

**HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title/Subject Matter:** Cambridgeshire Flood and Water Supplementary Planning Document

**Meeting/Date:** Overview and Scrutiny (Economy and Growth) – 6th April 2017  
Cabinet – 20th April 2017

**Executive Portfolio:** Executive Councillor for Growth

**Report by:** Clara Kerr, Planning Service Manager

**Wards affected:** All

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**Executive Summary:**

The Cambridgeshire Flood and Water Supplementary Planning Document (SPD) was prepared by Cambridgeshire County Council in partnership with Cambridge, East Cambridgeshire, Fenland, Huntingdonshire and South Cambridgeshire District/City Councils, the Environment Agency, Anglian Water, and the Internal Drainage Boards.

The SPD provides guidance for, and sets out expectations placed on, developers and applicants on managing flood risk and the water environment in and around new developments. The contents of the SPD expand upon the flood risk and water management policies contained within the adopted Development Plan and the emerging Local Plan.

**Recommendations:**

That Overview and Scrutiny Panel (Economy and Growth) makes comment on the Document; and

That Cabinet:

- adopts the proposed 'Cambridgeshire Flood and Water' as a Supplementary Planning Document.
- in making that decision, notes the comments from the Consultation Statement and the Strategic Environmental Assessment and Habitat Regulations Assessment Screening Reports.

## **1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to seek Cabinet's approval for the Cambridgeshire Flood and Water Supplementary Planning Document (SPD) which was subject to a six week public consultation between 4th September and 16th October 2015.

## **2. BACKGROUND**

- 2.1 Flood risk management is a significant issue throughout Cambridgeshire, with the market towns of Huntingdonshire being among the most seriously affected in the County. Ensuring that the drainage network and watercourses are managed appropriately, that development is located in a safe environment and that sites are designed and constructed so that surface water is managed effectively are key issues in reducing the likelihood and consequences of flooding.

- 2.2 Following the enactment of the Flood and Water Management Act 2010, which made Cambridgeshire County Council the Lead Local Flood Authority (LLFA) for Cambridgeshire and the progressing of comprehensive Local Plan preparation across the County, the Cambridgeshire Local Planning Authorities (LPAs), including Huntingdonshire, agreed to the joint preparation of a countywide Supplementary Planning Document (SPD) to ensure that a consistent, locally appropriate approach to flood risk and water management could be established and applied.

- 2.3 The Flood and Water SPD has been prepared by Cambridgeshire County Council (as the LLFA), managed by a county-wide Officer Steering Group, in partnership with:

- The District and City Councils of South Cambridgeshire, Cambridge, East Cambridgeshire, Fenland and Huntingdonshire;
- The Environment Agency;
- Anglian Water, as sewerage undertaker for Cambridgeshire; and
- The Internal Drainage Boards

- 2.4 The main purposes of the SPD are:

- To provide guidance to developers and decision makers on the approach that should be taken to manage flood risk and the water environment as part of new development proposals;
- To provide a step by step guide to address flood risk matters as part of a development proposal, including clear guidance on the use of Sustainable Drainage Systems (SuDS);
- To support existing and emerging flood risk and water management related planning policies contained within the relevant Local Planning Authorities adopted or draft Local Plans; and
- For Cambridgeshire County Council, the SPD will support the relevant policies contained within the 'Cambridgeshire and Peterborough Minerals and Waste Development Plan' Core Strategy (adopted July 2011).

- 2.5 The SPD provides detailed 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 well designed to conserve, accommodate and enhance biodiversity, and provide amenity for local residents; and
- Enhance the quality of the water environment and mitigate the adverse impact of development on the quality of water bodies including rivers, lakes and groundwater.

### **3. LINK TO CORPORATE PLAN, STRATEGIC PRIORITIES AND/ OR CORPORATE OBJECTIVES**

- 3.1 The adoption of the Cambridgeshire Flood and Water SPD supports Strategic Objective 1a) 'Create, protect and enhance our safe and clean built and green environment' of the Corporate Plan.

### **4. COMMENTS OF OVERVIEW & SCRUTINY**

- 4.1 The Panel support the adoption of the document with the clarification that as the County Council had carried out a consultation, the Council would not need to carry out another consultation to adopt the document.

### **5. MAIN ISSUES RAISED DURING CONSULTATION**

- 5.1 The draft SPD was published for a six week public consultation between 4th September and 16th October 2015. During this period a total of 150 comments were received from 20 consultees. A summary of the main issues raised in comments as well as a list of the consultees that made comments are presented in the Consultation Statement, attached to this report as Appendix B. The complete comments received can be found on the Council's [Consultation Portal](#).

- 5.2 Following consultation, a number of significant amendments were made as well as numerous minor changes:
- A better understanding of the Fen areas and IDBs requirements;
  - Managing conflicts between what works in Cambridge and what works in the Fens;
  - Changes to ensure that the document is as user friendly as possible;
  - A better quality document in terms of design and clarity of images and graphs.

- 5.3 Cambridgeshire County Council Economy and Environment Committee endorsed the SPD at its meeting on 14th July 2016, and recommended it be adopted by each district/city council.

- 5.4 East Cambridgeshire, Fenland, and South Cambridgeshire Councils have adopted the document as SPD and Cambridge City has resolved to adopt pending adoption of their emerging Local Plan. Other workload priorities for the Planning Policy team, particularly the preparation of the Local Plan and the new Design Guide, are the reasons that this Document has not been proposed for adoption by HDC until now.

### **6. STRATEGIC ENVIRONMENTAL ASSESSMENT**

- 6.1 The aim of the Strategic Environmental Assessment Directive is 'to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an

environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.’

- 6.2 The Directive is implemented through the Environmental Assessment of Plans and Programmes Regulations 2004. Supplementary planning documents may in exceptional circumstances require a strategic environmental assessment (SEA) if they are likely to have significant environmental effects that have not already have been assessed during the preparation of the Local Plan.
- 6.3 In order to determine whether a SEA is necessary for the Cambridgeshire Flood and Water SPD a screening process has been undertaken. The screening report prepared by the County Council demonstrates that the draft SPD does not give rise to significant environmental effects. The Strategic Environmental Assessment Screening for the Cambridgeshire Flood and Water SPD is attached as Appendix C.

## **7. HABITATS REGULATION ASSESSMENT**

- 7.1 The Habitats Directive requires competent authorities to decide whether or not a plan or project can proceed having undertaken the following “appropriate assessment requirements” to:
- Determine whether a plan or project may have a significant effect on a European site
  - If required, undertake an appropriate assessment of the plan or project
  - Decide whether there may be an adverse effect on the integrity of the European site in light of the appropriate assessment
- 7.2 In order to determine whether an appropriate assessment is necessary for the Cambridgeshire Flood and Water SPD a screening process has been undertaken and is attached as Appendix D.
- 7.3 The conclusions of the HRA screening are that the Cambridgeshire Flood and Water SPD is a guidance document that aims to improve the quality and sustainability of new development within Cambridgeshire in respect of appropriately addressing flood risk and water management matters. It does not present any policies or proposals in its own right, and serves only to provide greater clarity about the expectations in relation to existing policies within adopted or emerging Local Plans within Cambridgeshire. Those adopted or emerging Local Plans have been, or will be, subject to both Sustainability Appraisal (incorporating Strategic Environmental Assessment) and Habitats Regulations Assessment.
- 7.4 On this basis, it is considered that there will be no likely significant adverse effect on the integrity of the European sites as a result of the Cambridgeshire Flood and Water SPD.

## **8. EQUALITIES IMPACT ASSESSMENT**

- 8.1 Cambridgeshire County Council has completed an Equality Impact Assessment of the SPD, which is attached as Appendix E. The assessment shows that the SPD will have a neutral and/ or positive impact on equality and diversity.

## **9. LEGAL IMPLICATIONS**

- 9.1 The updating of our local policy position will give more coherent, consistent and robust support to the Council’s position with regard to ensure that flood and

water issues are fully addressed in new development. The adoption of the SPD will give its contents weight at Public Inquiries and throughout the development management process.

- 9.2 The production, public participation and proposed adoption of this draft SPD have complied with relevant regulations and provisions as set out in the Town and Country [Local Planning] [England] Regulations 2012 as amended, being the applicable regulations for the process.

## **10. RECOMMENDATION**

- 10.1 That Cabinet adopts the proposed 'Cambridgeshire Flood and Water' as a Supplementary Planning Document; and, in making that decision, it notes the comments from the Consultation Statement and the Strategic Environmental Assessment and Habitat Regulations Assessment Screening Reports.

### **LIST OF APPENDICES INCLUDED**

Appendix A: Cambridgeshire Flood and Water Supplementary Planning Document (SPD)

Appendix B: Consultation Statement: Cambridgeshire Flood and Water SPD

Appendix C: Strategic Environmental Assessment Screening Report

Appendix D: Habitat Regulations Assessment Screening Report

Appendix E: Equalities Impact Assessment

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