



Report To: Planning Portfolio Holder
Lead Officer: Director of Planning & New Communities

9 July 2015

Consultation on Cambridgeshire Flood and Water Supplementary Planning Document

Purpose

1. The purpose of this report is to seek agreement for the draft Cambridgeshire Flood and Water Supplementary Planning Document (SPD) to be published for consultation.
2. This is not a key decision because the SPD does not create new policy, but provides further guidance on implementing existing planning policies in the Council's adopted Local Development Framework.

Recommendations

3. It is recommended that the Planning Portfolio Holder:
 - (a) agrees that the draft Cambridgeshire Flood and Water SPD (Appendix 1) be issued for consultation;
 - (b) agrees the draft Adoption and Maintenance of Sustainable Drainage Systems in South Cambridgeshire document be issued for consultation (Appendix 2);
 - (c) agrees an addendum to the South Cambridgeshire Local Development Scheme setting out the timetable for the preparation of this SPD (Appendix 3); and
 - (d) delegates any further minor editing of the SPD and approval of the supporting and technical documents to the Director of Planning and New Communities.

Reasons for Recommendations

4. The draft Cambridgeshire Flood and Water SPD has been produced by Cambridgeshire County Council (as the Lead Local Flood Authority) in conjunction with the five other local planning authorities in Cambridgeshire. The SPD will support the implementation of flooding and water related policies in each local planning authority's respective adopted or emerging Local Development Framework (LDF) or Local Plan. National regulations relating to the preparation of an SPD state that there must be an opportunity for representations to be made on the content of the SPD.
5. If agreed by the Portfolio Holder, and the relevant Member(s) at each of the local planning authorities in Cambridgeshire, the draft SPD will be subject to six weeks of public consultation in September – October 2015. It is likely that even if one or more local planning authorities do not agree the draft SPD that it will continue to be prepared by the other local planning authorities within Cambridgeshire and that public consultation will still be undertaken.

Background

6. The draft Cambridgeshire Flood and Water SPD has been produced by Cambridgeshire County Council (as the Lead Local Flood Authority) in conjunction with South Cambridgeshire District Council, Cambridge City Council, East Cambridgeshire District Council, Fenland District Council, Huntingdonshire District Council, the Environment Agency, and the Internal Drainage Boards. A county wide SPD has been produced to ensure that Cambridgeshire has a consistent, locally appropriate approach to flood risk and water management. The draft SPD has been developed to support the implementation of flooding and water related policies in each local planning authority's respective adopted or emerging LDF or Local Plan. Once adopted, the SPD will be a material consideration when considering planning applications.
7. For South Cambridgeshire, the SPD will initially support policies in the adopted Development Control Policies Development Plan Document (DPD). Once the Local Plan is adopted, the SPD will need to be reviewed through an appropriate process in conjunction with the other five local planning authorities in Cambridgeshire, and then re-adopted to support the Local Plan.
8. A significant amount of new development will occur in Cambridgeshire over the next 20 years and beyond. In order to reduce the impact of these developments on the water environment, national planning policy and guidance, and local planning policies included in the Development Control Policies DPD require that new development must be appropriately located, well designed, and managed to take account of climate change and flood risk.
9. The SPD provides detailed supplementary guidance for applicants on developing proposals that:
 - are not at risk of flooding and that do not increase the risk of flooding elsewhere, including providing guidance on the sequential and exception tests, how to produce a site specific Flood Risk Assessment, and measures that can be taken to manage flood risk;
 - include the use of sustainable drainage systems (SuDS) that effectively manage water, are aesthetically pleasing, conserve, accommodate and enhance biodiversity, and provide amenity for local residents; and
 - either enhance the quality of the water environment and / or do not have an adverse impact on the quality of water bodies including rivers, lakes and groundwater.
10. The draft SPD also includes checklists to be completed and submitted by applicants at different stages in the planning application process (see Appendix 5 of the draft SPD), and also checklists to ensure that any Flood Risk Assessment includes all the necessary information (see Appendix 3 of the draft SPD). On adoption of the SPD, it is recommended that the submission of these checklists is included on the Council's local list, which sets out the information that needs to be submitted to the Council with a planning application for it to be validated and considered.

Considerations

11. National regulations relating to the preparation of an SPD state that there must be an opportunity for representations to be made on the content of the SPD. If agreed by the Portfolio Holder, and the relevant Member(s) at each of the six local planning authorities in Cambridgeshire, the SPD (see Appendix 1) and its accompanying documents will be subject to six weeks of public consultation. It is anticipated that consultation will start on 4 September and run until 16 October 2015. The public consultation undertaken will be carried out in accordance with national regulations and each local planning authority's Statement of Community Involvement.
12. A series of supporting and technical documents are being produced to accompany the draft SPD and will be made available during the public consultation. The final versions of these documents are not yet available, however a summary of the content and conclusions from each document is provided:
 - Sustainability Appraisal and Habitat Regulations Assessment Screening Report: local authorities are not required to produce Sustainability Appraisals of SPDs as they do not contain new policies, instead SPDs provide more detailed guidance relating to policies that have already been subject to Sustainability Appraisal. Occasionally an SPD can give rise to significant environmental effects and therefore local authorities need to screen their SPDs to ensure that the legal requirements for Sustainability Appraisal and Habitat Regulations are met. The screening report prepared by Cambridgeshire County Council demonstrates that the draft SPD does not give rise to significant environmental effects.
 - Equality Impact Assessment: local authorities have a legal responsibility to ensure that their policies do not adversely affect the different sections of their communities. Cambridgeshire County Council has completed an Equality Impact Assessment of the draft SPD which shows that the SPD will have a neutral and / or positive impact on equality and diversity.
 - Statement of Consultation: local planning authorities are required to prepare a statement setting out who has been consulted while preparing the SPD; a summary of the main issues raised; and how these issues have been addressed in the SPD. Cambridgeshire County Council has prepared a statement that records the consultation undertaken already.
13. Chapter 6 of the draft SPD (section 6.9) sets out guidance on the adoption and maintenance of sustainable drainage systems (SuDS) and recommends that a statutory organisation, such as a local authority, Anglian Water or an Internal Drainage Board, takes on the role of adopting and maintaining SuDS. Some local authorities, such as Cambridge City Council, will adopt and maintain SuDS provided that they meet specific design and adoption standards. South Cambridgeshire District Council will not generally adopt or maintain SuDS, and therefore the Council has produced a document (see Appendix 2) setting out what needs to be provided by an applicant as part of any planning application that includes SuDS to demonstrate that suitable adoption and maintenance arrangements are in place. This document will be subject to public consultation alongside the draft SPD.
14. After carrying out public consultation, Cambridgeshire County Council in conjunction with the five other local planning authorities within Cambridgeshire will consider the representations received on the draft SPD and whether any changes should be made

to the SPD. A report will then be made to the Planning Portfolio Holder summarising the representations received and any changes proposed, and seeking agreement to adopt the SPD.

15. The timetable for the preparation of the Cambridgeshire Flood and Water SPD is not included in the Council's Local Development Scheme that was approved in February 2014. An addendum to the Local Development Scheme has therefore been produced setting out the timetable for the remainder of the preparation of the SPD (see Appendix 3).

Options

16. The Planning Portfolio Holder has the following options:
 - (a) agrees that the draft Cambridgeshire Flood and Water SPD (Appendix 1) be issued for consultation as set out in the recommendations in paragraph 3;
 - (b) decides not to agree the draft SPD for consultation and to wait for the Local Plan to be adopted before subjecting the SPD to public consultation – it is likely that the public consultation will still be undertaken by the other local planning authorities within Cambridgeshire; or
 - (c) decides that the draft SPD needs significant amendments and that public consultation should be delayed to allow further work to be undertaken.

Implications

17. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered:

Legal

18. The draft SPD and supporting documents have been produced by Cambridgeshire County Council in conjunction with the five other local planning authorities within Cambridgeshire, the Environment Agency, and the Internal Drainage Boards. National regulations require that an SPD must be subject to public consultation for at least 4 weeks.

Equality and Diversity

19. The draft SPD has been subject to an Equality Impact Assessment which shows that the SPD will have a neutral and / or positive impact on equality and diversity.

Climate Change

20. The SPD supports the delivery of sustainable developments and will ensure that developments are located, designed, and managed to take account of climate change.

Consultation responses (including from the Youth Council)

21. The draft Cambridgeshire Flood and Water SPD has been prepared by Cambridgeshire County Council in conjunction with the five other local planning authorities within Cambridgeshire, the Environment Agency, and the Internal Drainage Boards. A steering group was set up with representatives from each of

these organisations and meetings were held between June 2014 and April 2015. The steering group provided comments on behalf of their organisations on the SPD as it was drafted, taking account of comments from others within their organisations. The draft SPD was also considered and agreed for public consultation by Chief Planning Officers at their meeting on 5 June 2015. The Youth Council will be notified of the public consultation on the draft SPD.

Effect on Strategic Aims

Aim 1: We will engage with residents, parishes and businesses to ensure we deliver first class services and value for money.

22. Consultation has already taken place with key stakeholders on the key issues for the SPD, and the discussions have influenced the content of the SPD. Further, wider, consultation on the SPD will enable the Council to receive comments on the document's contents from residents, Parish Councils, developers, other interested parties and the general public.

Aim 3: We will ensure that South Cambridgeshire continues to offer an outstanding quality of life for our residents.

23. The SPD supports the delivery of sustainable developments and will ensure that developments are located, designed, and managed to take account of climate change and flood risk. This will ensure that developments are safe for their lifetime and the inclusion of SuDS will help to make new developments aesthetically pleasing and provide amenity for local residents.

Background Papers

South Cambridgeshire Local Development Framework:

<https://www.scambs.gov.uk/content/local-development-framework>

South Cambridgeshire Local Plan (submitted in March 2014):

<https://www.scambs.gov.uk/localplan>

Appendices

Appendix 1 – Draft Cambridgeshire Flood and Water SPD

Appendix 2 – Draft Adoption and Maintenance of Sustainable Drainage Systems in South Cambridgeshire document

Appendix 3 – Addendum to the South Cambridgeshire Local Development Scheme

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