that the sequential approach must be followed in terms of site allocation. The SFRA 1 has considered 597 sites, 77 sites were recommended as being potentially unsuitable for development, 290 sites require the Exception Test and 164 potential sites require an SFRA level 2 to confirm climate change risks or progress to flood risk assessment.
8. The Council has now also undertaken a Level 2 SFRA. The HBF is concerned at the late the stage at which this has been undertaken and the influence this evidence has had on the Spatial Strategy for the Plan. The HBF would expect that throughout the sequential testing process, opportunities to minimise flood risk would be considered, to ensure that risks to people and property are effectively managed. The NPPF² is clear that strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. It goes on to state that LPAs should do this by applying the sequential test and then, if necessary, the exception test. The aim of the sequential test is to steer new development with lowest risk of flooding from any source. The NPPF³ is clear that development should not be allocated if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.
9. The Level 2 SFRA states that 47 of the Level 2 SFRA sites were shown to be at nominal risk of flooding yet still required brief assessment and commentary to support allocation. Section 6 of the Assessment provides a summary of the 126 individual detailed screening reports undertaken for the SFRA. The summary highlights the main barriers to development for each site and the next steps or need for further work. The HBF notes common barriers to development include the absence of detailed river modelling, reliance on defences, safe access and escape routes, surface water risks and groundwater conditions, and that common next steps include the need for an update to the Level 2 SFRA and for a flood risk assessment.

¹ NPPF paragraph 161

² NPPF paragraph 160

³ NPPF paragraph 162

10. The HBF also notes that in certain cases, the Level 2 SFRA, identifies sites that would not pass the exception test, where the SFRA notes that were this site to be allocated based on current information the LPA must make it clear that this site cannot be developed until the required information detailed in the SFRA on flood risk from the River Sheaf is fully ascertained. Or where the SFRA notes that updated fluvial modelling including an appropriate climate change uplift should be used to inform a robust assessment of flood risk to this site, detailed surface water flood risk modelling is required, areas shown as within Flood Zone 3b should only be developed for water-compatible or essential infrastructure uses, that development should not take place within 8m of a main river and that existing culverts and structures should be removed wherever practicable. The Level 2 SFRA also identifies sites that it suggests that are broadly appropriate for less vulnerable uses.
11. The HBF would expect the Council to ensure that flood risk is taken into account in determining the spatial distribution of development, and the allocation of sites and to ensure that they have the appropriate evidence to demonstrate that. The HBF would also expect the Council to have worked with land owners and developers to ensure that the barriers to development identified in the SFRA can be addressed and the sites remain deliverable and developable within the Plan period. Thus, avoiding the allocation of inappropriate sites.

4.9b Planning Practice Guidance Paragraph 7-025-20220825: How can the Sequential Test be applied in the preparation of strategic policies? states that the Sequential Test needs to be applied to the whole local planning authority area to increase the possibilities of accommodating development which is not exposed to flood risk, both now and in the future. The Council is requested to set out clearly how the initial screening of sites, known flood risk vulnerability and the need to apply the Sequential Test have been taken into account in terms of developing the Spatial Strategy and the allocation of sites.

12. The HBF continues to be concerned that the Council has not taken the Sequential Test into account in terms of the Spatial Strategy and the allocation of sites. PPG⁴ Diagram 1 sets out the key steps involved in preparing strategic policies taking into account flood risk. It is clear that where sustainable development can not be achieved through new development located entirely within areas with a low risk of flooding that a SFRA should be used to apply the Sequential Test and identify appropriate allocation sites and if development is proposed within areas at risk of flooding now or in the future that a Level 2 SFRA should be undertaken. The next step suggests that alternative development options should be assessed using the sustainability appraisal, transparently balancing flood risk against other planning objectives. And finally, that the result of the Sequential Test and the Exception Test should be included in the Sustainability Appraisal. The current IIA for Sheffield has not been updated in light of the Level 2 SFRA and as such would not be in line with this guidance.

⁴ PPG ID: 7-007-20220825

13. The Sequential Test needs to be applied to the whole local planning authority area to increase the possibilities of accommodating development which is not exposed to flood risk, both now and in the future. Diagram 2 in the PPG sets out how this can be done.