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Dear Tameside Planning Policy Team,

Tameside Local Plan – Options and Preferences. April – June 2025

Thank you for consulting us on the Options and Preferences document for the Tameside Local Plan. As part of the consultation we have reviewed the following documents:

- Tameside Council Homes, Spaces, Places Options and Preferences consultation draft. Part 2 Local Plan
- Integrated Assessment of the Homes, Spaces, Places, Plan – Options and Preferences. Main Report, Reference 01. Version 1, April 2025
- Homes Space Places Draft Options and Preferences Evidence Base
- Homes Space Places Draft Options and Preferences Policies Map

The Options and Preferences consultation request provides the Environment Agency an opportunity to provide comments on the initial draft local plan. We have split our comments into sections covering the overall context of our advice, the draft local plan and then the integrated assessment report.

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Local Plan Comments

We have split our comments on this Local Plan draft into sections which cover the key areas for consideration by the Environment Agency and where applicable to the current policy approaches identified.

Climate Change

There is a statutory duty on Local Planning Authorities to include policies in their Local Plans designed to tackle climate change and its impact. Specifically, Section 19 of the Planning & Compulsory Purchase (P&CP) Act stating that ‘*Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the LPA’s area contribute to the mitigation of, and adaptation to, climate change.*

We support the reference in paragraph 7.10 in the options and preferences consultation which notes to the requirement for all policies to contribute to the mitigation or adaptation needs when considering climate change.

The supporting Integrated Assessment (IA) highlights (Page 19) that that in reference to the strategic objective for homes, there is an unclear compatibility for the IA objective for climate change. This could be improved by referencing the need for new homes to also be resilient and energy efficient. The IA (Page 44) also makes clear recommendations for the strengthening of policy areas more widely when considering climate change and we would welcome these amendments.

Further useful reference to best practice for the development of Local Plans and Climate Change can be found within the [RTPI/TCPA Climate Change Guide](#). In particular, Policy CC1 of the [Warwick District Local Plan \(2011 - 2029\)](#) covers a range of thematic issues as a specific policy.

Flood Risk

Whilst we welcome the policy approach for new employment sites (*HSP PL12*) to have clear regard to flood risk and drainage requirements (*criterion 3, 13 and 14*), it would be a conflicting approach to not apply this to all development. As such we would strongly recommend that this is not considered within this policy in isolation and should be applied as part of an overall stronger policy approach for other policies in the plan (E.g PL16, E2).

In regard to the policy approach PL16 (Design and Enhancement of the Waterside), we would recommend that this also includes reference to the prevention of the culverting or rivers/watercourses as this would be in direct conflict of The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.

We note the reference to Policy JP-S5: Flood Risk in the PfE Development Plan Document (Section 7.14) which the Council will apply to planning decisions. However the

Integrated Assessment highlights that for policy requirement 13 of 'HSP E2 that "*The policy has negative effects as it does not reference controlling the location of new developments with reference to flood risk*". As the Integrated Assessment is a comprehensive evaluation process, we would encourage further consideration is made to these points.

In support of this, one of these aspects is the consideration of policy wording regarding flood compensatory storage. If development must take place in a high flood risk area (therefore assuming the sequential and exception test have been undertaken already at this point), then flood risk must be mitigated through design by the applicant. Floodplain compensatory storage is a form of risk substitution, since it allocates land with a low risk use liable to flood more frequently. Floodplain compensatory storage must not be used as a reason for developers or planning authorities to advocate floodplain development where lower risk alternatives are available. One example of this in practice is the [Wandsworth Local Plan](#) (page 314), Part D of Policy 'LP12 Water and Flooding (Strategic Policy). is clear and strong, but also practical in its wording on compensatory flood storage. The [Sefton Local Plan](#), particularly section 'EQ8 - Flood Risk and Surface Water' (Page 122) covers flood risk with specific details on developments not increasing flood risk from any sources within the site and could also serve as a useful basis for this aspect.

Development Policies should take a proactive approach to manage the long-term impacts across a range of climate risks, with a 100-year development lifetime consideration to adapt to climate impacts, which is reinforced within paragraphs 7c, 11a and 162 of the NPPF. One way this can be done is by reminding developers of the [Climate Change Allowances \(CCA\)](#) for their site-specific Flood Risk Assessment (FRA). An anticipation and preparation for the worst-case scenarios for locations for new developments (such as major infrastructure, new communities) within undeveloped areas, through specific wording in any climate policy could reinforce this proactive approach in a local plan.

Sustainable Drainage Systems (SuDS)

Although the Environment Agency does not cover surface water flooding as part of any local planning applications, we have a strategic overview for flood risk management. We would highlight the need for consideration for further SuDS measures as part of the local plan policy wording to manage surface water flood risk. We would note that risk substitution techniques also include the use of SuDS, which can slow, store and filter flood waters in nearby areas that are less liable to flooding, but where surface water runoff pathways may be intercepted. In regard to Policy E2, the IA notes (Page 199) that "*The policy has negative effects as it does not reference SuDS to manage surface water runoff*" and therefore we would encourage consideration for this within the policy wording.

SuDS manage surface water run-off by simulating natural drainage systems. Whereas traditional drainage approaches pipe water off-site as quickly as possible, SuDS retain water on or near to the site. As well as reducing flood risk, this promotes groundwater recharge, helps absorb diffuse pollutants, and improves water quality. Ponds, reedbeds and seasonally flooded grasslands can also be particularly attractive features within public open spaces.

SuDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. As such, virtually any

development should be able to include a scheme based around these principles. In doing so, they'll provide multiple benefits and will reduce costs and maintenance needs. We would further encourage grey and rainwater harvesting policies for new developments which are appropriate to scale and potentially determined on a case-by-case basis, which would further assist in creating places resilience to climate change.

Encouraging SuDS at earlier stages of the planning process can assist with streamlining and reduce the delays of its consideration, especially if Tameside consider stronger wording for the clearer detail requirements in terms of SuDS.

Including this within the local plan can encourage developments to consider a greater use of SuDS measures within developments and address the concerns that both the Environment Agency and the Integrated Assessment have covered.

Biodiversity

We firstly encourage the inclusion of the protective wording within HSP E3 on protecting existing sites for nature conservation which we are aware is also noted positively under the Integrated Assessment.

However, we would advise further specifics on the implementation of this policy by including greater details on a focus on wildlife corridors to allow the movement of species, including river, road and rail corridors for where those opportunities arrive. To facilitate this, we would recommend proposals for developments seek to set back developments from existing rivers and flood defences, through the implementation of a buffer zone of 8 metres. As stated in paragraph 193 of the NPPF, the planning system (and by extension, the local plan) should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. Therefore further specification in the wording of this policy would be beneficial here. This stance is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats and promote the expansion of biodiversity.

For guidance, some Local Plans have specific water environment policies, such as:

- Vale of Aylesbury Local Plan 2013-2033 - adopted 2020 Local development plans for [Local development plans | Buckinghamshire Council](#) – Policy NE2: Rivers and Corridors
- Vale of White Horse Local Plan 2031 Part 2 – adopted 2019 - [Local Plan 2031 - Vale of White Horse District Council](#) – Development Policy 30: Watercourses
- South Oxfordshire District Council Local Plan 2035 – adopted 2020 - [Adopted Local Plan 2035 - South Oxfordshire District Council](#) - Policy ENV4: Watercourses

Water Protection

The quality of the water environment and the protection and enhancement of species and habitats are intrinsically linked. [The Water Environment \(Water Framework Directive\) Regulations 2017](#) (WFD) seeks to improve water quality in all our waterbodies (including

lakes, rivers and estuaries, groundwater and coastal waters). It sets a target for all waterbodies to achieve “good ecological status” by 2027; with a need to preventing the deterioration of waterbodies and seek enhancements where rivers, lakes and estuaries are not achieving good ecological status or potential. We would therefore encourage a more direct reference to the Water Framework Directive (WFD) and this is also supported by the Integrated Assessment for “*Policy HSP E3: Biodiversity*” which details that an explicit reference to the WFD could be done.

Groundwater and Contaminated Land

Although the Local Plan refers generally to the NPPF and PfE and these do cover contamination to a smaller degree, we would encourage a more detailed approach is used within the environmental policies themselves for the Local Plan, in order to reinforce a stronger approach to contaminated land and protection of groundwaters. Currently there is only one reference to the consideration of ground conditions within Policy PL9 (Design and Amenity). We note that the Integrated Assessment details within the Environment Section of the Local Plan (HSP E1, HSP E2, HSP E3) that policies are neutral in effect for land resources as they do not reference them.

The NPPF sets out the importance of dealing with previously developed (brownfield) land sites, the need for developers to secure a safe development and tackle unacceptable pollution risks, as well as the expectation that planning enhances both the natural and local environment to ensure sites are suitable for their new use.

When considering contamination risks at site level, we advise that developers should:

- Follow the risk management framework provided [in Land Contamination: Risk Management](#), when dealing with land affected by contamination
- Refer to our [Guiding principles for land contamination](#) for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the [National Quality Mark Scheme for Land Contamination Management](#) which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the [contaminated land pages](#) on gov.uk for more information
- Refer to [‘The Environment Agency’s approach to groundwater protection’](#)
- Consider the [Framework for Assessing the Sustainability of Soil and Groundwater Remediation](#)

With the above in consideration, we would advise wording on the inclusion of a desk study and site investigation in line with the most up-to-date guidance will be required and that proposals for any contamination identified will need to be agreed with Tameside Council before a development can proceed. If necessary, a validation report (once remediation has taken places) should be required in order to demonstrate that the risks from contamination have been controlled effectively. The City of York have included a direct policy in regards to land contamination in their [most recent Local Plan](#) (Policy ENV3), and [Cheshire East City Council](#) have done a similar approach. Wirral Council have created a detailed policy on Pollution and Risk ([Policy WD 14](#)) which is currently under examination. By using stronger policy wording in regards to contamination, this will increase the

likelihood of developments having greater protective measures to manage risks to human health and the environment. This could also be another section with reference to the Water Framework Directive.

Air Quality

We would agree with the IA conclusions (Page 42) in relation to the alignment with the overarching IA objective for Air Quality, in that generally sections of the Local Plan could be further strengthened to consider this issue in more detail.

Good air quality Local planning policies need to be realistic and achievable. There are good examples of where policies have been introduced and are believed to be delivering benefits, such as the Greater London Authority's (GLA) use of policies on Air Quality Neutral and the Control of Dust from Construction and Demolition. Other air quality-related DP policies being used include those requiring new development to use only low-emission heating systems, and the installation of electric vehicle charging points. Useful guidance on planning for air quality can be found in the [Institute of Air Quality Management's Guidance: Land-Use Planning & Development Control: Planning For Air Quality](#).

There are also statutory drivers for improving air quality through planning policy, for example the interim targets set out in the [Environmental Improvement Plan 2023](#) and specific targets relating to PM2.5 (see [Particulate Matter \(PM2.5 targets\) in the Environment Act: Monitoring Assessment Methods](#)) set out in the in the [Environmental Targets \(Fine Particulate Matter\) \(England\) Regulations 2023](#). Meanwhile, the [Environment Act 2021 \(Schedule 11\)](#) establishes a duty of air quality partners to cooperate, whereby an air quality partner of a local authority must provide the authority with such assistance in connection with the carrying out of any of the authority's functions, as set out in the Act, at the authority's request.

Defra has introduced [Interim Planning Guidance on the consideration of the Environment Act PM2.5 targets](#) in planning decisions. This is aimed at applicants and LPAs to help them demonstrate that they have appropriately considered the PM2.5 targets (as set out in the [Environmental Targets \(Fine Particulate Matter\) \(England\) Regulations 2023](#)) when making planning applications and planning decisions. The new approach moves away from a requirement to assess solely whether new development is likely to lead to an exceedance of a legal limit and instead ensures that appropriate mitigation measures are implemented from the design stage, streamlining the process for planning, and ensuring the minimum amount of pollution is emitted, and that exposure is minimised.

Under (Local Air Quality Management) LAQM, local authorities are required to regularly assess air quality in their area. If they conclude that air quality objectives or standards are at risk, they must identify sources responsible, declare suitable Air Quality Management Areas (AQMAs), and produce an Air Quality Action Plan, which must be regularly reviewed. We play a supporting role in this process by ensuring the industrial sources that we regulate do not significantly contribute to the failure to achieve air quality standards. We can act as an Air Quality Partner in specific circumstances and have an associated duty of air quality partners to cooperate (under the [Environment Act 2021 \(Schedule 11\)](#)).

Therefore in consideration of Air Quality, we would advise that for new site allocations, sensitive developments are steered away from higher risk regulated facilities if practical or take steps to mitigate the impacts of new development, if not. If this is not achievable, we would advise the inclusion of a policy which requires appropriate buffering between allocated site and existing/planned regulated facilities where practical. This should include specific 'stand-off distances' between regulated sites and new site allocations. Finally we would encourage a policy which facilitates the use of Community Infrastructure Levy (CIL) or a Section 106 agreement to provide additional abatement infrastructure at industrial sites, where sensitive new development will be unavoidably located in close proximity to regulated sites.

Evidence Base

Flood Risk

The National Planning Policy Framework ([NPPF](#)) requires the preparation of Local Plans to be underpinned by the most relevant and up to date evidence (Paragraph 32).

In relation to flood risk, Paragraph 171 notes that '*Strategic policies should be informed by a strategic flood risk assessment (SFRA) and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards*'.

The supporting National Planning Practice Guidance ([NPPG](#)) on Flood risk and coastal change (Paragraph 10) highlights that Strategic Flood Risk Assessments should be used to:

- inform the [sustainability appraisal](#) of the Local Plan, so that flood risk is fully taken into account when considering allocation options and in the preparation of plan policies;
- apply the [Sequential Test](#) and, where necessary, the [Exception Test](#) when determining land use allocations;
- inform the allocation of land to safeguard it for flood risk management infrastructure;
- inform policies for change of use and reducing the causes and impacts of flooding;
- identify the requirements for site-specific flood risk assessments in particular locations, including those at risk from sources other than river and sea flooding;
- determine the acceptability of flood risk in relation to emergency planning capability;
- help demonstrate how the [adaptation to climate change](#) has been met.

Referring to the evidence base document, there is no specific reference to the flood risk evidence that has informed the development of the local plan and no specific mention to this as part of the IA process. Therefore there appears to be a significant evidence gap for strategic flood risk matters and the Council will need to be satisfied that that the plan can still satisfy the requirements within the NPPF that the plan is 'Justified' and

The Level 1 Strategic Flood Risk Assessment (2019) and accompanying Level 2 SFRA (2020) produced as part of the PfE's Development Plan Document (DPD) appraised the existing land supply sites to apply the Sequential and Exception Test as required by the

NPPF (Para 171 - 175). It also provided baseline evidence of flood risks from all sources across Greater Manchester, including the areas of functional floodplain.

Since then, the Environment Agency has produced new national flood and coastal erosion risk data as part of the National Flood Risk Assessment (NaFRA2) and the associated Flood Map for Planning update was released in March 2025. It is also likely that some of the flood modelling within the Greater Manchester SFRA work has also been updated by the Environment Agency.

Noting the requirements of Paragraph 32 within the NPPF, Tameside will need to consider this new information as part of the evidence base to inform the development of the Local Plan and associated sustainability appraisal as part of an update to the Greater Manchester Strategic Flood Risk Assessment.

As a minimum, the Level 1 SFRA should be reviewed/updated to ensure the most up to date evidence is considered and each site should be appraised following the similar methodology in the GM Level 1 SFRA. Where sites are required to pass the Exception Test the Level 2 SFRA should be reviewed to ensure that sites have previously been appraised to sufficient detail or scoped for further work where there is new evidence. This should be captured in an accompanying Topic Paper for the Local Plan or evidenced appropriately.

The Level 1 SFRA also established the Functional Floodplain (Flood Zone 3b) across Greater Manchester. This is defined as the highest risk classification of flooding. It is defined in the [PPG](#) as comprising land “*where water from the rivers or the seas has to flow or be stored in time of flood.*” The PPG is clear that [less vulnerable, more vulnerable, and highly vulnerable](#) developments should not be permitted in these areas. The initial Draft Local Plan should reflect this to conform to national policy.

Noting the call for sites exercise that has been undertaken as part of the scoping stage for the plan, further assessment will be required to satisfy the Sequential and Exception Test through the SFRA process. In particular the following sites referenced in the call for sites list, are currently within Flood Zone 3:

- Site 12
- Site 23
- Site 25
- Site 26
- Site 30
- Site 37

The Environment Agency is currently reviewing the Flood Risk Management Programme following the recent Spending Review announcements from central government. It will be important to understand how this aligns with future growth priorities for the Council, particularly where this forms part of the wider infrastructure delivery plan and/or require development contributions to take forward.

To assist with the above, we would recommend further discussions are undertaken with the Environment Agency over the scope of the evidence base and alignment with our flood risk capital programme. We may be able to offer further detailed technical advice as

part of our charged advice service where resourcing is available in relation to the SFRA review.

Further useful links:

- Environment Agency guidance on how to prepare SFRAs - [How to prepare a strategic flood risk assessment - GOV.UK](#)
- SFRA good practice guide - [FRS18204 SFRA Good Practice Guide Final Nov2021.pdf](#)
- Flood map for planning - [Flood map for planning - GOV.UK](#)
- National Planning Practice Guidance on Flood Risk and Coastal Change - [Flood risk and coastal change - GOV.UK](#)
- TCPA webinar – an introduction to new national flood and coastal erosion risk data: <https://www.youtube.com/watch?v=GXH97BUYA5w>
- TCPA webinar – updates to NaFRA2 and NCERM: <https://www.youtube.com/watch?v=2dun8aBPtPA>
- National assessment of flood and coastal erosion risk in England 2024: [New national flood and coastal erosion risk information - GOV.UK](#).
- Environment Agency Charged Advice Service - [Developers: get environmental advice on your planning proposals - GOV.UK](#)

North West River Basin Management Plan (RBMP)

[River Basin Management Plans](#) (updated 2022) are the over-arching source of information on the water environment and the actions we and others are undertaking. They aim to protect and improve the quality of the water environment and are important for both wildlife and people. The NPPF states in [para 187e](#)) that ‘development should, wherever possible, help improve local environmental conditions such as air and water quality, taking into account relevant information such as RBMPs’. This promotes the use of ‘up-to-date information about the natural environment’ to inform the action needed to improve biodiversity in Local Development Plans.

All public bodies, including local authorities are required to “have regard to the River Basin Management Plan and any supplementary plans in exercising their functions”.

Local Nature Recovery Strategies (LNRS)

LNRS are strategic plans for nature and wider environmental improvement, with the expectation they will support the delivery of several national environmental objectives. Including the LNRS as part of the Local Plan evidence base can be useful for identifying opportunities for habitat creation / enhancement which will provide multiple benefits for managing any climate change challenges. Please note that the [Levelling-Up and Regeneration Act \(LURA 2023\)](#) states that local plans, minerals and waste plans must take account of any LNRS that relates to all, or part of, the LPA area.

Final Comments

Thank you again for consulting us on the Options and Preferences Consultation. We would be happy to arrange a call to provide further clarification or any answer any queries

you may have about our response, in order to assist with making the Local Plan as sound as possible.

We look forward to continuing to work with you on your local plan review and supporting evidence base.

Should you have any further questions please do get in touch,

Chris Nugent
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