

Report to:	Cabinet	Date of Meeting:	26 July 2018
Subject:	Approval of Pro Forma for Sustainable Drainage Systems document, Guidance notes and SuDs and Flood Risk Information Note		
Report of:	Head of Locality Services - Commissioned	Wards Affected:	(All Wards);
Portfolio:	Cabinet Member - Locality Services		
Is this a Key Decision:	Yes	Included in Forward Plan:	Yes
Exempt Confidential Report:	/ No		

Summary:

Approval is sought to use the Sustainable Drainage & Flood Risk Information Note and the Flood Risk Pro Forma to support Development Management, which relate to the implementation of Local Plan policy EQ8 'Flood risk and surface water'. These documents will clarify and simplify the process for developers and staff. They will be a material consideration in assessing planning applications.

Recommendation(s):

- (1) Approve the Sustainable Drainage Systems and Flood Risk Information Note for Development Management purposes; and
- (2) Approve the Flood Risk Pro Forma for Development Management purposes

Reasons for the Recommendation(s):

Provide clarity of requirements and the expectations of the Local Planning Authority in Sefton to developers with regard to Sustainable Drainage Systems and flood risk requirements, whilst improving the efficiency of the service provided to support development management.

Alternative Options Considered and Rejected: (including any Risk Implications)

Not to develop these supplementary methods to support the Council in assessing planning applications in relation to sustainable drainage and flooding would have kept a process with a number of inefficiencies.

What will it cost and how will it be financed?

(A) Revenue Costs

Contained within existing revenue budgets

(B) Capital Costs

n/a

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):
There are no additional resource implications.
Legal Implications:
There are no legal implications.
Equality Implications:
There are no equality implications.

Contribution to the Council's Core Purpose:

Protect the most vulnerable:
Facilitate confident and resilient communities:
Commission, broker and provide core services: Improve the clarity and efficiency of the service provided by the Planning Authority to developers.
Place – leadership and influencer:
Drivers of change and reform:
Facilitate sustainable economic prosperity:
Greater income for social investment:
Cleaner Greener

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Head of Corporate Resources (FD5205/18) has been consulted and notes the report indicates no direct financial implications for the Council. The Head of Regulation and Compliance (LD4429/18) has been consulted and any comments have been incorporated into the report.

(B) External Consultations

Regarding the Pro Forma, consultation has involved the Merseyside Flood Risk Coordinator and discussions have been had at the Merseyside Tactical Flood Risk Partnership about undertaking a similar approach across Merseyside.

Consultation on the scope of the Sustainable Drainage Systems and Flood Risk Information Note took place in summer 2017, and comments received were considered in the preparation of the Information Note. Informal stakeholder consultation has taken place with the Environment Agency extensively, United Utilities and more recently MEAS. Public consultation was undertaken during Spring 2018 for the Sustainable Drainage and Flood Risk Information Notes, alongside consultation on various draft Supplementary Planning Documents. The comments received were taken into account and where appropriate amendments were made, as set out in summary of comments and the Council's response which can be found on www.sefton.gov.uk/news .

Implementation Date for the Decision

Following the expiry of the "call-in" period for the Minutes of the Cabinet Meeting

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Background Papers:

The following background papers, which are not available elsewhere on the Internet can be accessed on the Council website:

Cabinet Member - Planning and Building Control decision to allow public consultation on information notes:

Batch 1 <http://smbc-modgov-01/ieDecisionDetails.aspx?ID=10479>

Batch 2 <http://smbc-modgov-01/ieDecisionDetails.aspx?ID=10480>

Sustainable Drainage and Flood Risk Information Note

Flood Risk Pro Forma and guidance note

Summary of comments made during consultation on the Sustainable Drainage and Flood risk Information Notes and the Council's response to these

[https://www.sefton.gov.uk/planning-building-control/planning-policy-including-local-plan-and-neighbourhood-planning/sustainable-drainage-systems-\(suds\)-and-flood-risk-information-notes.aspx](https://www.sefton.gov.uk/planning-building-control/planning-policy-including-local-plan-and-neighbourhood-planning/sustainable-drainage-systems-(suds)-and-flood-risk-information-notes.aspx)

1. Introduction/Background

- 1.1 Sefton Council as a Local Planning Authority assesses planning applications against the Sefton Local Plan (adopted 2017), which is set in the context of the National Planning Policy Framework (NPPF) and national planning practice guidance. Within this framework the Planning Authority must consult with the Lead Local Flood Authority (Sefton Council's Flood Risk management Service) on major planning applications (10+ properties or >1ha) to provide comment on the flood risk and surface water management.
- 1.2 Sefton's Local Plan goes further than the NPPF with regard to flood risk through the overall Policy EQ8 and a number of site specific policies. As a result the Lead Local Flood Authority is consulted on developments of 5 or more properties or sites of 0.5ha or more across most of Sefton.

2 Flood Risk Pro Formas

- 2.1 It is a common occurrence that not all of the flood risk and surface water drainage information is provided timely or collectively, this introduces delays and inefficiencies into the planning application assessment process.
- 2.2 The purpose of the Pro Formas are to pull together local (Sefton's Local Plan) and national (National Planning Policy Framework) requirements concerning flood risk and drainage into one document, to be completed by the applicant and submitted with a major planning application, to minimise problems of information not being supplied.
- 2.3 The first Pro Forma sets out what should be investigated and provided by an applicant as the bare minimum when submitting a planning application. This is to ensure that all applications have sufficient information for the Lead Local Flood Authority to assess and provide comments, without the need for objecting on the grounds of insufficient information provided.
- 2.4 The second Pro Forma sets out the information the applicant must supply to discharge conditions.
- 2.5 The guidance document, 'Completing your Pro Forma, is to assist applicants or developers with additional advice and information in order to complete the Pro Forma – this includes reference to the policy framework. It sets out the Lead Local Flood Authority's technical requirements for sustainable drainage (previously covered in part of the Information Notes). The Local Planning Authority have been consulted through the preparation process for these documents.
- 2.6 The documents referred to in 2.3, 2.4, 2.5 and 3.1 can be viewed by following this link.

[https://www.sefton.gov.uk/planning-building-control/planning-policy-including-local-plan-and-neighbourhood-planning/sustainable-drainage-systems-\(suds\)-and-flood-risk-information-notes.aspx](https://www.sefton.gov.uk/planning-building-control/planning-policy-including-local-plan-and-neighbourhood-planning/sustainable-drainage-systems-(suds)-and-flood-risk-information-notes.aspx)

3 Sustainable Drainage (SuDS) and Flood Risk Information note

- 3.1 The aim of the Information Note is to provide clear guidance to developers, agents and others in relation to policy EQ8 'Flood risk and surface water' in the Sefton Local Planning, the National Planning Policy Framework and existing Environment Agency and national planning guidance. This includes information and the Council's expectations on flood risk generally, including river and tidal flooding, and not increasing the risk of flooding elsewhere. The Information Note also includes information about related measures to manage, and where possible reduce, surface water generally. This links to the role of the Lead Local Flood Authority, which has been consulted through the Information Note preparation process.
- 3.2 While a series of draft Information Notes on separate topics were consulted on, these have now been consolidated into one, revised, Information Note. The revision reflects comments made during the consultation, the fact that some technical information is now in the Pro Forma and the associated Guidance note, and the on-going input of the Lead Local Flood Authority. In particular, the sequential and exception tests have now been simplified in relation to surface water flood risk to reflect national guidance more closely. Comments were received from Historic England ('no comment'), Natural England, Network Rail, Persimmon Homes Lancashire, Lancashire Branch and its Sefton District Group of the Campaign to Protect Rural England, Taylor Wimpey UK Ltd and United Utilities. A summary of these comments and the Council's responses is available alongside the Information Note on www.sefton.gov.uk/newspd.