

TONBRIDGE & MALLING BOROUGH COUNCIL
PLANNING and TRANSPORTATION ADVISORY BOARD

18 November 2014

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 SUSTAINABLE URBAN DRAINAGE SYSTEMS

To alert Members to the recent consultation by DCLG/DEFRA and to seek endorsement for officer level comments made.

1.1 The latest position

- 1.1.1 The concept of the use of Sustainable Urban Drainage Systems was introduced some time ago by the Government and in principle this is a very positive approach to the issue of the disposal of surface water, especially as the aim is to maximise the opportunity to allow water to safely infiltrate into the ground rather than to be diverted to the public sewer system.
- 1.1.2 However the implementation has stalled because of the apparent inability of the development industry, the infrastructure undertakers and Government to agree a way forward on practical matters. Specifically, an impasse has been reached surrounding the adoption and maintenance of such systems (especially the appropriate level of maintenance costs).
- 1.1.3 The overall strategy for such surface water planning lies with the County Council but the emerging proposals had also failed to clearly identify how such bodies could be expected to practically adopt such systems on the one hand and on the other provide technical advice to Local Planning Authorities when they are considering such drainage matters.
- 1.1.4 As a consequence Government has reappraised the situation and has now sought to introduce a new concept, that the Local Planning Authority (LPA) should not only approve the system itself, but also identify appropriate measures for maintenance and also, if necessary, enforce maintenance.
- 1.1.5 I must say that this has moved in a disappointing direction because as an LPA the Council has limited experience of such systems (indeed this appears to be true nationwide issue in UK) and the options set out in the consultation reveal a level of uncertainty as to how these matters may be practically resolved.

1.2 The consultation

- 1.2.1 We have responded to the latest consultation which closed in late October and we must await the Government's response in detail. We know from anecdotal sources and professional forums that there is significant concern around the country that the Government has severely underestimated the complexity and cost of the introduction of the SUDS approach let alone the implications of the latest thinking to focus management and maintenance provision on the Planning System. Whilst the fundamental need for this new approach has been generally welcomed it has to be accompanied by practical mechanisms and funding that will ensure systems are properly provided and maintained. That has been the general thrust of our response which is set out in full at **[Annex 1]**.

1.3 Legal Implications

- 1.3.1 None until a formal process is defined by Government

1.4 Financial and Value for Money Considerations

- 1.4.1 None until a formal process is defined by Government

1.5 Risk Assessment

- 1.5.1 None until a formal process is defined by Government

1.6 Equality Impact Assessment

- 1.6.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.7 Recommendations

- 1.7.1 It is **Recommended** the Board **ENDORSES** the response to consultation set out in **[Annex 1]**.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

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Nil

Steve Humphrey

Director of Planning, Housing and Environmental Health