



Agenda Item Introduction

ISLE OF WIGHT COUNCIL

Committee	CORPORATE SCRUTINY COMMITTEE
Date	7 MAY 2024
Topic	PRE-DECISION SCRUTINY – DRAFT SUSTAINABLE DRAINAGE SYSTEMS SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Background

1. Following a period of public consultation, Cabinet to be asked to adopt an SPD that sets out the sustainable drainage principles and design solutions required from new development of all scales that will reduce the amount of surface water entering the combined sewer and help mitigate flooding.

Focus for Scrutiny

2. The role of the committee is not to act as a 'shadow Cabinet'. Its function is to ensure that the principles of decision making have been complied with:
 - taking into account all relevant considerations and ignoring those which are irrelevant
 - compliance with finance, contract, and all other procedure rules
 - due consultation and proper advice is taken, and alternative options considered before decisions are reached
 - impartiality and an absence of bias or pre-determination
 - any interests are properly declared
 - decisions are properly recorded and published
 - decisions are proportionate to the desired outcome
 - respect for human rights and equality impacts
 - a presumption in favour of transparency and openness
 - clarity of aims and desired outcomes
 - due consideration of all available options
 - reasons are given for decisions

Outcome(s)

3. Does the committee support the proposed recommendations, or wish to report any comment to Cabinet?

Document(s) Attached

4. Report to Cabinet on 9 May 2024 - Adoption of the 'Sustainable Drainage Systems Supplementary Planning Document (SPD)'
5. Appendix 1: Sustainable Drainage Systems (SuDS) SPD
6. Appendix 2: Summary of consultation responses and changes to the Draft SPD
7. Appendix 3: Stage one equality impact assessment (EqIA)

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Cabinet Report

Purpose: For Decision

ISLE OF WIGHT COUNCIL

Date	9 MAY 2024
Title	ADOPTION OF THE 'SUSTAINABLE DRAINAGE SYSTEMS SUPPLEMENTARY PLANNING DOCUMENT (SPD)'
Report of	CABINET MEMBER FOR PLANNING, COASTAL PROTECTION AND FLOODING

Executive Summary

1. The purpose of this report is to consider the adoption of the 'Sustainable Drainage Systems (SuDS) Supplementary Planning Document (SPD)' following a consultation exercise undertaken by the Isle of Wight Council.
2. Sustainable Drainage Systems, or SuDS, are a way to manage surface water by copying the way that rainwater drains in a natural landscape. The SuDS SPD outlines the design principles required to deliver SuDS on the Isle of Wight and provides advice on integrating SuDS within any new development.
3. The SuDS SPD is primarily intended for practical use by those looking to undertake development of any scale, as well as designers of surface water drainage systems. The guide is relevant to all those involved in the masterplanning, design, approval, construction and maintenance of new development. It can also be used by anyone looking to find out more about SuDS.
4. The SPD is intended to assist developers and property owners to deliver SuDS which:
 - prevent and reduce surface water flooding;
 - have clear responsibilities for future maintenance and management;
 - are appropriate to the island, its geology and hydrology;
 - deliver social, environmental and financial benefits;
 - aim to meet a range of sustainability and place-making objectives.
5. If adopted, the council will be able to use the SPD as a material consideration in planning decisions and require new development to integrate SuDS as part of the design process to help manage surface water in a way that has a positive impact on flooding.

Recommendation

6. To adopt the 'Sustainable Drainage Systems (SuDS) Supplementary Planning Document' attached as Appendix 1; and
7. To delegate any final editorial and presentational changes to the supplementary planning document to the Strategic Manager for Planning. These changes will not alter the meaning of the document and will be restricted to grammatical, presentational and typographical errors.

Background

8. Sustainable Drainage Systems (SuDS) help to manage flood risk to homes, businesses, roads and services on the Isle of Wight. They control the amount of rainfall and pollutants which flow off paved surfaces, and enter the island's rivers, and eventually the sea.
9. Well-designed SuDS also contribute to our resilience to climate change, and provide habitats for native wildlife on the island. They also provide places for communities to meet, play, exercise and enjoy nature.
10. Surface water drainage should be one of the first aspects considered when assessing whether a site is suitable for development, or when considering works to an existing property. This allows the design of effective drainage strategies, which maximise the benefits of SuDS to people and the environment.
11. The Core Strategy includes policies DM2 'Design Quality for New Development' and DM14 'Flood Risk', both of which seek to ensure that the design of new development is responsive to the environment (DM2) and that development reduces the risk of flooding (DM14).
12. The SuDS SPD provides detailed guidance that expands on the policy wording in DM14 and sets out the Council's expectations for SuDS designs on the Island in the form of the Isle of Wight SuDS Design Standards (Section 5 and Appendix A of the SPD), and provides guidance on how to meet these. A validation checklist is provided for major development (Appendix D of the SPD), and for non-major and minor development, standing advice is provided. The SPD confirms that the Isle of Wight Council expects *all* development proposals to include SuDS.
13. Where appropriate, the SPD defines local technical design standards for the Isle of Wight, where these go beyond national standards. However, the document is not intended as a detailed design guide. The CIRIA SuDS Manual C753 (2015) is recommended for this purpose, and relevant chapters of the manual, and other reference documents are signposted throughout the SPD.
14. The Council will use the new guidance to ensure that surface water drainage is managed appropriately and in accordance with national standards and industry best practice for SuDS, as well as the latest national and local planning policy.

Corporate Priorities and Strategic Context

15. The [Corporate Plan 2021 - 2025](#) sets out the administration's key areas for action, aspirations and key activities. The specific key areas for action and aspirations relevant to the SuDS SPD are set out in more detail below.

Responding to climate change and enhancing the biosphere

16. The Climate and Sustainable Development Impact Assessment has been carried out with the results show in the graphic overleaf. The provision of sustainable drainage features on new development will assist in removing surface water from the combined sewer system and make a positive contribution to reducing flooding across the island and managing surface water in a more resilient and resourceful way.



Impact on Young People and Future Generations

17. The provision of SuDS in new development that helps to reduce the amount and impact of surface water flooding will have a positive impact on young people and future generations by improving the natural environment and making the island infrastructure safer.

Corporate Aims

18. The Corporate Plan 2021 - 2025 sets out the corporate aspirations and key activities. Once adopted the SuDS SPD will play a role in helping the Council achieve the following specific aspirations:
- (1) We will ensure that we listen to people. We will do so by holding consultations in which we will have a proper discussion with residents about issues
 - (16) Place the health and wellbeing of residents at the centre of all we do
 - (27) All council decisions must be considered with regard to their impact on young people and future generations
 - (45) Embed both the biosphere and the climate change strategy into policy, including the island plan, advanced by appropriate action plans. All council decisions are to have regard to the biosphere and climate change strategy

Consultation and Engagement

19. In line with regulations 11 to 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's [Statement of Community Involvement](#), the local planning authority undertook a 6-week consultation on the draft SPD (which is longer than the minimum statutory requirement for such a consultation). This took place from Friday 26 January 2024 until Friday 8 March 2024.
20. A total of thirty one responses were received from a wide range of stakeholders including local residents, town, parish & community councils and statutory consultees such as the Environment Agency and Historic England.
21. The comments received have resulted in some revisions to the draft document that was put out for public consultation, and details of these changes can be found in Appendix 2 to this report.
22. It is welcome and positive that support for the document was provided by Southern Water, Island Rivers Partnership, Surfers Against Sewage, Environment Agency and Natural England, all of whom play a vital role in reducing and mitigating against flooding.

Scrutiny Committee

23. The proposed adoption of the SuDS SPD is being considered by Corporate Scrutiny Committee on 7 May 2024 and any recommendation(s) from Corporate Scrutiny will be reported verbally to the Cabinet meeting.

Financial / Budget Implications

24. It is considered that there will be no direct financial / budget implications arising from adoption of the SuDS SPD.

Legal Implications

25. Supplementary planning documents should be prepared only where necessary and in line with paragraph 153 of the National Planning Policy Framework (NPPF).
26. If adopted the SPD will add further detail to the policies already in the Island Plan Core Strategy. The SPD will be a formal document that will be a material consideration in planning decisions, but not part of the development plan.

Equality and Diversity

27. The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
28. A stage one equality impact assessment (EqIA) has been undertaken in connection with the proposed SPD (see Appendix 3).
29. It is considered that the SPD itself will not have a negative impact on any of the protected characteristics. This is because the status of the document is such that higher level policy and legislation is also required to be considered as part of the determination of any planning application, which would take account of our legal duties under equality legislation.

Property Implications

30. It is considered that there will be no direct property implications, although any decisions over the future of council owned land will need to consider relevant planning policy that would include the SPD once adopted

Options

31. The options are set out as follows:
 - a) To adopt the Sustainable Drainage Systems (SuDS) Supplementary Planning Document attached as Appendix 1; and
 - b) To delegate any final editorial and presentational changes to the draft supplementary planning document to the Strategic Manager for Planning. These changes will not alter the meaning of the document and will be restricted to grammatical and typographical errors; or
 - c) To further amend and then adopt the Sustainable Drainage Systems (SuDS) Supplementary Planning Document; or

- d) To not adopt the Sustainable Drainage Systems (SuDS) Supplementary Planning Document;

Risk Management

32. The main risk of not adopting the Sustainable Drainage Systems (SuDS) SPD is that the local planning authority will not be able to use the guidance within the document as a material consideration when determining planning applications. This would mean that development would come forward without consideration of integrating Sustainable Drainage Systems into the design process at the earliest possible stage.

Evaluation

33. The draft SPD outlines the design principles required to deliver SuDS on the Isle of Wight and provides advice on including SuDS within any new development. The SPD is intended to assist developers and property owners to deliver SuDS which:
- prevent and reduce surface water flooding;
 - have clear responsibilities for future maintenance and management;
 - are appropriate to the island, its geology and hydrology;
 - deliver social, environmental and financial benefits;
 - aim to meet a range of sustainability and place-making objectives.
34. The adoption of the Sustainable Drainage (SuDS) SPD will result in the council being able to use the guidance within the document, which aligns closely with key Corporate Plan objectives, as a material consideration when making planning decisions.

Appendices Attached

35. Appendix 1: Sustainable Drainage Systems (SuDS) SPD
36. Appendix 2: Summary of consultation responses and changes to the Draft SPD
37. Appendix 3: Stage one equality impact assessment (EqIA)

Background Papers

38. Island Plan Core Strategy: [Microsoft Word - Core Strategy - Mar 2012.doc \(iow.gov.uk\)](#)
39. [Supplementary Planning Document consultations \(iow.gov.uk\)](#)
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