
Meeting: Sustainable Communities Overview and Scrutiny Committee
Date: 27 February 2014
Subject: Planning Guidance on Sustainable Drainage
Report of: Cllr Nigel Young, Executive Member for Sustainable Communities – Strategic Planning and Economic Development
Summary: The report proposes asks the Committee to consider and comment on formal planning guidance regarding Sustainable Drainage in Central Bedfordshire, prior to consideration and its recommendation for adoption by Executive.

Advising Officer: Trevor Saunders, Assistant Director of Planning
Contact Officer: Laura Kitson, Green Infrastructure Co-ordinator
Public/Exempt: Public
Wards Affected: All
Function of: Council

CORPORATE IMPLICATIONS

Council Priorities:

1. Providing clear guidance regarding the design and adoption of Sustainable Drainage Systems (SuDS) will provide a greater degree of clarity over what we expect for the design of SuDS within development proposals, and how we expect them to be managed once development is complete. This will contribute to the Council's priority of 'Enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow'.

Financial:

2. None.

Legal:

3. None.

Risk Management:

4. Providing statutory guidance enables Central Bedfordshire Council to be prepared for the future role of SuDS Approval Body. Not being prepared leaves the Council at risk of appeals / tribunals. Using the guidance early on in the development process will help ensure SuDS are properly designed, reducing future implications for the council if and when they have to be adopted by CBC in our future role as the SuDs Approval Body.

Staffing (including Trades Unions):

5. Not Applicable.

Equalities/Human Rights:

7. None.

Public Health

8. The guidance sets out expectations of design for SuDS to benefit public health through promoting access to greenspaces.

Community Safety:

9. Implementation of SuDS within future development should reduce future flood risk within new developments, and reduce the risk of new development exacerbating surface water flood risk.

Sustainability:

10. The guidance sets out local principles for designing SuDS to reduce the risk of flooding from surface water, and therefore to promote developments that are more resilient to storm events and surface water flooding.

Procurement:

11. Not applicable.

RECOMMENDATION:

The Committee is asked to consider the draft document and recommend that Executive adopt it as Supplementary Planning Guidance in support of current adopted planning policy and Technical Guidance for the purposes of Development Management, in support of policy in the emerging Development Strategy.

Introduction

12. Surface water flooding is a challenge for Central Bedfordshire's residents and businesses. Currently 9% of all homes and 34% of all business premises in Central Bedfordshire are located in areas that are susceptible to surface water flooding. In the future, extreme weather events, associated with surface water flooding are likely to become more frequent. Extreme weather events take place on average about 1 in 30 years at present, but frequency of extreme weather is forecast to increase to 1 in 18 years by the 2050s, and 1 in 14 years by the 2080s.
13. In urban areas, the ability for precipitation to penetrate the hard paved surfaces to the groundwater below is inhibited. This leads to increased surface water flood risk and overstressed sewer infrastructure. Sustainable Drainage Systems (SuDS) can mitigate these issues by replicating natural drainage processes and rainwater management.
14. The Flood and Water Management Act, introduced in 2010, aims to reduce flood risk and improve water management. As part of the phased implementation of the Act, Schedule 3 will require new developments to implement SuDS. It also introduces a new role for top tier Local Authorities as a 'SuDS Approval Body' (SAB). The SAB will evaluate the acceptability of proposed SuDS in all new developments and will adopt and maintain SuDS where a scheme serves more than one property (i.e. in the vast majority of cases).

15. It was anticipated that Schedule 3 would be implemented in April 2014, but this has been postponed to allow Local Authorities more time to prepare to take on the new role.
16. A key element of being prepared is to have clear guidance in place for developers, setting out our expectations and requirements of SuDS as high quality drainage systems that also deliver environmental benefits, in line with local planning policy. Guidance will also help developers consider their design of SuDS early in the planning process, helping ensure better design and integration into new development.

The Policy Framework for SuDS

17. The SuDS guidance prepared is intended to complement national SuDS guidance (that focuses on the hydrological functionality of SuDS), and support local Planning Policy.
18. Policy 46 of the Council's emerging Development Strategy covers adaptation to climate change. The guidance prepared supports the policy, which requires (where relevant) development to use Sustainable Drainage Schemes to prevent surface water flooding.
19. Policy DM2 of the Core Strategy and Development Management Policies (Central Bedfordshire – North) sets out an expectation of the provision of SuDS for the disposal of surface water within and leading from developments sites
20. Policy IS4 of the South Bedfordshire Local Plan requires new developments to include appropriate measures for surface water attenuation.
21. The draft Development Strategy, the Core Strategy and Development Management Policies for Central Bedfordshire (North) and the South Bedfordshire Local Plan also include policies relating to other areas, including flooding, design quality, water quality, water reuse, biodiversity, landscape and open space. Well designed SuDS have the potential to deliver a range of these policy areas.

The Key Aspects of the draft SuDS Guidance

22. The guidance details the approval and adoption process for SuDS, looking at what information is required at various stages of the planning process. It provides information about the adoption process, looking at what the council will adopt in its future role as the SAB, the requirements for adoption, the adoption process and what happens post adoption.
23. The guidance sets out 10 local requirements, tailored to Central Bedfordshire. These requirements aim to ensure that SuDS are designed to function optimally, whilst enhancing the sense of place and quality of the environment. Crucially, these local requirements will help to ensure that new developments meet existing policy requirements through effective SuDS design.

The 10 key requirements are:

1. Plan in SuDS from the start
2. Replicate natural drainage
3. Water re-use first
4. Enhance biodiversity
5. Focus on multi-functional uses

6. Minimise carbon and waste in SuDS
 7. Design for easy access and maintenance
 8. Linked design through every scale
 9. Place making through SuDS design
 10. Keep surface water above ground.
24. The guidance also includes information on how to design to deal with common challenges for SuDS, including:
- Designing SuDS within a floodplain
 - Designing SuDS near areas of existing surface water flood risk areas
 - Protecting the quality of water in existing watercourses
 - Designing SuDS in sites with high groundwater levels of groundwater protection zones
 - Designing SuDS in very flat sites
 - Designing SuDS on very steep sites
 - Designing SuDS in areas of poor permeability
 - Designing SuDS for sites with land contamination
 - Designing SuDS for sites with limited space.
25. Finally, the guidance looks at the characteristics of different areas of Central Bedfordshire in relation to landscape character, geology and topography, all of which influence SuDS design. Four 'Local Zones' are identified and the guidance outlines how SuDS can be designed in the context of these local zones.

Consultation Process

26. Initial engagement

A workshop for stakeholders in the development industry, the water industry and environmental sector and for Central Bedfordshire Council officers was held on the 14th October, 2013. Workshop participants identified key barriers and opportunities associated with the implementation of SuDS. They also advised on the key local requirements to be included in the guidance to deliver effective sustainable drainage solutions within the area. The workshop was extremely helpful in informing preparation of the draft guidance.

A list of organisations that attended the workshop can be found as Appendix B.

27. Consultation within Central Bedfordshire and with Statutory Consultees for SuDS Approval

Following the initial workshop, a first draft of the Sustainable Drainage Guidance was produced and circulated for consultation within Central Bedfordshire Council and with statutory consultees to the SAB.

More information on respondents and comments can be found at Appendix C.

28. Public Consultation

The resulting draft is currently being consulted on as part of the formal public consultation process. A further consultation event is planned for the 11th February as part of the public consultation process.

Conclusion and Next Steps

29. Under the Flood and Water Management Act (2010), the inclusion of Sustainable Drainage (SuDS) in construction projects will become obligatory.
30. Central Bedfordshire Council will, under the Act, take on the new role of SuDS Approval Body.
31. Providing clear guidance to developers as to our expectations and requirements for the design and adoption process is important as it enables SuDS to be designed effectively, ensuring that schemes deliver in line with local planning policies.
32. The draft guidance, informed by responses to the public consultation exercise will be considered by Executive on 18th March 2014. If adopted, it will become Supplementary Planning Guidance, in support of policies DM2 and IS4 of the Central Bedfordshire (North) LDF and South Bedfordshire Local Plans respectively, and Technical Guidance for the purposes of Development Management, in support of Policy 48 of the Development Strategy.

Appendices:

Appendix A – Central Bedfordshire Sustainable Drainage Supplementary Planning Guidance Consultation Draft

(Due to its size Appendix A has been circulated in hard copy to Members of the Committee only. A full copy of Appendix A is available publically on the Council's website).

Appendix B – Organisations attending the initial workshop

Appendix C – Internal and Statutory Consultee Consultation