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Dear Sirs

RE: St Albans District Council Local Plan – Flood Risk Assessment Addendum

We have concerns that the Flood Risk Assessment Addendum has not been updated to be in line with the current NPPF and PPG. The approach of using 10% surface water flood risk to site would not meet with the new requirements to make sure that development, including access to the development, will not be at flood risk and be safe for its lifetime. Whilst the sites assessed may be correctly assessed in depth, this approach for windfall sites will allow developers to come forward with flood risk, either in a flow path or access entirely cut off instead of considering how development can be in the areas at the low risk.

NPPF paragraph 172 states '*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** (emphasis added by us). They should do this, and manage any residual risk, by:*

- a) applying the sequential test and then, if necessary, the exception test as set out below;*
- b) safeguarding land from development that is required, or likely to be required, for current or future flood management;*
- c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and*
- d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.*

Paragraphs 174 and 175 of the NPPF go on to state '*Within this context the aim of the sequential test is to **steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.** The strategic flood risk assessment will provide the basis for applying this test*'.

'The sequential test should be used in areas known to be at risk now or in the future **from any form of flooding**, except in situations where a site-specific flood risk assessment demonstrates that **no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements**, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)'.

The NPPF Planning Practice guide has also now been updated (17th September 2025) to strengthen the requirement on the sequential Test and clarify how Planning authorities should consider the different sources of flood risk. Paragraph 023 of the PPG states '**What is the aim of the sequential approach?**

*The approach is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. **This means avoiding, so far as possible, development in current and future medium and high flood risk areas considering all sources of flooding including areas at risk of surface water flooding.** Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures like flood defences, flood warnings and property level resilience features. Application of the sequential approach in the plan-making and decision-making process will help to ensure that development is steered to the lowest risk areas, where it is compatible with sustainable development objectives to do so, and developers do not waste resources promoting proposals which would fail to satisfy the test. **Other forms of flooding need to be treated consistently with river and tidal flooding in mapping probability and assessing vulnerability, so that the sequential approach can be applied across all areas of flood risk.***

Diagram 2 within the PPG sets out the process for applying the Sequential Test in the plan making process. This requires flood risk to be defined by low, medium and high. To ensure these are considered consistently with other forms of flooding, low should be defined as land having less than 0.1% Annual probability of flooding, medium as land having between a 1% and 0.1% annual probability of flooding and high as land having a 1% or greater annual probability of flooding (Table 1: Flood Zones contained within the PPG).

It should be noted this is not relation to the surface water that falls on the site itself and can be mitigated through the incorporation of a sustainable drainage system (ponding), but overland off-site surface water flow paths that impact a site and which the site has no control over the volume and rates the water enters the site. To ensure the site does not increase flood risk upstream or downstream these flow routes need to be left within the green open space helping to ensure the development does not increase the flows and volumes that leave the site but also ensuring the development does not cause these routes to become impeded.

It is also important to note the definition of flood risk in paragraph 001 of the PPG which states '*Flood risk" is a combination of the probability and the potential consequences of flooding*'.

In response to question 1 by the inspector

The proposed methodology contained within the addendum and SFRA Level one states in relation to surface water flood risk '*Using this mapping, it is not anticipated that the sequential test for surface water **would normally require alternative sites at lower risk to be considered**, because the widespread and dendritic nature of surface water flood risk differs conceptually to river and sea flood risk*'. This is in contradiction to the requirement of the Sequential Test as set out in NPPF and the PPG.

In section 3.3.3 of the SFRA level 1 completed in 2024 states 'The level 1 SFRA defines a site at low risk of flooding using the following parameters:

- Site is within Flood Zone 1.
- Site is not within Flood Zone 3a plus climate change.
- Site is <10% at risk from surface water flooding in the 1 in 1,000-year event.
- Site is <10% within highest risk category in JBA Groundwater map (groundwater is <0.025m below the surface in the 1 in 100-year event).
- Site is not within the Historic Flood Map.
- Site is not at risk of reservoir flooding.
- Site is not at risk of breach from canal flooding.
- Site does not contain an Ordinary Watercourse.

This clearly does not comply with paragraph 175 of the NPPF or 023 of the PPG which requires the different sources of flooding to be considered consistently with each other. This methodology has been carried over in the addendum to screen the current sites which would not have been in accordance with the old PPG or the revised PPG as does not consider the Spatial variation of that risk. The use of a percentage of area impacted does not allow for the spatial variation of that impact on the site. Less than 10% of a site impacted but the overland flow path is through the middle of the site or along the only access route affecting the safe access and egress of a site during a design flood event as defined in paragraph 002 of the PPG is very different to a flow path that had been left undeveloped as open green space along the edge of a development and would have different consequences in regards to Flood Risk. For example although the residential numbers have been reduced, access would still need to be in an area with a hazard rating of less than 0.75 to be considered safe as per the PPG guidance and research.

In response to question 2

The proposed addendum does not differentiate this nor look at if an alternative site would be more suitable in this instance as the flood risk is less. The addendum does not make clear that these flow paths shall remain undeveloped and within open green spaces as stated in paragraph 175 of the NPPF. It is unclear from the addendum if these flow paths will impact any highway or access through the information submitted as only housing numbers have been altered and not the development footprint including infrastructure. It is also not clear if any residential development would also have to cross these flow paths during a design event therefore impacting the flow path or impacting safe access and egress of residents and users during a design event.

In relation to Surface water flood risk the Environment Agency long term flood risk data as well as the Flood map for planning was updated in January 2025, it is unclear if the data has been used within the Flood Risk Assessment Addendum to determine the areas impacted by each site.

Although the council has carried out the Sequential test for fluvial flood risk it has not been carried out in relation to Surface water flood risk and indeed this is confirmed by paragraph 7.3 of the Addendum.

Therefore the current addendum would still not make the Plan sound and additional work is required.

In response to Question 3

To make the plan sound then surface water flood risk should be sequentially tested equally to other forms of flooding and if it is deemed necessary that these sites are indeed required to meet the housing numbers and no alternative sites with a lower risk of flooding (i.e. if a small area of a large site is located in flood zone 3 but no development, access or infrastructure is located within it as it is along the very edge of the site boundary then this would be preferable to a site with a surface water flow path impacting the middle of the site or the only access route). Then it needs to be made clear that these sites must keep these flow paths as undeveloped and that all access and egress routes from the site as well as each dwelling/unit are classified as 'Safe' as per the requirement in NPPF and PPG and no infrastructure is located within a surface water flow path.

The wording within the addendum needs to be altered to ensure when windfall sites do come forward that they are tested in accordance with NPPF and its PPG. That only development that can via a site-specific flood risk assessment, demonstrates clearly that the proposed layout, design, and mitigation measures would '**ensure**' that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development without increasing flood risk elsewhere and therefore does not rely on mitigation measures that would require active maintenance, as their effectiveness in mitigating flood risk cannot be guaranteed for the lifetime of the development do not need to undertake the Sequential Test in relation to Surface water Flooding'.

As per paragraph 7.6 the sites should be removed for a consistent approach with fluvial flooding.

We welcome the opportunity to discuss any part of the Local Plan with you.

Yours sincerely

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