

Flood Risk Management Scrutiny Sub-Committee

10 November 2016

The Management of Surface Water Drainage in the Current Planning Process

Summary

1. Local Planning Authorities (LPAs) have a responsibility to ensure that surface water drainage from new developments does not adversely affect local flood risk. This obligation results from a national change in planning policy, effective from April 2015, when the County Council, as Lead Local Flood Authority, became a statutory consultee on planning applications for major developments.

Objective of Scrutiny

2. In October 2015, the Sub-Committee considered the way in which the Suffolk LPAs and the County Council should work together to implement Sustainable Drainage Systems (SUDs) legislation and reviewed a draft protocol for joint working. The objective of this further scrutiny is to provide the Committee with an update on progress, and further information on how surface water drainage, including highways drainage, is being managed in the current planning process.

Scrutiny Focus

3. The scope of this scrutiny has been developed to provide the Committee with information to come to a view on the following key questions:
 - a) How has the process for assessing the potential effects of new planning applications on local flood risk developed since the issue was last considered by the Committee?
 - b) How are the LPAs and the County Council working together and is the process satisfactory for all parties?
 - c) How many applications have been referred to the County Council in the last year?
 - d) What training has been provided to members of the LPA Planning Committees to support robustness of decision making in relation to developments that have the potential to increase flood risk?
 - e) How does the planning process ensure that developments do not have an adverse effect upon highways flooding, and how is new development managed when local roads flood already?

- f) What is the mechanism for adoption and maintenance of SUDs, including highways SUDs in Suffolk, and how does this vary across the county?
 - g) How are surface water drainage issues resolved for phased developments?
 - h) What is the process that is employed to ensure that smaller developments (9 houses or less) do not adversely affect the risk of flooding?
 - i) How is pre-application support provided to developers, and has a charging mechanism been introduced for this service?
4. Having considered the information, the Committee may wish to:
- a) make recommendations to the Cabinet Member for the Environment and Public Protection;
 - b) make recommendations to the Cabinet Member for Highways and Transport;
 - c) make recommendations to District and Borough Members with responsibility for planning;
 - d) identify areas of good practice;
 - e) seek further information or identify issues which may warrant further scrutiny.

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Background

- 5. Since April 2015, Local Planning Authorities (LPAs) have had an obligation to ensure that new major developments (residential developments of ten units or more, or equivalent non-residential mixed developments) have sustainable drainage systems (SuDS), unless they are demonstrated to be inappropriate. In Suffolk, District and Borough Councils are the LPAs, and the County Council, as Lead Local Flood Authority, is a statutory consultee for major planning applications.
- 6. The Committee previously considered the implementation of SuDS legislation on 30 October 2015, when it made a number of recommendations. An extract from the minutes of this meeting is provided in Evidence Set 1.
- 7. SUDs are designed to collect surface water run-off from developments, store it and/or release it slowly either through infiltration into soils or via a watercourse. Thus reducing the risk of flooding, lessening the effect of potential pollution and providing sites for biodiversity and public amenity. The separation of surface water from foul water systems also reduces the impact of storm events on sewage treatment works, increasing their efficiency, and further improving water quality.
- 8. The County Council's role as a statutory consultee on major planning applications is to provide advice to LPAs on the suitability of proposed surface water drainage arrangements for new developments based on current national

standards and guidance, as well as the contents of the Local Flood Risk Management Strategy. Advice will include whether proposals for the operation and maintenance of SuDS over the lifetime of the development are appropriate and economically proportionate. The overall aim being to manage the reduction of flood risk and pollution of watercourses, taking into account anticipated impact of predicted climate change over the long term. To this end, the Suffolk Flood Risk Management Partnership has produced Appendices to the most recent Strategy (March 2016) that include; a protocol for working with LPAs and developers on surface water drainage a draft of which was considered by this committee in October 2015); and a set of guidance, standards, and information for the creation of SuDS.

9. A year has passed since the Committee last considered the implementation of SUDs legislation, and Members have agreed that they would like to consider how the new process, and the relationship between the LPAs and the County Council, is evolving.

Main body of evidence

10. **Evidence Set 1:** Extract from the minutes of the meeting held on 30 October 2015.
11. **Evidence Set 2:** Appendix A of the Suffolk Flood Risk Management Strategy (March 2016) - Suffolk Surface Water Drainage Guidance, Standards and Information.
12. **Evidence Set 2:** Appendix C of the Suffolk Flood Risk Management Strategy (March 2016) – Protocol for Local Planning Authorities and Developers on SuDS, Surface Water Drainage, and Local Flood Risk in Suffolk.
13. **Evidence Set 3:** Record of Consultations received by Lead Local Flood Authority.
14. **Evidence Set 4:** SuDs Training - Presentation for planning officers.

Supporting information

Suffolk Flood Risk Management Strategy:

<http://www.greensuffolk.org/assets/Greenest-County/Water--Coast/Suffolk-Flood-Partnership/19431A-Flood-Risk-Management-Strategy-v12.pdf>

Glossary

LPAs Local Planning Authorities

SUDs Sustainable Drainage Systems

