

## Appendix B: Report of Consultation

Summary of consultee responses and changes consequent changes to the SuDS Guide SPD.

### Public consultation June 2021

| <u>Consultee</u>                                     | <u>Consultee Response</u>  | <u>CE Response</u>   |
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| Muller Property Group                                | <p>As such, we would wish to avoid a situation where the SPD seeks to replicate another form of control exercised by the LLFA. In our view, the LLFA are best placed to deal with issues surrounding SUDS and that the SPD should not veer into technical matters that it is not best placed to deal with.</p> <p>There is a degree of repetition between what the SPD says and what is in the SUDS manual and again we would suggest that where there are clear areas of repetition the SPD defers to the SUDS manual rather than just repeats it.</p>  | <p>SPD reviewed to remove conflict with The SuDS Manual and national guidance</p> <p>Duplication of SuDS Manual largely removed (wherever possible)</p> <p>Now made clear in document that LLFA is involved in formation of the SPD (Primary Purpose p4)</p> <p>Further emphasis made on policy and the function of the SPD (Primary purpose p 4 and p 12)</p> |
| Defence Medical Services Whittington (Deborah Baker) | <p>There may be an impact of introducing SuDS with a biodiversity component in proximity to RAF Tern Hill, which lies approximately 8.4KM to the south of Cheshire East's local authority area. Within the statutory consultation areas associated with aerodromes these areas could be potentially controlled by policy text that highlights the existence of safeguarding zones, that are designated to mitigate birdstrike risk.</p> <p>In summary, the MOD would wish to be consulted on any proposed development noted within the Cheshire East Draft Biodiversity Net Gain Supplementary Planning Document of any development which includes schemes that might result in the creation of attractant environments for large and flocking bird species hazardous to aviation.</p> | <p>Notes on particular constraints - using flight paths &amp; birdstrike as an example have now been included on the document including reference to the Council's Planning Policy map which identifies the safeguarding zones around Manchester Airport. (Site constraints 2.2 p 14)</p>  |

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| <p>Disley Parish Council (Richard Holland)</p> | <p>Disley Parish Council is supportive of the proposals in the Draft Sustainable urban Drainage Systems Supplementary Planning Document. The Parish Council strongly supports the work being done by The National Trust at Lyme, through the Riverlands project, which will help to reduce flood risk in the area. However, Disley Parish Council believes that Cheshire East Council needs to invest in ongoing maintenance of the existing drainage infrastructure in Disley and Newtown. Localised flooding frequently occurs due to failure to clean out gullies on a regular basis. Many are currently blocked. Due to the topography of the area, water flows down steep roads onto the A6 strategic route which passes through the centre of Disley and Newtown.</p>  | <p>No change required</p>  |
| <p>IM Land</p>                                 | <p>Relationship to the development plan</p> <p>Whilst the preparation of the SADPD is still in progress, it does not yet form part of the development plan. It is therefore premature for this SPD to reflect on or seek to emulate policies set out in a draft plan that may, following examination, be modified or removed from the final adopted plan.</p> <p>The Council should delay progressing the SPD until all the policies to which it relates have been adopted as part of the development plan for Cheshire East.</p> <p>Sustainable Drainage Design Process</p> <p>At Section 3.1, the proposed approach could be interpreted to require that new development would need to prevent any surface water run-off from the site in order to be deemed acceptable. However, this goes beyond national, and the adopted local plan policy.</p> <p>RPS therefore recommends that the wording at section 3.5 of the draft SPD is suitably modified to reflect both national and local policies (both adopted and emerging) which support appropriate management of potential flood risks emanating from sources of surface water run-off.</p> <p>Planning Approval and Adoption</p> <p>Section 6.5 makes no reference to the Exception Test, details of which are provided at paragraphs 163-168 of the NPPF. The exceptions test allows for the location of development to be laid out in parts of sites that may be</p> | <p>See Muller comments/actions regarding role of SPD.</p> <p>Reference now made to clarify SuDS being about surface water specifically. (Primary purpose p4)</p> <p>The following wording has been introduced at 5.7 pg 22.</p> <p>“New surface water drainage infrastructure should be designed to accommodate 1 in 100yr + Climate Change allowance storm events. However, during extreme rainfall events, surface water drainage infrastructure may become overwhelmed. It is therefore important that new development accommodates safe, unobstructed <b>exceedance flow routes</b> within their</p> |

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|  | <p>at higher risk to flooding than other parts of the site. The criteria needed to be met in order to pass the exception test is set out at paragraph 164.</p> <p>RPS therefore recommends that the exception test is recognised and reflected in the SPD to ensure the guidance is consistent with national (and local) policies.</p>                | <p>design which will not pose a risk to people or property.”</p> |
| <p>Macclesfield Town Council (Harriet Worrell)</p> | <p>The committee have no comments on the content of the document but found it informative and welcome its production and the CEC planning process of bringing together in one place advice on planning issues and look forward to documents like this being rolled out to developers with applications for the building of large housing estates.</p> |  |

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| <p>National Farmers Union (Mr Adam Briggs)</p> | <p>Farmers find themselves at the sharp end of climate change as the hotter, drier summers and warmer wetter winters impact leading to increased flood risk. Across Cheshire as a whole, an increase in the number of extreme weather events has meant that the existing field drainage systems have struggled to cope with the amount of water which is now draining through the system at times of peak flow and caused the fields to flood. Building developments are adding to the issues that they are facing. There has been a considerable amount of development in Cheshire recently at a time when more extreme rainfall events are becoming more common. These development leads to a reduction in the water carrying capacity of the green spaces and increase the rate of water runoff from these developments into the farmland drainage system. As a result, even more pressure is being pace on the system which is meaning that urban water is finding its way into farmers' fields and causing crop losses. Therefore a condition should be place on the developers to make sure that any development does not increase the flood risk of neighbouring farm land. This should include a requirement that a significant investment is made in upgrading the sewer system to cope with the extra demands being placed upon it and that a contribution is made to the maintenance of the farmland drainage channels which are receiving this urban water.</p> <p>It should also be noted that agriculture is currently going through the greatest period of change since the Second World War as we have left the EU and agriculture policy will be developed and delivered on a UK basis. The new ELM scheme is based on a principle of public money for public goods and the role that agricultural land can play in food mitigation has been recognised. Many activities on farm can help alleviate flooding downstream such as reducing soil compaction, tree planting and increasing soil permeability. Larger scheme can be developed which involve storing water temporarily on agricultural land. These scheme should be developed in partnership with farmers and should also be properly funded. It is particularly key to developing approaches whereby farmers are paid to maintain NFM assets on their land which benefit downstream communities and that the liability for these structures is addressed, in the event that they fail to operate in the way they are intended to do so. Finally, as a wider point, the management of water for flood risk should be integrated with the management</p> | <p>Further information and advice has been provided in regard to boundary treatment &amp; filter drains. (5.9 p22).</p> <p>Noted but no change required.</p> |
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|   | <p>of water as a resource. The NFU states in its recently published Integrated Water Management Strategy “Water – whether we mean too much, not enough, or the quality of water – needs to be managed holistically. Agriculture has an important role to play in the sustainable use of water.” We have seen situations where areas which were flooded are short of water within months. Policy developed to deal with flooding should look to integrate with policy looking to build water resilience. Policies developed by Cheshire East, particularly planning policy, should look to support investment and development which delivers for flood mitigation as well as business water resilience.</p>  |   |
| <p>Canal and Rivers Trust (Gary Rutter)</p> | <p>Paragraph 3.7 notes the need to consult with surface water bodies depending on the location of surface water discharge. We welcome reference to the Trust in relation to discharge to the canal but would recommend expanding this section for greater clarity. It is important to note that the Trust is not a land drainage authority and is not obliged to accept a new discharge. Any decision would be dependent on matters of water management and would be subject to a commercial agreement. This section could perhaps therefore be amended. Suggested wording is provided below:<br/> “ ... Flood Authority or appropriate navigation authority.<br/> 3. To a canal - consultation with the Canal &amp; River Trust. Any surface water discharge would be dependent on the canal's capacity to receive additional water and require prior assessment. Any discharge would be subject to the completion of a commercial agreement.<br/> 4. To a surface water sewer ... ”</p> | <p>Suggested changes have been incorporated and agreed with the Flood Risk team (Section 4.6 para 115 p 32) .</p> |

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| <p>Bourne Leisure Limited</p> | <p>Bourne leisure acknowledges the importance of sustainable drainage systems and considers that the general approach and design guidance advocated by the SuDs SPD aligns with the drainage hierarchy prescribed by national policy and accepted best practice. On this basis Bourne Leisure does not wish to object the overarching principles or guidance set out within the SPD.</p> <p>The design guidance for each type of drainage system is highly detailed and Bourne Leisure would welcome recognition and acknowledgement at the outset of the document that the various examples of drainage systems provided are good practice examples, and that a degree of flexibility should be retained in decision-making.</p> <p>Page 68 of the SPD sets out requirements for planning applications. It states that developers are required to complete and submit the SuDs Submission Application and Approval Checklist, for the validation and submission of planning applications. The checklist itself requires a high level of detail which would not always be proportionate or necessary. The SPD, as currently drafted, does not provide sufficient clarity or guidance as to the types of proposal for which the checklist would be required.</p> <p>In relation to paragraph 6.11.1 Bourne Leisure considers that further guidance should be provided as to the typical scenarios whereby the checklist would be required, acknowledging that it will not be required for all applications and that it will not always be appropriate to determine this by way of pre-application enquiry. There is a risk that the SPD and the required checklist will result in unduly onerous requirements if applied to all new developments.</p> | <p>Flood team has adapted the original checklist, and now have major and minor version for different scales of development. Clarification on the checklist requirements for different types of proposal is provided at 7.21 (p77).</p> |
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| <p>Home Builders Federation (Mrs Joanne Harding)</p> | <p>A number of HBF members have raised concerns with us in relation to this SPD, and the practicality of implementing its requirements. The HBF would strongly recommend that the Council seek to further engage with the home building industry before seeking to implement this SPD and its contents.</p> <p>The HBF notes that much of the SPD has been based on the content of the SuDs Manual C753, and consider that as such much of the content of this SPD is not necessary, as this document is available to all and could instead be referred to. There are, however, some areas where the SPD differs from the manual and some of these areas are of concern to our members and are likely to have implications for the deliverability and viability of development in the area.</p> <p>The HBF notes for example that the maximum slopes to swales and basins have been set at 1 in 4 rather than 1 in</p> <p>This is likely to impact on the land take within development and will therefore have implications for the viability of development and will not have been considered as part of the local plan viability assessment.</p> <p>The increased land take will also potentially impact on the deliverability of development, the density of development and the effective use of land, which may cause conflicts with other elements of planning policy.</p> <p>Table 4.3 of The SuDS Manual C753 sets out the minimum water quality management requirements for discharges to receiving surface waters and groundwaters. It does not appear that this is appropriately reflected in the SPD which appears to set higher levels of expectation without any rationale or consideration of the more onerous implications and potential impacts on viability.</p> <p>The HBF has concerns in relation to the SPD particularly in relation to the additional financial burden the SPD would create for developers. The HBF would strongly recommend that the Council undertake a full viability assessment of this proposed amendment to ensure that it is viable and that it does not impact on the delivery of homes.</p> <p>The HBF recommends that the Council undertake further engagement with both United Utilities and the home building industry, to ensure that differences between UU</p> | <p>Further reference has been made to the SuDS manual to ensure consistency.</p> <p>Changes to the slope gradients requirements for SuDS components , particularly looking at safe land management, have been incorporated consistent with the SuDS Manual e.g. Technical requirements for Swales (p 49).</p> <p>Issues have been discussed with UU to avoid inconsistency/conflict, and changes made to the document, with particular reference to engagement with UU.</p> <p>(Adoption of SuDS Para 7.22 p77.) Way marker inserted to UU Technical guidance for developers on p 78.</p> <p>The SUDS guide does not introduce any additional requirements, other than those set out in Policy SE13 or ENV16 – rather the SUDS Guide is intended as a helpful guide that will assist developers in delivering good practice.</p> <p>Applications are determined in accordance with the most up to date</p> |
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|  | <p>advice and the SPD are addressed and that schemes can be adopted.</p> <p>The HBF would also be keen to know what level of engagement has been undertaken with the Council's highways teams to ensure that the measures proposed as part of the SPD are considered to be appropriate by the highways teams and will not lead to further delays in the consideration of any applications.</p> <p>The HBF seeks assurance that there will be suitably detailed expert advice available at the pre-application advice stage and early in the consideration of any planning applications.</p> <p>The HBF recommends that once the Council has undertaken further engagement around the practicalities of implementing this SPD with the home building industry, and further considered the viability implications of this SPD, and ensured that the SPD is appropriately flexible to cater for the differing site specifics, that the Council should ensure that an appropriate transitional period is provided before this SPD is implemented.</p>  | <p>adopted policies. Policy SE13 of the LPS and ENV16 of the SADPD are now adopted policies that applicants are required to satisfy and this SPD sets out how the requirements of those policies can be met. Therefore, no transitional arrangements will be put in place.</p>   |
| <p>P H<br/>Property<br/>Holdings<br/>(Phil<br/>Harper)</p> | <p>Pg30 – Incorrect statement on paragraph 1, the Water Authority cannot request any restriction of flows due to reasons of infrastructure capacity. (A developer took Welsh Water to court on this and set some precedence on a sewerage undertaker's duty)</p> <p>Pg31 – The run off calculator is a good idea, it would be good to extend this to storage volumes and have some worked examples for Greenfield and Brownfield sites.</p> <p>Pg56 – Main considerations should include outfall depth as underground storage structures tend to make you quite deep with your drainage to obtain sufficient cover. Further elaboration required on the stable ground is required statement i.e. semi-rigid pipes rely on the trench wall, and its inherent soil properties, for strength. The title of this page refers to underground storage structures but the general feeling towards this page appears to be directed towards oversized plastic storage pipes.</p> <p>Pg64 – The adopting criteria for SUDS under DCG should be included in this area. i.e. the Suds must have a channel for means of conveying surface water etc.</p> <p>Pg67 Onwards – There seems to be a number of discrepancies/contradictions in Section 6. Initially, this section refers to SFA 7 and not DCG which is the latest national standard. Section 6.3.2 states that SW drainage</p> | <p>The issues raised here have been checked and corrected where appropriate. Discrepancies between the Guide and the SuDS Manual &amp; SFA have been addressed.</p> <p>The relevant section at p 60 Site Control – Underground storage structures doesn't infer just pipe based storage, although some of the example images have been omitted for the avoidance of doubt.</p> |



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|   | <p>is to be attenuated to the requirement of the water authority where, in reality, S106 of the Water Industry Act details the right to connect and discharge freely for flows appertaining to a structure. The only reason the water authority can lawfully restrict flows is if there is no right of connection i.e. land drainage, highway drainage. If the development is being offered for adoption to the water authority, then the development will be designed in accordance with the DCG standards. Another way the water authority will try to influence SW flows/attenuation requirements is by using their position as a Statutory Consultee with the aim to add their requirements on to the Planning Conditions. Section 6.4, please define the climate change requirements for the local authority. Section 6.4.1/Section 6.4.2, the principles for the storage requirements are different for the Suds Manual and SFA.</p>  |   |
| <p>Shavington<br/>-cum-<br/>Gresty<br/>Neighbour<br/>hood Plan<br/>Steering<br/>Group<br/>(William<br/>Atteridge)</p> | <p>1)Cheshire East Planning and Highways need to understand the reasoning for, and application of, the SuDS philosophy and requirements in respect to specific planning applications. In the recent past they have failed in this regard, to the extent that decisions made at the planning approval stage and subsequently have led to serious flooding of properties adjacent to approved developments.</p> <p>2) Cheshire East need to enforce the requirements of any SuDS put on the developer as part of any planning approval. Enforcement needs to include inspection of the SuDS facilities installation and an understanding of the construction process and consequences of not installing the technical design has been approved using the stated and approved materials. Cheshire East has previously failed to adequately enforce the developer’s installations of SuDS.</p> <p>3) The current Flood Risk group involved with the planning applications that have resulted in serious flooding should not be responsible for implementation of any ongoing or new SuDS requirements. Without proper application of SuDS methodology, current or revised, there will continue to be problems caused to existing properties by development approved by Cheshire East.</p> | <p>Where development is not carried out in accordance with the permission granted, including and conditions related to SUDS, the authority has the option to pursue enforcement action.</p> |

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| <p>Bloor Homes (NW) Ltd</p> | <p>Therefore the SPD should not be adopted or used for development management purposes unless and until those draft policies in the SADPD are found sound and adopted.</p> <p>Our client instructed Betts Hydro Consulting Engineers to review the draft SPD and provide input into our response to the draft SPD, which is as follows:</p> <ol style="list-style-type: none"> <li>1) The draft SPD largely relates to the SUDS Manual (CIRIA, C753) and therefore it is questionable whether the SPD is needed at all. Many other Local Authorities simply refer to the SUDS Manual (CIRIA, C753), which is in any case only guidance and not policy.</li> <li>2) Notwithstanding this, there are some instances where the draft SPD diverges from the SUDS Manual, which in our view would unnecessarily result in the development process being more onerous for our client and the housebuilding industry in general in Cheshire East than other areas as we now discuss.</li> <li>3) United Utilities have recently refined their requirements for the design of ponds and attenuation basins for both adoptable and private systems. The proposals in the draft SPD do have some conflicts with this such as the maximum side slope gradient being 1:4 (page 53), rather than the allowable gradient of 1:3 identified within the SUDS Manual (C753). It is important that CEC and UU align their requirements to avoid conflicts. The requirement for a 1:4 side slope would also require a considerably greater area of land and may result in some schemes that could have delivered a pond/basin using the SUDS Manual no longer being viable using the standards set out in the draft SPD.</li> <li>4) Page 31 of the draft SPD sets out a run-off calculator guide, which proposes to introduce a new run-off calculation tool. This is unnecessary. There is already a free online tool (UKSUDS.com by HR Wallingford), advocated for use by the Environment Agency that does both FEH Statistical and IH124 calculations.</li> <li>5) There is still disconnect between the good sustainable approach being advocated at national and local levels, and the lack of willingness of CEC Highways to adopt those features, specifically permeable paving. Other Highway Authorities now adopt permeable roads and recognise the benefits. The draft SPD aims to encourage developers to be more sustainable and identifies in section 4.2.3 that CEC Highways are still not adopting permeable paving. If CEC still cannot align their own policies and adoptions requirements, then support from</li> </ol> | <p>Alterations have now been made to address CIRIA duplication/references.</p> <p>As explained above Guide has been amended to be consistent with the UU SuDS Guide and calculator.</p> <p>The link to the calculator at <a href="http://uksuds.com">uksuds.com</a> has been included (p33).</p> <p>Permeable paving is an option available to the Local Highways Authority and will be explored on a case by case basis. The guidance identifies that it should be used on low trafficked streets unless designed to accommodate heavy vehicles. 5.3.2 Source Control – Permeable Paving (p 41).</p> <p>Link to sewerage sector guidance included in way marker under section 5.2 What standards should be met (p37).</p> <p>In regard to water quality &amp; risk, alterations have been made to ensure the SUDS guide is</p> |
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|  | <p>developers is less likely to be forthcoming.</p> <p>6) Reference is made to sewers on page 70. There is reference to Sewers for Adoption 7th Edition rather than the current Sewerage Sector Guidance. SFA7th is only used in the UU region for pumped solutions.</p> <p>7) Section 6.4.2 of the draft SPD in relation to attenuation storage states that “the limiting discharge rates from the site should normally be assessed using the ‘Flood Estimation for Small Catchments’ (Institute of Hydrology 1994)”. This differs slightly from the national advice of the Environment Agency, where the IH124 method is considered acceptable, however the FEH Statistical is considered more accurate for sites &lt;50ha. The draft SPD does not discuss alternative methods of runoff assessment.</p> <p>8) Section 6.4.8 of the draft SPD in relation to water quality states that the run-off hazard level for residential is categorised as medium. It is unclear why this is the same as industrial uses where there are often greater risks. This also differs unnecessarily from the SUDS Manual (C753) where residential is classed as low risk. In summary, should the Council pursue with a SUDS SPD, it should wait until the SADPD has been examined and if found sound, adopted and it should also reflect national guidance.</p> | <p>consistent with the SuDS Manual.</p> |
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| <p>Manchester Airports Group</p> | <p>Manchester Airports Group's (MAG's) objection is due to the absence of any detail within the SPD that relates to the aerodrome safeguarding consultation and approval processes that are required when considering the provision of SuDS in the vicinity of Manchester Airport.</p> <p>Under the terms of DfT/ODPM the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Sites) Direction 2002 (brought into effect by DfT/ODPM Circular 1/2003) MAG is the statutory Aerodrome Safeguarding Authority (ASA) for Manchester Airport. The above obligates the ASA and the Local Planning Authority to avoid increasing the risk of bird-strike within 13km of the Airport. Any SuDS provision should therefore be subject to consultation with the ASA at the earliest opportunity, and their recommendations to avoid any increase of the risk of bird-strike, taken on board. The SPD therefore requires amendment to stipulate that SuDS should not increase the risk of bird-strike hazard within 13km of the Airport and the following alterations/ additions should be referenced:</p> <p>The SPD therefore requires amendment to stipulate that SuDS should not increase the risk of bird-strike hazard within 13km of the Airport and the following alterations/ additions should be referenced:</p> <ul style="list-style-type: none"> <li>- Figure 1.1 should have the 13km Bird-strike Hazard Consultation Zone overlaid to be clear where the issue of bird-strike hazard lies.</li> <li>- The Aerodrome Safeguarding consultation and approval requirement needs to be set out within Chapter 6 'Planning Approval &amp; Adoption'. We recommend the following text should be added "Within 13km of Manchester Airport there is a requirement set out in DfT/ODPM Circular 1/2003 to not increase the risk of bird-strike hazard. Any SuDS within the 13km bird-strike consultation zone shown on Figure 1.1 should be subject to statutory consultation with the Aerodrome Safeguarding Authority and their views adhered to in respect of the suitability or otherwise of any proposed SuDS.</li> </ul> <p>Failure to do so will result in referral to the Secretary of State and risks breaching the provisions of the Air Navigation Order which is a criminal offence."</p> <ul style="list-style-type: none"> <li>- Details of the Aerodrome Safeguarding consultation requirements for SuDS within the 13km bird-strike consultation zone should be included on the SuDS</li> </ul> | <p>Further text has been added to clarify Manchester Airport as a consultee (para 2.9 p 14), and reference to the Council's Planning Policy Map included which holds information on airport safeguarding zones.</p> |
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|                            | <p>checklist which is due to be included at Appendix A.</p> <p>- Emerging Policy GEN 5 'Aerodrome Safeguarding' as set out within the Cheshire East Draft SADPD should be added to the list of additional relevant policies at Appendix B. Clearly if a proposed development has had regard to the concerns of the Safeguarding Authority in its formulation, its progress through the planning system will be more straight forward.</p> <p>We therefore strongly encourage pre-application consultation (including at the master planning phase for larger developments) and for Aerodrome Safeguarding requirements to be considered during the initial analysis of a site and throughout the SuDS design process.</p>   |  |
| <p>Dr Kieran Mullan MP</p> | <p>Cheshire East is known for its high water table, and this, in combination with the increasing frequency of strong storms, such as Dennis and Christoph, and a drainage system that has been put under pressure by the growth of development locally, has caused what is felt by locals of a higher incidence of flooding.</p> <p>Whilst I understand that there is already in place an assessment tool which forces developers to consider run off rates and flood mitigation for the development, I believe the Draft SuDS document, if implemented, will have a role to play in ensuring that the correct and effective drainage systems are installed on site.</p> <p>I support the proposals contained in the Draft SuDS Document as a move that provides more guidance for developers and increases the attentiveness of the Council both in planning and enforcement to types of drainage used on a development. I hope that this document is adopted and introduced at the earliest convenience of the Council.</p> <p>I was also encouraged to see details about the potential for retrospective SuDS to be installed, to mitigate against future flooding, this would be useful for residents around the Diamond Estate, Shavington, and Mill Lane, Blakenhall, where ponds or flood zones have been lost</p> | <p>Further clarity has been provided in regard to responsibility of monitoring and enforcement to ensure the implementation and ongoing viability of SuDS.</p> |

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|                                      | <p>either to new development or in the process of farming and land management.</p> <p>The document also refers to clarity of responsibility with regards to the future management of the SuDS, anything that can be done to enhance this is welcome, as I know from working with residents that one of their main frustrations is the confusion caused by who to direct enquiries to. Finally, I note the statement that developers will be required to “demonstrate that all land ownership and long-term maintenance issues have been resolved as prior to submitting a full planning application” (6.5, pg 73), which has not necessarily been the case. That being said, without the full attention of the planning team and enforcement team this statement becomes devalued.</p> |   |
| The Coal Authority                   | <p>Where past coal mining activity has taken place on or beneath the site proposed for redevelopment the design of the SUDs system should consider the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present. In some cases the effectiveness of the SUDs scheme may be affected by rising water tables relating to the cessation of past mining activity.</p>   | <p>Land stability issues added into the main text (para 124 p 33)</p> |
| Homes England                        | <p>Homes England does not wish to make any representations on the Draft Sustainable Drainage System SPD.</p>   | <p>No response</p>  |
| The Environment Agency (Steve Sayce) | <p>we welcome and are supportive of the creation of the Draft Sustainable urban Drainage Systems Supplementary Planning Document and the role it can play in the management of flood risk.</p>   | <p>No response</p>  |

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| <p>Bellway Homes Ltd (North West Division)</p> | <p>General Comment 1<br/>The SPD is overtly long, repetitive, and difficult to follow. The SPD should be concise, easy to read and clearly set out the requirements, actions and responsibilities for applicants, the Council as lead local flood authority and local planning authority, and statutory consultees.</p> <p>General Comment 2<br/>The SPD should clearly and concisely provide references and links to relevant national policies and guidance, including:</p> <ul style="list-style-type: none"> <li>• NPPF, paragraph 167 – development should only be allocated in areas at risk of flooding where in light of the site-specific flood risk assessment it can be demonstrated that it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;</li> <li>• NPPF, paragraph 169 – sustainable drainage systems should take account of advice from the lead local flood authority, have appropriate proposed minimum standards, have maintenance arrangements in place and where possible provide multi-functional benefits;</li> <li>• Planning Practice Guidance – ‘Flood risk and coastal change’, ‘Reducing the cause and impacts of flooding’ (paragraphs 050, 051, 079, 080, 081, 082, 083, 084, 085 086 and 053).</li> </ul> <p>General Comments 3<br/>The SPD frequently and variably refers to the SuDS Checklists, the SuDS Submission Application &amp; Approval Checklist and the numerous checklists that are provided on the Susdrain website link. It is not clear in the SPD what checklist are being referred to, what checklists should be completed and when, or whether there is intended to be one or numerous checklists for various stages of the planning process.</p> <p>It is also noted that the SuDS Checklist that is intended to be provided at Appendix A of the SPD is missing and if this is to form part of the SPD then interested parties should be given the opportunity to comment on it. It is therefore recommended that for clarify one simple and user-friendly checklist is created and referred to in the SPD, which must be consulted upon before the SPD is adopted.</p> <p>3.7 Discharge and Run-off Considerations (Page 29)<br/>This section of the SPD says that:<br/>“Once the preferred method of discharge has been</p> | <p>Noted, duplication has now been reduced/avoided.</p> <p>Chapter 14 Meeting the Challenge of climate change, flooding and costal change of the NPPF is referenced in the policy section (p 12). This chapter should be considered in the round by users of the guide</p> <p>The sections, ‘Primary purpose’ (p 4) and ‘Who is this Guide for’ (p5) make clear that CEC are the LLFA.</p> <p>The intention is that the CEC SuDS checklist will be the sole checklist required for submission of applications. This is clearly explained at 7.21 Cheshire East SuDS Checklist (p 77).</p> <p>A link to the checklist is provided as a way marker on p 77. There will not be a version in the appendices.</p> <p>There is no indication in the document that SuDS at re-development sites need achieve greenfield run off rates, but the SPD does refer to the potential for</p> |
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|                                | <p>decided, the following details are required to be included as identified on the SuDS Checklist detailed in Appendix A of this guidance:</p> <ul style="list-style-type: none"> <li>• Peak run-off flows calculations and results to demonstrate pre- and post-development run-off rates in relation to greenfield run-off rates. For redevelopment sites, existing brownfield rates will be taken into consideration (See Section 3.8).</li> <li>• Discharge volume calculations and results</li> <li>• Simulation modelling of runoff (major applications)</li> <li>• Flood risk (from surface water, coastal, river and groundwater sources)”</li> </ul> <p>Firstly, it is noted that Appendix A is missing from the SPD. However, if it is the intention is to provide details on a checklist in the appendices of the SPD then this text is unnecessarily repetition and should be removed.</p> <p>Secondly, if the text is to remain in the SPD then the reference to section 3.8 needs to be removed since this is of no relevance as it relates to the quality of surface water run-off, and is confusing.</p> <p>Thirdly, whilst it is made clear in the text that existing brownfield rates will be taken into consideration, it also needs to be made abundantly clear that sustainable drainage systems at redevelopment sites do not need to achieve greenfield run-off rates to be acceptable and appropriate.</p> <p>3.8 Site Challenges for Designing SuDS (Page 30) It needs to be made clear that the text on the right hand side of the page relates to the quality and not quantity of surface water run-off, so that this section is not misinterpreted. It is therefore recommended that an additional heading, for instance ‘Water Quality’, is added.</p> | <p>betterment at section 1.2 ‘Why use SuDS?’ para 14, and at ‘Improved management of brownfield sites’ (p10.)</p> <p>3.8 has been moved to Chapter 5 Key requirements for common components to 5.1 Common site challenges for SuDS design (p 37). That should avoid confusion.</p> |
| Marine Management Organisation | No further comment is required from the MMO regarding this planning policy document, as this local plan is outside the MMO’s remit (beyond the tidal limit and above high water springs).   |  |



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| <p>Sandbach Town Council (Mike Wellings)</p> | <p>Sandbach Town Council welcomes the opportunity to comment on the SuDS SPD.</p> <p>Whilst various examples of SuDS components are provided together with a hierarchical approach to reviewing a site and selecting appropriate drainage solutions, many of the examples in the document relate to major developments or road schemes where linear solutions can be installed [what would have been roadside ditches in the 19th Century]. Some solutions look very like running water in wet gutters at the roadside - not easy to mix with driveways to properties. More acceptable seem to be linear troughs filled with water-based planting, slightly below ground level with reeds and water lilies growing - again need to be sure that cars or pedestrians dont fall into or trip over these features, or gather litter.</p> <ul style="list-style-type: none"> <li>• Developers need to consider open water in some of the SuDS that could be combined with recreation areas to present a low risk of drowning - risk outweighed by benefits to environment and provision of play/learning opportunities for youngsters.</li> <li>• The section on Green roofs needs to be expanded - design considerations do not reference the weight of the green roof or weight when fully wet e.g. 150mm deep roof if on a typical house of say 8x8m would be 10 tonnes when wet and require additional structural support.</li> <li>• Concern that SuDS could attract fly tipping in urban areas, and attract litter where SuDS are roadside solutions.</li> <li>• The document does not appear to address the density of development, the provision of surface-level SuDS will reduce the area of land available for physical construction on a development, or result in very dense building with small private gardens and more shared space incorporating the SuDS - this has implications for households with small children and the availability of safe play/exercise space versus uncontrolled public spaces. This has implications for the efficient use of development land and affordability of the housing once constructed.</li> <li>• Engineered surface water solutions can be accommodated under roads within a development minimizing land required, providing a good compromise between high-density development but still able to provide private amenity space for each dwelling.</li> <li>• On a practical note the document is not easy to read, e.g. pale blue type on medium blue background or black type on dark blue background, very small writing on</li> </ul> | <p>Examples/imagery altered to provide a diverse range of development scale and type, not primarily highways focused.</p> <p>Section 3.7 Incorporate amenity and recreation specifically addresses the issues of permanent water and designing in recreation and play opportunity, whilst balancing risk. (p 26).</p> <p>Further clarity is provided that provision of SuDS will not be to the detriment of an appropriate balance of built and green space on the site. Section 3.7 'Incorporate amenity and recreation' (p 26) and 7.3 'Masterplanning' para 164 (p71)</p> |
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|   | diagrams that are unreadable when printed at A4, and indistinct when zoomed in for the PDF version.  |   |
| Alsager Town Council<br>(Mrs Nicola Clarke)   | Alsager Town Council welcomes the policy to give greater clarity to developers, landowners and communities on the approach the council will take to secure SUDs in new development. The Town Council asks that conditions are made at the planning stage and the council will ensure that conditions are adhered to. | Refer to above planning condition query |
| Goostrey Parish Council<br>(Mrs Sharon Jones) | Goostrey Parish Council has no comments to make on this document.  | No response                             |
| Natural England<br>(Janet Baguley)            | Natural England support the production of a SUDs SPD but we do not have the capacity to respond in detail at this time.  | No response                             |

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| <p>Network Rail (Diane Clarke)</p> | <p>Network Rail has the following comments on the draft SUDS SPD.</p> <p>(1) 3.4 Design considerations There are a variety of SuDS components which may be used independently or as a combination to fit into a SuDS management</p> <p>When designing drainage proposals adjacent to and in close proximity to the existing operational railway – the applicant and council should include consideration of the potential for SUDS to increase the risk of flooding, pollution and soil slippage on the railway and its boundary. Proposals should ensure that no SUDS are included less than 30m from the existing railway boundary and that all surface waters and foul water drainage is removed from site via a closed sealed pipe system.</p> <p>(2)</p> <p>Network Rail would need to agree details of how drainage systems are to maintained throughout the life of a proposal.</p> <p>(3)</p> <p>Swales, attenuation basins and ponds should not be included for proposals adjacent to a railway cutting / railway land to ensure there are no stability issues for railway land.</p> <p>(4)</p> <p>Proposals seeking to direct surface water run off via culverts under the railway / adjacent to railway land would need to be agreed with Network Rail.</p> <p>(5)</p> <p>The HSE identifies railways as a Major Hazard Industry. An earthwork failure within a high-hazard area has the potential to result in a catastrophic accident with multiple fatalities or long-lasting environmental issues. It should be noted that where the actions of an adjacent landowner have caused a landslip on the railway the loss adjusters are likely to advise recovery of Network Rail costs from the 3rd party, which would include costs of remediation and recovery of costs to train operators.</p> <p>Many railway earthworks were constructed in the Victorian period and are susceptible to failure by water saturation. Water saturation leads to an increase in pore water pressure within the earthwork material. Please also note that railways, and former railway land adjacent to it, is considered as contaminated land due to historic use of railways, which can affect the suitability of infiltration drainage.</p> | <p>General section on constraints at 2.2 includes information on site constraints (p 14).</p> |
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| <p>Poynton<br/>Town<br/>Council<br/>(Haf<br/>Barlow)</p> | <p>Whilst the consultation contains many relevant examples of a range of SuDS schemes, local examples of these within the Cheshire East area are limited if not presented at all.</p> <p>Technical</p> <ol style="list-style-type: none"> <li>1. The technical requirements are relatively prescriptive, which whilst being useful to designers, may also cause them to opt for traditional drainage systems if all of the requirements are unable to be met. Given that CEC will not adopt SuDS for developments, is there a need for the technical requirements to differ from CIRIA 753.</li> <li>2. Pavement suspended on geocellular crate system (4.3.7). The structural performance should be a key consideration.</li> <li>3. What storm event does the basin minimum drain down time requirement refer to (4.3.8)? CIRIA 753 prescribes the residence time to ensure adequate sedimentation.</li> <li>4. HA 103/06 has been superseded by CD 532 (4.3.2, 4.3.3, 4.3.4, 4.3.8, 4.3.10).</li> <li>5. HA 103/06 or CD 532 is not relevant to below ground storage structures (4.3.10).</li> <li>6. Retention ponds (4.4) and detention basins (4.3.8) can be either site controls or regional controls.</li> <li>7. Sewers for Adoption 7th Edition has been superseded by Sewerage Sector Guidance, Appendix C, Design and Construction Guidance for Foul and Surface Water Sewers (6.3.3).</li> <li>8. The requirement for no flooding in the 1 in 30 year event should refer to the Non-Statutory Technical Standards for SuDS, not SfA7 (6.4.1).</li> <li>9. Water quality design criteria (6.4.8) prescribes the number of treatment stages. The approach commonly used is the simple index approach (CIRIA 753, 26.7.1).</li> <li>10. It is not a legal requirement for driveways in England to be permeable (4.2.3). Planning permission may be required for non-permeable driveways.</li> <li>11. Guidance on the method to be used for calculation of brownfield runoff rates from existing sites would be useful.</li> </ol> <p>Adoption and Maintenance</p> <ol style="list-style-type: none"> <li>1. There is reference to a number of SuDS features being suitable for use in the public highway (4.3.4 to 4.3.7). However, the document also states that “SuDS are not to be located adjacent to or within the adopted highway, carriageway or footway” (6.3.2), suggesting that CEC Highways will not adopt any SuDS features. Clarification</li> </ol> | <p>Recommendations are noted and alterations have been made to ensure consistency with CIRIA guidance.</p> |
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|   | <p>on what SuDS features may be adoptable under S38 or S278 agreements would be welcomed. Presumably if such features are designed to DMRB and only drain runoff from the public highway, they would be adoptable?</p> <p>2. With the introduction of the Sewerage Sector Guidance, Appendix C, Design and Construction Guidance for Foul and Surface Water Sewers, adoption of SuDS for developments is now possible by the sewerage authority. Further detail on what the relevant sewerage authorities consider adoptable and the relevant technical requirements should be included to ensure no contradiction between the document and sewerage authority adoption requirements.</p> <p>The main concerns of the Town Council are the lack of local examples and the urgency to mitigate the continuing flood risk to Poynton and surrounding areas.</p>   |   |
| <p>Lees<br/>Roxburgh<br/>Ltd (Mr<br/>John Lees)</p> | <p>1. Much of the document appears to have been extracted from the SUDS Manual C753 which begs the fundamental question as to its purpose when the SUDS Manual is available for reference, and indeed the sole point of reference for many LLFAs.</p> <p>Having said that, and noting that the document does indeed refer to the C753, a number of more onerous requirements than those identified in C753 appear to have been introduced (so potential conflicts, also ref. Item 2), i.e.;</p> <ul style="list-style-type: none"> <li>• Maximum slopes to swales and basins has been slackened off to 1 in 4 rather than the 1 in 3 permitted in C753.</li> </ul> <p>This will impact on land take and developable area and will therefore have adverse implications on sites where viabilities have been undertaken and are progressing through the planning process. So, what are the transitional arrangements?</p> <ul style="list-style-type: none"> <li>• With respect to water quality C753 categorises residential development as low (roads and drives) to very low (roof areas) whereas this document (in Section 6, but a subject which surely warrants its own section) now categorises roofs as low and combines residential (does this not include roofs?) with commercial and industrial uses under a medium category. Clearly industrial uses present a potentially higher risk than residential (as reflected in C753).</li> </ul> <p>Why the departure from C753 and what is the rationale for imposing a more onerous requirement on residential?</p> | <p>Alterations have been made for consistency with the SUDS manual.</p> |

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|  | <ul style="list-style-type: none"> <li>• With regard to basins, a requirement for a surface water bypass and draw down requirement has been introduced and not as far as I can see referred to in C753. It seems to me unnecessary, costly and land hungry. Also, who will adopt, and this leads onto my Item 2 below?</li> </ul> <p>2. Meanwhile, United Utilities (UU) have recently presented us with a lengthy checklist for the design of basins and ponds which applies to both adoptable and private features and there appear to be potential conflicts between UU's requirements and those of CEC LPA/LLFA.</p> <p>Appendix A of this draft document is to comprise a checklist which has not been provided. It is clearly essential that the checklist is the same as that prepared by UU. It is more than reasonable to assume that this will be the case given UU have contributed to this document... can this be confirmed? I would hope this checklist in its final form ensures that there are no inconsistencies with C753 and in this regard it will be incumbent upon UU to do so to ensure consistency with the requirement of all the other LLFAs in their operating area. So again begs the question, why not simply use C753?</p> <p>Incidentally, this draft document refers to Sewers for Adoption 7th Edition when for over a year, we have been working to the new Sewerage Sector Guidance (and in fact previously 7th Edition only for pump stations). There is also reference to long since outdated CDM Regs 2007.</p> <p>3. What consultation has been held with CEC's own Highways Section with regard to adoptability? Are they happy to adopt the solutions proposed for draining roads?</p> <p>4. Reference is made to Conceptual Design and Outline Design as two separate stages whereas these are clearly one stage. An assessment needs to be undertaken early on to determine the deliverability of the SUDS solution as a single stage, however one might wish to banner it.</p> <p>In summary, there may be other issues identified from a detailed assessment of the separate requirements of this document, C753 and the Sewerage Sector Guidance but at this early stage my concerns are focussed on the following;</p> <ul style="list-style-type: none"> <li>• Implications on land take of the more onerous requirements within this document</li> </ul> |  |
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|                                 | <ul style="list-style-type: none"> <li>• Transitional arrangements</li> <li>• Lack of consistency between this document, C753, Sewerage Sector Guidance and UU's specific requirements.</li> <li>• Adoptability by United Utilities and CEC Highways</li> <li>• LLFA resources to meaningfully review, agree upon and formally commit to SUDS proposals prior to a planning submission, whether it be outline or detailed.</li> <li>• Ability of the planning system to build upon the opportunity to streamline the planning process.</li> </ul>   |   |
| Ben Wye                         | With climate change flooding we need to do everything we can to avoid flash flooding  | No response   |
| Historic England (Emily Hrycan) | We would encourage you to consider the historic environment in the production of your SPD. We recommend that you seek advice from the local authority conservation officer and from the appropriate archaeological staff. They are best placed to provide information on the historic environment, advise on local historic environment issues and priorities, indicate how heritage assets may be affected and identify opportunities for securing wider benefits through the conservation and enhancement of the historic environment.  | Archaeology issues, particularly in technical guidance e.g. potential for unearthing, have been cited in Section 2.2 Site constraints para 28 (p 14).                         |
| Mr Robert Allen                 | The major cause of flooding in the Crewe Urban Area seems to be generated by poor highway design of Roundabouts and lack of Highway Drain Maintenance.  | No response.  |
| United Utilities (Adam Brennan) | <p>We recommend the following wording is considered as part of 6.8 of the SPD:</p> <p>If the applicant intends to integrate Sustainable Drainage Systems (SuDS) within an adoptable solution, the proposed detailed design will be subject to a technical appraisal by UU. The future applicant will need to ensure that the proposal meets the requirements of Sewerage sector guidance, the standards of which are included within the 'Design and Construction Guidance' (DCG) &amp; The CIRIA SuDS Manual. The detailed design should be prepared with consideration of what is necessary to secure a development to an adoptable standard.</p> | <p>Wording of paragraphs altered for consistency with UU guidance &amp; specification 7.22 Adoption of SuDS (p 77).</p> <p>Link to UU technical guidance provided at p78.</p> |

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|  | <p>Part 6.3.2 R3 – SuDS Design &amp; Submissions - General Requirements.</p> <p>United Utilities would wish to highlight its support of this section but wishes to comment on parts of the policy which we feel should be more consistent with paragraphs 167 of the NPPF.</p> <p>Paragraph 167 of the National Planning Policy Framework (NPPF) outlines that ‘When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment’.</p> <p>Noting that not all applications are required to submit a flood risk assessment, United Utilities wishes to outline that this section should set an expectation that all applications will be required to submit clear evidence that the hierarchy for surface water management has been fully investigated to ensure that flood risk is not increased elsewhere. We request that wording is elaborated on in the third paragraph of 6.3.2 so future applicants investigate the surface water hierarchy to minimise the risk of flooding and ensures that future development sites are drained in the most sustainable way.</p> <p>We wish to recommend the following wording as a replacement to the third paragraph in 6.3.2:<br/>Surface water should be discharged in the following order of priority:</p> <ol style="list-style-type: none"> <li>1. An adequate soakaway or some other form of infiltration system.</li> <li>2. An attenuated discharge to a surface water body.</li> <li>3. An attenuated discharge to public surface water sewer, highway drain or another drainage system.</li> <li>4. An attenuated discharge to public combined sewer.</li> </ol> <p>Applicants wishing to discharge surface water to public sewer will need to submit clear evidence demonstrating why alternative options are not available as part of the determination of their application.</p> <p>The expectation from United Utilities will be for future planning applications to demonstrate how the new development is drained in the most sustainable way, by the surface water hierarchy and providing evidence when a more preferable option is discounted. There is an</p> |  |
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|  | <p>opportunity to directly reference the surface water hierarchy within the SPD.</p> <p>The aims of the SuDS SPD can only be achieved if there is a section of the document that strongly references the need to follow the hierarchy, as this is fundamental to ensuring the sustainable management of surface water. We note the inclusion of the hierarchy on page 29 of the draft document. This however, should be directly referenced and further on as above in part 6.3.2.</p> <p>Brownfield expectations</p> <p>We recommend the following wording is included as part of 'Brownfield Sites' on Page 38:</p> <p>On previously-developed land, applicants will be expected to follow the surface water hierarchy. Thereafter, any proposal based on a proposed reduction in surface water discharge from a previously-developed site should be in accordance with the non-statutory technical standards for sustainable drainage produced by DEFRA (or any replacement national standards) which target a reduction to greenfield run-off rate. Thereafter a minimum reduction will be required of 30% on previously developed sites and 50% on previously developed sites in any critical drainage area identified through the SFRA. In order to demonstrate any reduction in the rate of surface water discharge, applicants should include clear evidence of existing operational connections from the site with associated calculations on rates of discharge.</p> <p>6.3.3 – Document reference</p> <p>As highlighted in our email in June, 'Sewers for adoption' has now been superseded by the 'design and construction guidance' (DCG) as part of the sewerage adoption code implementation. We recommend the use of referencing is reviewed throughout the document and we are happy to discuss this further.</p> |  |
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