

**Statement of Common Ground between
Ipswich Borough Council as Local Planning Authority**

and

The Environment Agency

10th June 2020

Scope

1. This Statement of Common Ground identifies areas of agreement between the Environment Agency ('EA') and Ipswich Borough Council ('the Council') in relation to the Environment Agency's representations to the Final Draft Ipswich Local Plan and the supporting evidence set out in the draft updated Ipswich Strategic Flood Risk Assessment (SFRA).

Objective

2. The objective of this Statement of Common Ground is to secure agreement between the parties to ensure a satisfactory evidence base for flood risk in relation to the Final Draft Ipswich Local Plan, to enable its submission to the Secretary of State for examination.

Background to Ipswich Flood Risk

3. Ipswich is located where the fluvial River Gipping becomes the tidal River Orwell. The town has historically been at risk of tidal flooding during tidal surge conditions and this risk has been increasing with rising sea levels attributed to a changing climate. The town was subject to flooding in 1953 when large parts of the east coast of England were inundated during a tidal surge. More recently, high tide conditions threatened the town in 2007 and 2013, both of which were close to spilling over the existing defences.
4. In response to the risk of tidal flooding affecting Ipswich, a new tidal flood defence barrier was officially opened in February 2019. The barrier, in combination with 1,100 metres of new and refurbished flood walls and a series of flood gates on the banks of the River Orwell, are designed to reduce the risk of tidal flooding to homes, businesses and key infrastructure.
5. The River Gipping and its tributaries pose a fluvial flood risk to the Borough with historical fluvial events recorded in 1939 and 1947. While fluvial flood risk is currently well managed, fluvial flood modelling outputs currently available to the Council for the purpose of informing its SFRA date from 2012 (River Gipping) and 2015 (Belstead Brook). The modelling of the Belstead Brook undertaken in 2015 included an allowance for climate change for the 1% AEP, 0.5% AEP and 0.1% AEP events plus a 20% increase in flow, in accordance with the guidance available at the time of modelling. Since then, the Environment Agency has issued revised guidance and advised that a range of allowances be considered, based on River Basin District. For the Anglian River Basin District, allowances of 25%, 35% and 65% should be considered. Therefore, the SFRA update has included for Belstead Brook re-running the 1% AEP model scenario including 25%, 35% and 65% increases in peak flow. This is shown in figures 9A, 9B and 9C of the SFRA update.

6. The published outputs from the Gipping Model do not include maps and data that reflect the current climate change allowances which are required to support both site level Flood Risk Assessments and SFRA. The current model pre-dates the February 2016 revision of the Flood Risk Assessment: climate change allowances which introduced River Basin based flow uplift allowances for a range of epochs and likelihood percentiles. The EA is currently replacing its flood model for the River Gipping and once the EA has verified and accepted the completed model it is the intention that this will be used to update the impact of changes in hydrology and the application of the latest climate change guidance on fluvial flood risk extents, thereby ensuring that potential changes to fluvial flooding risk in the Borough can be understood over the whole duration of development lifetime.
7. The town is also at risk of flooding from surface water runoff and exceedance of the local drainage network. In some localised areas (along spring lines and in some tributary valleys) this is exacerbated by the underlying ground conditions which are susceptible to groundwater emergence. In locations close to the tidal estuary, surface water may not be able to drain away during high tide conditions.

Evidence Base

8. The evidence base for flood risk consists of:
 - a. a 2011 Level 2 Ipswich SFRA,
 - b. a draft updated Ipswich SFRA June 2020,
 - c. an updated sequential and exception test statement June 2020, and
 - d. the Ipswich Borough Council Development and Flood Risk Supplementary Planning Document, 2013, updated 2016.
9. The Council has a Development and Flood Risk Supplementary Planning Document (SPD) adopted in September 2013 and last updated in 2016. The document is due to be reviewed when the SFRA update has been completed. The adopted Development and Flood Risk SPD sets out the safety framework, but primarily for the residual risks of tidal flooding.
10. The updated documents have been prepared by Aecom Infrastructure and Environment UK Ltd on behalf of Ipswich Borough Council in consultation with Suffolk County Council, Suffolk Joint Emergency Planning Unit and the Environment Agency.
11. The draft updated Ipswich SFRA incorporates a level 1 and level 2 SFRA. The level 1 SFRA describes all sources of flood risk in the Local Plan area, including the impact of climate change in the future, and informs the sequential test. The level 2 SFRA provides evidence in relation to the scope of possible measures to reduce flood risk to acceptable levels. But neither the level 1 or level 2 have applied the most recent climate change guidance in respect of fluvial flood risk on the River Gipping as published on the gov.uk website, because it was hoped that the new Gipping Model, expected in November 2019, could be used. However, the technical validation of the model and its outputs are still ongoing and the EA is currently not in a position to publish and release the model at the time that this agreement is being made.

Environment Agency Objections to the Final Draft Ipswich Local Plan

12. The Environment Agency has submitted the following objections to the Final Draft Ipswich Local Plan. Supporting representation are not included in this Statement of Common Ground.

Table 1 Environment Agency Objections, Regulation 19

Representation ID	Policy/Chapter	Representation	Change required
26274	Chapter 6 Vision and Objectives	Paragraph 6.16 states that the Strategic Flood Risk Assessment (SFRA) has been revised. However, this is currently being updated so this section should be amended. The Local Plan should also refer to the SFRA as being a living document.	Changes to plan: Paragraph 6.16 states that the Strategic Flood Risk Assessment (SFRA) has been revised. However, this is currently being updated so this section should be amended. The Local Plan should also refer to the SFRA as being a living document. Our full comments in relation to this can be found within our response to policy DM4 - Flood Risk. This is the main reason for our objection comment.
26275	CS1 Sustainable Development	We are pleased that paragraph 8.41 refers to UKCP18. Paragraph 8.44 refers to buildings at risk of flooding through tidal surges and heavy rain. However, this paragraph does not specifically refer to fluvial flood risk. We therefore would require this to be updated accordingly. Paragraph 8.45 refers to the SFRA. The SFRA is a living document and should be updated when new modelling becomes available.	Changes to plan: We are pleased that paragraph 8.41 refers to UKCP18. Paragraph 8.44 refers to buildings at risk of flooding through tidal surges and heavy rain. However, this paragraph does not specifically refer to fluvial flood risk. We therefore would require this to be updated accordingly. Paragraph 8.45 refers to the SFRA. The SFRA is a living document and should be updated when new modelling becomes available. Our main comments that need to be actioned relating to the SFRA can be found within our response to policy DM4 - Flood Risk.
26278	Plan 2 Flood Risk	This plan includes a statement which says "This plan of nationally designated flood zones relates to fluvial flooding. Further information on pluvial (surface water) flooding can be found in the Strategic Flood Risk Assessment (SFRA)." This statement is incorrect as the plan shows both fluvial and tidal flooding.	Changes to plan: This plan includes a statement which says "This plan of nationally designated flood zones relates to fluvial flooding. Further information on pluvial (surface water) flooding can be found in the Strategic Flood Risk Assessment (SFRA)." This statement is incorrect as the plan shows both fluvial and tidal flooding. This will also need to be updated when the new modelling which will be within the living SFRA when completed. Our full comments on the SFRA can be found in

		This will also need to be updated when the new modelling which will be within the living SFRA when completed.	our response to policy DM4 - Development and Flood Risk.
26279	DM4 Development and Flood Risk	At present, we are raising an unsound representation on Flood Risk grounds. This is because the evidence base that informs the Local Plan is not yet finalised. Further information can be found below [see right].	Changes to plan: At present, we are raising an unsound representation on Flood Risk grounds. This is because the evidence base that informs the Local Plan is not yet finalised. The Strategic Flood Risk Assessment (SFRA) has not yet been agreed as the River Gipping fluvial model is not yet verified and ready for use. This is because we are still awaiting the final outputs and deliverables for this model. Therefore, there is not currently a reliable evidence base to derive the SFRA and inform the Local Plan. We have and will continue to work in partnership with Ipswich Borough Council on the SFRA. As soon the modelling is completed we will be able to engage further to ensure that the SFRA is finalised and the Local Plan appropriately reflects its findings. A statement of common ground will be prepared if required. In addition to the above, we have included our comments below on the rest of the Local Plan document. These have been provided in the same format as the Local Plan itself. In terms of the rest of the policy itself: Paragraph 9.4.10 needs to make reference to the fact that the SFRA is a living document and is awaiting modelling information to update it. We fully agree with paragraph 9.4.12 which states that more and less vulnerable development in Flood Zones 2 and 3a may be acceptable but will require Flood Risk Assessments (FRAs) to demonstrate that such developments will be safe.
26284	Chapter 1	Comments above are mainly pulled from our response to policy DM4 of the local plan. These have been reiterated here in the introduction section to the site allocation document because our	Changes to plan: Our full comments and what needs to be changed can be found above.

		<p>comments cannot be site specific until the SFRA and Gipping model are complete.</p>	
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Areas of Agreement

13. The parties to this Statement of Common Ground agree that:

13.1 The draft updated Ipswich SFRA has been produced as a living document, which is in line with the latest guidance on gov.uk for “How to prepare a Strategic Flood Risk Assessment”¹. Therefore, it will need to be subject to periodic review and updated to reflect updated modelling evidence.

13.2 The draft updated Ipswich SFRA will need to be updated specifically to respond to the outputs of the new River Gipping Model when this becomes available. The Council will undertake this work without delay and, as timing allows, make available results to the examination and address action needed through the review to the Development and Flood Risk SPD.

13.3 As a result of verbal dialogue and meetings with the EA, it is thought that a number of site allocations in the Local Plan could potentially be affected by the new Gipping Model results. For some, the measures required to deal with potential flood risk already set out through the SFRA site assessments and/or the Development and Flood Risk SPD Safety Framework may additionally address the fluvial risk. For others, design measures may need to be identified to ensure that development would be safe. There is insufficient certainty in advance of the model’s final evaluation, verification and publication to make these changes now. However, the parties expect that it should be possible to address potential fluvial risks as these become known.

13.4 For the avoidance of doubt, explanatory wording has been added to the current draft ‘living’ SFRA as follows (see also Appendix 1):

“In June 2017, the Environment Agency engaged Mott McDonald to develop a new fluvial flood model for the River Gipping with updated hydrology and inclusion of up to date climate change guidance. However, at the time of writing, the River Gipping fluvial model is not yet verified and ready for use, as the final outputs and deliverables for this model are awaited. Therefore, until the data is published, this SFRA update has been based on the currently best available published data dating from 2012. The SFRA is a living document and will be updated to reflect the Gipping fluvial model as soon as reasonably practicable after it becomes available.

13.5 To facilitate the submission version of the SFRA and allow the Local Plan process to proceed without delay, it has been agreed with the Environment Agency that the Council

¹ <https://www.gov.uk/guidance/local-planning-authorities-strategic-flood-risk-assessment>

will ask the Planning Inspector to consider changes being incorporated into the Local Plan as follows and set out in detail in Appendix 2:

- (i) to amend references within the Core Strategy and Policies Development Plan Document (DPD) to the SFRA to clarify that it is a living document;
- (ii) to include a commitment within the Core Strategy and Policies DPD to updating the Development and Flood Risk SPD after the Gipping Model is published; and
- (iii) to add wording to the reasoned justification of the Core Strategy and Policies DPD, Policy DM4 and Site Allocations and Policies DPD Policy SP2 as follows:

'Should proposed development allocations come forward before the updated Gipping Model results are available, site specific FRAs for developments will need to use the current Flood Risk Assessments: Climate Change Allowances as published on the gov.uk website in order to identify, and mitigate, any fluvial flood risks over the lifetime of the development and to determine measures to ensure that the development will be safe.'

- 13.6** In addition, the Council will pause the review of the Development and Flood Risk Supplementary Planning Document until the new Gipping Model has been released so that the review can take account of the new information.
- 13.7** The Council and Environment Agency agree to continue working together after submission of the Final Draft Local Plan to address issues relating to an improved understanding of fluvial flood risks and how these may need to be considered in the context of proposed local plan allocations, the SFRA and the Development and Flood Risk SPD (including the Safety Framework) and will update the Statement of Common Ground throughout that process.
- 13.8** At the point of submitting the Local Plan in June 2020, the Council's draft updated SFRA has considered the most up to date modelled flooding data currently available as open data. The Council has chosen not to re-run the existing River Gipping model with the flow uplifts set out in the most recent Climate Change for Flood Risk Assessment Guidance as published on gov.uk, because a new Gipping model is due for publication and resources will be focused on reviewing its impacts when it becomes available.
- 13.9** The location of Ipswich on the River Gipping and Orwell Estuary means that areas of central Ipswich containing existing homes, businesses and other uses lie within Flood Zone 3. The tidal flood risk to these is being addressed through the strategic Ipswich Flood Defence Management Strategy (IFDMS). The fluvial flood risk management is not considered within the IFDMS based on the current understanding of fluvial flood risk.
- 13.10** The Council has an established approach through the Development and Flood Risk SPD Safety Framework to ensuring that new development will be safe for residents. The safety framework links back to the up to date hazard mapping for tidal defence breaching. This will be subject to periodic update through the 'living document' SFRA and will be updated for any fluvial flood risks should these be identified in the outputs of the new flood model for the River Gipping once these become available.

Signatures

Signed 

Name MANDY JANE FORD

Position LAWYER, IPSWICH BOROUGH COUNCIL, LEGAL SERVICES

Date 10 JUNE 2020

Ipswich Borough Council

Signed 

Name Ali Taylor

Position Environment, Planning & Engagement manager

Date 10 June 2020

Environment Agency

Appendix 1 Excerpt from Strategic Flood Risk Assessment, 2020

There are four places within the 'living' Strategic Flood Risk Assessment (SFRA) where the agreed text is included, which commits to updating the SFRA in the light of the Gipping Model results. One of these is the Executive Summary. An example from the main report is reproduced below.

2.4 Living Document

This SFRA has been developed building heavily upon existing knowledge with respect to flood risk within the Borough. The Environment Agency review and update the Flood Map for Planning (Rivers and Sea)¹³ on a quarterly basis and a rolling programme of detailed flood risk mapping is underway. New information may influence future development management decisions within these areas. Therefore, it is important that the SFRA is adopted as a 'living' document and is reviewed regularly in light of emerging policy directives, flood risk datasets and an improving understanding of flood risk within the Borough.

In June 2017, the Environment Agency engaged Mott McDonald to develop a new fluvial flood model for the River Gipping with updated hydrology and inclusion of up to date climate change guidance. However, at the time of writing, the River Gipping fluvial model is not yet verified and ready for use, as the final outputs and deliverables for this model are awaited. Therefore, until the data is published, this SFRA update has been based on the currently best available published data dating from 2012. The SFRA is a living document and will be updated to reflect the Gipping fluvial model as soon as reasonably practicable after it becomes available.

Appendix 2 Detailed wording changes suggested for the Final Draft Local Plan

Table 2 Detailed Proposed changes

Change ref	Chapter/ policy / paragraph of Local Plan	Suggested wording amendment – additions underlined and deletions struck through
1	Core Strategy and Policies DPD, Chapter 6. Vision and Objectives Paragraph 6.16	An update of the The Council's Level 2 Strategic Flood Risk Assessment (SFRA) was revised <u>commenced</u> in 2019. The SFRA is a <u>living document which will be subject to periodic review and update to reflect new modelling data.</u> It provides guidance on residual flood risk both for the situation before and after completion of the flood barrier. The SFRA also suggests a <u>refers to the</u> framework for safe development. The safety framework is detailed in the Council's Development and Flood Risk SPD (September 2013, <u>updated 2016</u>) which is in the process of being <u>to be updated again</u> in response to <u>any relevant changes in flood risk information resulting from the Environment Agency's forthcoming Gipping Model</u> and includes requirements for:
2	Core Strategy and Policies DPD Policy CS1, Paragraph 8.44	8.44 Many buildings in Ipswich are at risk of flooding, some from tidal surges, <u>some from fluvial flooding and some</u> and many from heavy rain. This risk will continue to grow as a result of rising sea levels and increasingly heavy rainstorms that can overwhelm drainage systems and cause localised flooding unless mitigation measures are implemented. At the strategic scale, tidal flood risk has been addressed through the effective completion of the Ipswich Flood Defence scheme. However, developments located within the flood plain will still need to address residual risk in accordance with the National Planning Policy Framework (e.g. the risk of defences failing) <u>and will also need to address fluvial risk.</u> Managing surface water run-off is also important. SuDS, rainwater harvesting, storage and where appropriate the use of green roofs or water from local land drainage will be required wherever practical. Such approaches shall be particularly mindful of relevant ecological networks. New buildings need to be more adaptable and resilient to climate change effects in future. This is taken forward through policy DM4.
3	Core Strategy and Policies DPD Policy CS1, Paragraph 8.45	The Council's Strategic Flood Risk Assessment 2011 has been <u>substantially updated. It is a living document and will be subject to periodic review and update to reflect new modelling data as this becomes available.</u> The approach to flood risk and water infrastructure is addressed through policies CS17 and CS18, and DM4. Further guidance is contained in the Development and Flood Risk Supplementary Planning Document 2016, <u>which is also subject to review.</u>
4	Core Strategy and Policies DPD, Policy DM4, Paragraph 9.4.10	The Council's Level 2 SFRA provides information relevant to both the existing tidal <u>and /fluvial</u> defences at 2019 <u>2011</u> and also to the completed defences, with the <u>proposed new Ipswich tidal flood barrier and defence improvements</u> in place. In each case the SFRA provides data on residual risks taking account of flood depth and the velocity of floodwater. The preparation of many site-specific FRAs

		<p>can make use of mapped risks from the new SFRA. The SFRA is a <u>living document subject to ongoing update, particularly in relation to fluvial modelling</u>. However, in some instances, site-specific FRAs will still need to include detailed flood modelling to ascertain the flood risk. <u>Should proposed development allocations come forward before the updated Gipping Model results are available, site specific FRAs for developments will need to use the current Flood Risk Assessments: Climate Change Allowances as published on the gov.uk website in order to identify, and mitigate, any fluvial flood risks over the lifetime of the development and to determine measures to ensure that the development will be safe.</u></p>
5	Core Strategy and Policies DPD Plan 2	<p>This plan of nationally designated flood zones relates to fluvial <u>and tidal</u> flooding. Further information on pluvial (surface water) flooding can be found in the Strategic Flood Risk Assessment (SFRA).</p>
6	Site Allocations (Incorporating IP-One Area Action Plan) DPD, Policy SP2, Paragraph 4.12	<p>4.12 In allocating sites for development the Council has followed the sequential approach, to ensure that sites are not allocated in areas with a greater probability of flooding if sites in lower risk areas are available. It has also applied the exception test to ensure that the benefits to the community of development outweigh flood risk, and ensure that development will be safe. Planning applications for sites which lie within Flood Zones 2 and 3 will need to be supported by a site specific Flood Risk Assessment. <u>Should proposed development allocations come forward before the updated Gipping Model results are available, site specific FRAs for developments will need to use the current Flood Risk Assessments: Climate Change Allowances as published on the gov.uk website in order to identify, and mitigate, any fluvial flood risks over the lifetime of the development and to determine measures to ensure that the development will be safe.</u> The Council's supplementary planning document on Development and Flood Risk provides more guidance.</p>