

House of Commons: Written Statement (HCWS161)

Department for Communities and Local Government

Written Statement made by: The Secretary of State for Communities and Local Government (Mr Eric Pickles) on 18 Dec 2014.

Sustainable drainage systems

As part of the Government's continuing commitment to protect people and property from flood risk, my Department and the Department for Environment, Food and Rural Affairs recently consulted on a proposal to make better use of the planning system to secure sustainable drainage systems. Today we are publishing our response to the consultation explaining how we will be strengthening existing planning policy. This will make clear that the Government's expectation is that sustainable drainage systems will be provided in new developments wherever this is appropriate.

To this effect, we expect local planning policies and decisions on planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development (as set out in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010) - to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate.

Under these arrangements, in considering planning applications, local planning authorities should consult the relevant lead local flood authority on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. The sustainable drainage system should be designed to ensure that the maintenance and operation requirements are economically proportionate.

To protect the public whilst avoiding excessive burdens on business, this policy will apply to all developments of 10 homes or more and to major commercial development. The Government will keep this under review, and consider the need to make adjustments where necessary. The current requirement in national policy that all new developments in areas at risk of flooding should give priority to the use of sustainable drainage systems will continue to apply.

These changes will take effect from 6 April 2015. For avoidance of doubt this statement should be read in conjunction with the policies in the National Planning Policy Framework. This statement should be taken into account in the preparation of local and neighbourhood plans, and may be a material consideration in planning decisions.

To support local authorities in implementing these changes, we will publish revised planning guidance in time for the policy changes to take effect, and engage with local government on a capacity building programme.

My Department will today begin consulting on a proposal to make lead local flood authorities a statutory consultee on planning applications for surface water management; and makes changes to the statutory consultee role of the Environment Agency to better reflect the Agency's strategic expertise and reflect the new responsibilities for local flood management exercised by lead local flood authorities.

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