

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	30 August 2017
Subject:	Flood and Water Management Supplementary Planning Document
Report of:	Annette Roberts, Head of Development Services
Corporate Lead:	Robert Weaver, Deputy Chief Executive
Lead Member:	Lead Member for Built Environment
Number of Appendices:	Two

Executive Summary:

In November 2014, Council approved the adoption of a Flood and Water Management Supplementary Planning Document (SPD). Since adoption, however, there have been significant updates to national guidance surrounding flood and water management. A review of the SPD has therefore been undertaken to take into account of the latest guidance and an updated draft SPD has been prepared. This is attached at Appendix 1 to this report with the appendices to the SPD attached at Appendix 1a.

Recommendation:

- 1. To APPROVE, for public consultation, the Flood and Water Management Supplementary Planning Document set out in Appendix 1 and 1a.**
- 2. To delegate authority to the Head of Development Services, to make any necessary minor amendments to the draft document as considered appropriate prior to its publication for consultation.**

Reasons for Recommendation:

To agree the draft Flood and Water Management Supplementary Planning Document for public consultation.

Resource Implications:

Resource implication on officer time to conduct the consultation, review responses and make amendments as appropriate.

Legal Implications:

The preparation of an SPD is not a statutory requirement, but a decision for each local planning authority based upon demands for further information to assist in the delivery of sustainable development. An SPD cannot in itself establish planning policy; it must be consistent with national and local planning policies. Before a local planning authority can adopt an SPD it must carry out formal public consultation, accompanied by the provision of a Consultation Statement setting out who was consulted in the preparation of the SPD; a summary of the issues raised; and how those issues have been addressed. Once adopted, the SPD would be a material consideration in the determination of planning applications. A Planning Authority can adopt an SPD either as originally prepared or as modified to take account of any representations made in relation to the SPD or any other matter they think is relevant.

Risk Management Implications:

There is no statutory requirement to prepare SPDs. However, it is considered to be important that Tewkesbury Borough has appropriate planning policies for flood and water management to ensure that development does not exacerbate flood risk and opportunities for betterment are sought.

Performance Management Follow-up:

Subject to the approval of the SPD for public consultation, and following a review of the representations made, a final version of the SPD will be reported back to Council with a view to adoption.

Environmental Implications:

The SPD contains further detail and advice in relation to the emerging JCS and Tewkesbury Borough Plan policies on environmental issues such as flood risk, water management, pollution and biodiversity.

1.0 INTRODUCTION/BACKGROUND

- 1.1** In November 2014, Council approved the adoption of a Flood and Water Management Supplementary Planning Document (SPD). The final version of the SPD, published in December 2014, has since been used as a material consideration in determining planning applications.
- 1.2** This SPD was established to provide a user-friendly guide to assist applicants in making better planning applications; to aid infrastructure delivery; and to help the general public and other stakeholders to gain a better understanding of the Council's commitment to minimising flood risk. It is to be read in conjunction with other national and local planning policies and guidance, such as the National Planning Policy Framework and the Joint Core Strategy.

- 1.3** Since adoption, however, there have been significant updates to national guidance surrounding flood and water management. This includes revisions to policy and guidance provided in the NPPF and NPPG, changes to recommendations by the Environment Agency, and updated guidance on best practice. Key changes have included the Environment Agency requirements for taking into account of climate change and updated CIRIA guidance on Sustainable Urban Drainage Systems (SUDS). These changes have meant it is necessary to update the SPD to reflect the most recent practice to ensure it remains relevant and effective.

2.0 REVIEW OF SUPPLEMENTARY PLANNING DOCUMENT

- 2.1** A review of the SPD has been undertaken to take into account the latest guidance and an updated draft SPD has been prepared. This is attached at Appendix 1 to this report. A series of supporting appendices accompany the SPD and are attached at Appendix 1a. The format of the SPD itself has largely stayed the same and the document contains the following sections:

1. Introduction and Objectives.
2. Setting the Local Context.
3. Legislative and Policy Background.
4. The Importance of Pre-Application Advice.
5. Flood Risk and Site Selection.
6. Managing and Mitigating Flood Risk.
7. Sustainable Drainage Systems.
8. Water Management, Recycling, Supply and Pollution Control.
9. Water Management Statements.
10. Biodiversity.

- 2.2** The updated SPD is more detailed document that aims to provide more in-depth guidance and achieve a higher standard of water and flood risk management. It provides an update on the legislative and policy background, primarily around the NPPF and NPPG which most notably includes changing guidance around the approach to climate change. As such, a key change included in the SPD is a requirement for all major development to provide a detailed flood risk assessment is to provide an appropriate assessment which includes a 70% allowance added to peak river flows to account for climate change. This approach is also recommended for non-major development where possible. This provides a precautionary approach to assessing flood risk on potential development sites.

- 2.3** The draft SPD also now proposes a comprehensive guidance on the application of SuDS, referring the best practice guidance from the CIRIA SUDS Manual. It provides guidelines on topics such as SuDS design principles, place-making, surface water management, water reuse and maintenance.

3.0 CONSULTATION

- 3.1** If approved for public consultation, the draft SPD would be published for a six week consultation in September/October 2017. Following the consultation period, a response consultation report will be produced and any appropriate amendments made to the SPD. It is envisaged that final draft of the SPD would be reported to the Executive Committee and Council later in 2017.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

5.1 Flood & Water Management SPD (Nov 2014).

Tewkesbury Borough Local Plan to 2011.

Joint Core Strategy.

Emerging Tewkesbury Borough Plan (2011-2031).

6.0 RELEVANT GOVERNMENT POLICIES

6.1 National Planning Policy Framework.

National Planning Practice Guidance.

7.0 RESOURCE IMPLICATIONS (Human/Property)

7.1 Resource implication on officer time to conduct the consultation, review responses and make an amendments as appropriate.

8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

8.1 The preparation of the Flood and Water Management SPD provides an opportunity for greater flood risk management that could have a positive impact in terms of helping to bring forward more sustainable forms of development.

9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

9.1 None.

10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

10.1 None.

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Appendices: 1 – Draft Flood and Water Management Supplementary Planning Document.

1a – Appendices to SPD.