

Item 11- Development Committee 3rd January 2024

Response to consultation document titled

Flood Risk and Drainage

Supplementary Planning Document

November 2023

Todmorden Town Council welcomes the production of this Supplementary Planning Document and, through the application of its policy and content, reinforcement of the need for new developments to include flood mitigation measures as part of the Calderdale MBC planning application approval process.

Todmorden has suffered dramatic physical, emotional and financial harm from recent flood events and whilst welcoming this SPD, would wish to see the document strengthened by an expectation that developers do not simply deliver the bare minimum required, but recognise that Todmorden has an ageing and limited infrastructure and valley profile, and that enhanced measures wherever possible, should be delivered.

To this extent we are concerned that the statement in 1.1 “should not add unnecessarily to the financial burden on developments” could be seen by developers as a “catch all get out clause”, enabling them to deliver solutions that pay lip service to ideally what is needed.

For many years Todmorden has seen developers flout the rules, and by introducing this SPD we expect Calderdale MBC to deliver on enforcement where planning conditions relating to flood mitigation have not been met. A policy without “teeth” has no impact.

Under clause 9.28 we wish to see “are expected to have been considered” to change to “must be considered”.

The topography of Todmorden leads to greater impact from run-off and whilst the SPD makes occasional reference to this , we would like to see this strengthened to recognise the need to consider the overall incremental impact from one-off developments, whether new, conversions or extending existing properties, or surface changes, especially where developments on hillsides have a direct impact on properties lower down the hill.

Under clause 9.2 we would request that “unless demonstrated to be inappropriate” is removed. We believe that all development in flood risk areas should ensure SuDS are put in place.

Appendix 2 – We would welcome a shift of emphasis from “less vulnerable” to “more vulnerable” in respect of “building used for shops etc”, whilst we recognise that this categorisation may reflect danger to life, the economic, employment and long-term impact on business owners is significant in itself in terms of health damage - physical and mental.

Whilst we acknowledge that this SPD refers to planning going forward, there is concern that extant permissions that are not yet significantly developed, will not meet the standards proposed in this document. Going forward these will still impact and

where possible we would ask you to engage to bring such permissions up to current conditioning standards. By way of example one such application is that for Der St in Todmorden (20/01367/FUL), where it has already been approved, yet it is clear that there is negative impact on the flooding of existing properties