

**SEPA Planning Advice Note for Planning Authorities**

**LDP Evidence Gathering: Achieving sufficiency of evidence relating to flood risk and the water environment**

**December 2024**

# Purpose

This advice note provides guidance on providing sufficient evidence in two key areas of interest for SEPA: flood risk and the water environment. It provides supplementary advice to the LDP Evidence Gathering Resource Pack we shared with planning authorities in November 2023 with the aim of clarifying our expectations in these areas to avoid a statement of dispute.

# Context

# The need to create climate resilient places is a central theme in NPF4.  To achieve this there is a need to understand the challenges and opportunities presented by the water environment for our places.  As well as challenges such as flood risk, understanding the water environment can also deliver a wide range of benefits for our places and communities such as enhancing biodiversity, improving health and wellbeing and helping to reduce pressures on our water management infrastructure. SEPA holds a range of evidence relating to flood risk and the water environment that we would expect to be included as part of the LDP Evidence Gathering process due to their importance in delivering a number of NPF4 policy areas - in particular:

# Policy 4 (Natural Places)

# Policy 20 (Blue and Green Infrastructure) and

# Policy 22 (Flooding and Water Management).

# SEPA expectations: sufficiency of evidence

The following table outlines why we expect the inclusion and use of evidence relating to flood risk and the water environment and our requirements to achieve sufficiency of evidence (and therefore avoid a statement of dispute). It also provides links to where the relevant evidence and any associated guidance can be found.

**Achieving sufficiency of evidence for flood risk and the water environment**

|  | **Flood risk** | **Water environment** |
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| **Why are we asking for evidence in this area?** | The inclusion of evidence relating to flood risk is needed to successfully deliver the policy intent and outcomes of NPF4 Policy 22.  Policy 22 states that LDPs should strengthen community resilience to the current and future impacts of climate change by avoiding development in areas at flood risk as a first principle. To achieve this, it states that plans should take into account the probability of flooding from all sources and make use of relevant flood risk plans for the area.  The Scottish Government’s Local development planning guidance identifies Strategic Flood Risk Assessment (SFRA) as being a relevant source of information for the Evidence Report. | The inclusion of evidence relating to the water environment is needed to deliver the policy intent and outcomes for Nature Networks (Policy 4), Blue and Green Infrastructure (Policy 20) and Flooding and Water Management (Policy 22) of NPF4.  Policy 4 states that spatial strategies should better connect nature rich areas by establishing and growing nature networks (NN) to help protect and restore the biodiversity, ecosystems and natural processes in the area. The NPF4 glossary defines a nature network as a joined-up system of places important for wild plants and animals, on land and in water.  Policy 20 states that LDPs should be informed by relevant, up-to-date audits and/or strategies, covering the multiple functions and benefits of blue and green infrastructure.  Blue infrastructure is defined in the NPF4 glossary and includes water environment features within the natural and built environments that provide a range of ecosystem services.  Policy 22 states that LDPs should make use of river basin management plans for the area and has a policy intent that water resources are used efficiently and sustainably.   Regulation 9 of [The Town and Country Planning (Development Planning) (Scotland) Regulations 2023](https://www.legislation.gov.uk/ssi/2023/101/regulation/9/made) requires planning authorities to have regard to the River Basin Management Plan in the preparation of their LDP. |
| **SEPA evidence requirements to achieve sufficiency i.e. to avoid a statement of dispute** | Key requirements are:   * An SFRA has been carried out using [our SFRA Guidance](https://www.sepa.org.uk/media/3psdfwce/sfra-guidance-for-planning-authorities.pdf). * It includes the most relevant and up to date sources of flood risk information as outlined in Appendix 1 of the guidance, importantly including the Future Flood maps.  All information that can be presented in mapped form should be, as outlined in Appendix 1 of [our SFRA Guidance](https://www.sepa.org.uk/media/3psdfwce/sfra-guidance-for-planning-authorities.pdf).   Ideally the mapped information should be presented in a dynamic GIS web map that is accessible to the public, as opposed to a static map. Our guidance recommends the former, which has the benefit of being updatable, and is less cumbersome to present to the public and other stakeholders. This would not however be a matter of dispute. | Key requirements are:   * You have referred to baseline evidence on the status and pressures on the water environment from RBMP3 data. * You have used relevant water environment evidence to establish and identify opportunities to enhance nature networks and blue and green infrastructure.  The following evidence sources should be used where relevant to the LDP area: * Recommended riparian corridor layer * Geomorphic risk layer * Riparian vegetation enhancement opportunities * Scottish Wetland Inventory layer * Obstacles to fish migration * Water Environment Fund projects – existing and proposed * Natural flood management maps * Outputs of the SFRA * If not already done so we also expect a commitment to including the above evidence (where relevant) in the mapping of nature networks and blue and green infrastructure |
| **Where can the evidence be found?** | Reference to all evidence and associated links are outlined in Appendix One of [our SFRA guidance](https://www.sepa.org.uk/media/3psdfwce/sfra-guidance-for-planning-authorities.pdf). | Classification status evidence: [Water Classification Hub (sepa.org.uk)](https://www.sepa.org.uk/data-visualisation/water-classification-hub/)  Pressures evidence: [RBMP3 (sepa.org.uk)](https://informatics.sepa.org.uk/RBMP3/)  Other water environment evidence: [Environmental data | Scottish Environment Protection Agency (SEPA)](https://www.sepa.org.uk/environment/environmental-data/)  Please note that you need to scroll down this list to find links to all the water evidence sources listed above.  Relevant guidance: [Recommended riparian corridor layer for use in land use planning](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.sepa.org.uk%2Fmedia%2Fpuqhuwhn%2Frecommended-riparian-corridor-note.docx&wdOrigin=BROWSELINK)  Natural Flood Management Maps: [SEPA FRM Map Viewer](https://map.sepa.org.uk/floodmap/map.htm)  Outputs of your SFRA undertaken in line with [our SFRA guidance](https://www.sepa.org.uk/media/3psdfwce/sfra-guidance-for-planning-authorities.pdf) |

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