

## Sustainable Urban Drainage

A Local Authority Development  
Management Planner Perspective  
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Borough Council

## Where it all began



- Initially invited to attend an event at DEFRA in June 2014
- SUDS consultation in September 2014
- October 2014 – further workshop with DCLG / DEFRA
- December 2014- consultation outcome and proposed implementation date
- March 2015- Updated PPG
- 6<sup>th</sup> April 2015- requirement for SUDS with major development

## Prior to September 2014

- 2 separate consenting processes for major development

**Planning permission**

**+**

**Drainage Consent**

- Key question = how would the two applications link together?

## Post September 2014

- Planning practice guidance paragraph 79-
- New development should only be considered appropriate in areas at risk of flooding if priority has been given to the use of SUDS.
- BUT SUDS always a requirement as part of planning policy and decision making for major development unless considered to be inappropriate
- strengthened from requirements of NPPF paragraph 103 seeking to prevent flood risk elsewhere, giving priority to SUDS & general presumption in favour of sustainable development
- major development= developments of 10 dwellings or more; or equivalent non-residential or mixed development & requires consultation with LLFA

## Where are we now?

### Knowledge sharing

- Importance of the relationship between the LLFA and LPA- 2 tier authorities vs unitary
- Training for LPA's from LLFA's and vice versa
- Strategic cross county procedures- Kent Development Control Officers Group
- Drainage 'surgeries'
- Getting to know one another



### Importance of pre application advice

- Currently KCC provide advice for free, LPA charge- other consultees- highways & EA currently charge for advice= more cost for applicant upfront
- Area covered by KCC- cost of travel / time
- Communication between County / LPA when advice given- investigating possibility of sharing information

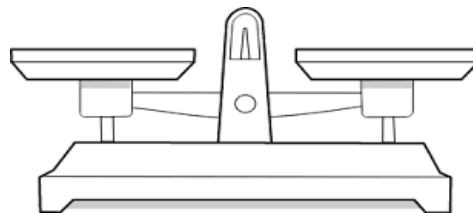
### Validation requirements

- Careful consideration of the information needed at validation stage
- How much information can we ask for?
- Where can applicant's find what they need?- KCC website



### Considering applications

- Major vs minor development- cumulative impacts can be worse than one major development
- Lack of internal expertise in 2 tier authorities
- How much information needed at outline?
- How does the LPA balance competing interests?



### Determining applications / post decision

- Need for maintenance in perpetuity
- How do we know if the system has been installed correctly?
- S106 vs Conditions
- Enforceability?- on who? How?
- Political dimension



### Other issues

- What should a SUDS system look like when full of water? Information sharing to residents



- Is there a way to require maintenance reports annually / by way of terms of the agreement?
- How do LPA's assess affordability of a scheme?- can the County Authority help?

## Conclusions

- Importance of a good relationship between LLFA and LPA- being able to talk to one another
- Need for the LLFA and LPA to share knowledge and up- skill one another
- Communication- pre-application, during and post application
- Signposting the public to information

- There are many unanswered questions about SUDS policy implementation.
  - How to balance competing issues?
  - How to assess affordability & impact upon viability?
  - What information is needed for validation?
  - Where will various information be held?- geological / hydrological/ validation requirements/ examples of SUDS schemes etc.
  - How much information is reasonable to inform a planning decision?
  - How to secure SUDS schemes at decision and ensure their continuing maintenance.