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DERRY CITY AND STRABANE DISTRICT COUNCIL DRAFT PLAN STRATEGY**Comments provided by Department for Infrastructure, Rivers.**

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January 2020

The Department for Infrastructure, Rivers has reviewed the contents of the Derry City and Strabane District Council Draft Plan Strategy and comment as follows.

Department for Infrastructure, Rivers considers the Draft Plan Strategy overall to be sound there are however a number of issues detailed below which the Council will wish to consider.

Chapter 21 Natural Environment**Policy NE 4 Development adjacent to Main Rivers and Open Water Bodies**

DfI Rivers welcomes the content of this policy and its reference to Chapter 25, Development and Flooding, Policy FLD 2 Protection of Flood Defence and Drainage Infrastructure, in relation to access for river maintenance.

Chapter 22 Coastal Development**Policy CD 1 Coastal Development**

DfI Rivers welcomes the content of this policy and would recommend that it should also give reference to Chapter 25, Development and Flooding, Policy FLD 1 Development in Fluvial (river) and Coastal Flood Plains

The extents of coastal flooding are shown on Flood Maps NI

Chapter 24 Renewable and Low Energy Development**Policy RED 1 Renewable and Low Energy Development – General Criteria**

DfI Rivers welcomes the reference to flood risk within this policy, and the acknowledgment within Justification and Amplification that an adverse impact of hydroelectric schemes will cause

“changes to flows in watercourses through abstraction”

DfI Rivers would recommend that this could be clarified further by including -

“In relation to hydroelectric power generation schemes, applicants should be aware of siting within catchments with a flow gauging station as this can completely alter the flow regime of a river. DfI Rivers will advise against siting in such areas, as this would result in the loss of decades of national river flow archive data used to estimate flood risk across the UK”.

Chapter 25 Development and Flooding

Policy FLD 1 Development in Fluvial (River) and Coastal Flood Plains

Policy FLD 2 Protection of Flood Defence and Drainage Infrastructure

Policy FLD 3 Development and Surface Water (Pluvial) Flood Outside Flood Plains

Policy FLD 4 Artificial Modification of Watercourses

DfI Rivers consider that the proposed policies FLD 1 to FLD 4 closely reflect the policy direction as set out in the Strategic Planning Policy Statement (SPPS) and that the wording of these policies closely follows that of policies FLD 1 to FLD 4 of the current operating policy Revised Planning Policy Statement 15 "PPS 15" 'Planning and Flood Risk'

DfI Rivers recommends that additional wording should be added to Policy FLD 1 "Defended Areas" paragraph, to include allowance for climate change ie.

- a) "Development of previously developed land protected by flood defences that are confirmed by DfI Rivers, as the competent authority, as structurally adequate and provide a minimum standard of 1 in 100 year *plus climate change allowance* fluvial flood protection or 1 in 200 year *plus climate change allowance* coastal flood protection".

DfI Rivers recommends paragraph 25.16 should include climate change in the bullet point to be consistent with the definition within the policy section ie

River (Fluvial) Flood Plain- the extent of a flood event with a 1 in 100 year probability *plus climate change allowance* (or 1% AEP *plus climate change allowance*)

DfI Rivers recommends paragraph 25.17 should include climate change in the bullet point to be consistent with the definition within the policy section ie

Coastal (Tidal) Flood Plain- the extent of a flood event with a 1 in 200 year probability *plus climate change allowance* (or 0.5% AEP *plus climate change allowance*)

DfI Rivers recommends that within the Justification and Amplification for FLD 1 paragraph 25.27 should be updated in line with current thinking to indicate that the height of a flood defence to top level should have a freeboard of up to 600mm above a design flood level which has included allowances for climate change.

Policy FLD 5 Development in close Proximity to Controlled Reservoirs

DfI Rivers consider that the proposed policy FLD 5 closely reflects the policy direction as set out in the Strategic Planning Policy Statement (SPPS). While the wording of FLD 5 is very similar to that of policy FLD 5 of the current operating policy Revised Planning Policy Statement 15 "PPS 15" 'Planning and Flood Risk' it also reflects the Department for Infrastructure current thinking on this matter. While some wording appears missing from the published document Council Officials have confirmed this is due to a graphic design error and that the policy will reflect the entire text as advised recently to Planning Authorities.

Reservoirs Act (Northern Ireland) 2015

This section of the DPS refers to the Reservoirs Act providing for a 'risk' based approach and for reservoirs to be given a 'risk' category. This is not the case as only 'consequence' of reservoir failure is considered and not 'probability' of reservoir failure. The Act provides reservoir designations of 'high consequence', 'medium consequence' or 'low consequence'.

DfI Rivers recommends Paragraph 25.80 should therefore be amended to change all references of 'risk' to 'consequence'.

Comments prepared 22nd January 2020

Department for Infrastructure, Rivers. Planning Advisory and Modelling Unit.