
Meeting: Executive
Date: 22 April 2014
Subject: Sustainable Drainage Supplementary Planning Document
Report of: Cllr Nigel Young, Executive Member for Sustainable Communities – Strategic Planning and Economic Development
Summary: The report proposes that Executive adopt the revised Sustainable Drainage Guidance as a Supplementary Planning Document.

Advising Officer: Jason Longhurst, Director of Regeneration and Business
Contact Officer: Laura Kitson, Green Infrastructure Co-ordinator
Public/Exempt: Public
Wards Affected: All
Function of: Executive
Key Decision Yes

CORPORATE IMPLICATIONS

Council Priorities:

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:

1. None.

Legal:

2. None.

Risk Management:

3. 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):

4. None.

Equalities/Human Rights:

5. None.

Public Health:

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

Community Safety:

7. 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:

8. 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:

9. None..

Overview and Scrutiny:

10. This matter has been considered and very positively received by Overview and Scrutiny on 27 February. Following discussion, it recommended that Executive adopt the SuDS guidance 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.

RECOMMENDATIONS:**The Executive is asked to:**

- 1. consider and comment on the Sustainable Drainage Guidance and adopt the revised Sustainable Drainage Guidance as a Supplementary Planning Document 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; and**
- 2. delegate to the Director of Regeneration and Business Support, in consultation with the Executive Member for Strategic Planning and Economic Development, the authority to make any minor amendments to the Sustainable Drainage Guidance prior to publication.**

<i>Reason for Recommendations:</i>	<i>To meet the Council's priority of enhancing Central Bedfordshire – creating jobs, managing growth, protecting our countryside and enabling businesses to grow.</i>
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Executive Summary

11. The Sustainable Drainage Guidance aims to provide clear guidance for developers in relation to the design and adoption of Sustainable Drainage Systems (SuDS) for Central Bedfordshire.
12. The guidance sets out the Council's expectations for SuDS to be designed to provide not only drainage improvements, but also other planning policy requirements, including design quality, water quality and reuse, biodiversity, landscape and open space. Ensuring that SuDS deliver multiple benefits will enhance the quality of new development in Central Bedfordshire.
13. The guidance includes information on the policy and environmental context relating to SuDS in Central Bedfordshire, outlines the approval and adoption process, identifies the design considerations and the local requirements against which we will evaluate SuDS proposals, and provides guidance on designing SuDS to complement the local environmental context.
14. Overview and Scrutiny Committee recommended that Executive adopt the SuDS guidance 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

15. 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.
16. 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.

17. 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).
18. 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.
19. 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

20. The SuDS guidance prepared is intended to complement national SuDS guidance (that focuses on the hydrological functionality of SuDS), and support local Planning Policy.
21. 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.
22. 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.
23. Policy IS4 of the South Bedfordshire Local Plan requires new developments to include appropriate measures for surface water attenuation.
24. 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 Sustainable Drainage Guidance

25. 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.
26. The guidance sets out ten 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 ten 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. Reduce reliance on pipes and pumps.
27. 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.
 28. 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

29. 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 14 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.

30. 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.

31. Public Consultation

Public consultation took place between 28 January and 25 February, including a well attended consultation workshop on 11 February. Comments from members of the Sustainable Communities Overview and Scrutiny Committee were also able to be considered as part of this phase of consultation.

Responses were received from six external organisations, including developers, water industry and environmental sector partners. Comments were broadly supportive. In addition, comments were received from teams within Central Bedfordshire Council, including the Minerals and Waste planning team, Environment Policy team and Building Control team. The key topics identified were; the need to clarify local requirement ten; the need for information about the interim approach to adoption following the Government delay to the roll out of the SAB role; information about how the SuDS application process would relate to the Minerals and Waste application process, in addition to the mainstream planning application process; and the need for more explicit information about SuDS and flood risk.

Key proposed changes

32. A table of representations received as a result of the public consultation exercise can be found as Appendix B. Since many of the changes proposed are detailed and technical, only the key proposed changes are set out in this paper.
33. Local requirement ten has been reworded from 'Keep surface water above ground' to 'Reduce reliance on pipes and pumps' to avoid potential confusion.
34. Information about the Council's approach to adoption of SuDS in the period between the adoption of this guidance, and the start of the SAB role (a date to be announced by Defra) has been added.
35. Clarification (in line with national guidance) that the SuDS application process will relate to the Minerals and Waste application process.
36. Further references and information about flood risk in general, and the emerging Central Bedfordshire Flood Risk Strategy in particular have been added.
37. Further references to and information from the Marston Vale Surface Waters Plan integrated in the guidance.
38. The level of information and graphics regarding the importance of designing SuDS for ease of maintenance has been reviewed, to enable CBC to maintain adopted SuDS effectively.

Conclusion and Next Steps

39. Under the Flood and Water Management Act (2010), the inclusion of Sustainable Drainage (SuDS) in construction projects will become obligatory.
40. Central Bedfordshire Council will, under the Act, take on the new role of SuDS Approval Body.
41. 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.
42. It is therefore recommended that the guidance should be adopted as a Supplementary Planning Document, 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 - [Final draft Sustainable Drainage Guidance](#)

Appendix B - [Table of key changes showing consultation comments and responses](#)

Background Papers: (open to public inspection)

1. [Sustainable Drainage Guidance – Public Consultation draft](#)