

CONSULTATION RESPONSE



'Delivering Sustainable Drainage Systems' Submission to DEFRA

October 2014

The Home Builders Federation (HBF) is the principal trade body for private sector home builders in England and Wales. Our members build about 80% of the new homes constructed each year and comprise businesses ranging from national, through regional to more locally-based companies.

HBF welcome the opportunity to respond to DEFRA's consultation on 'Delivering Sustainable Drainage Systems'.

The consultation takes us closer to how we believe the effective management and control of surface water should be dealt with in a consistent manner.

HBF have looked at what a simple methodology might look like and it really is as simple as set out below.

1) Hierarchy of design runoff procedure priority list.

This is as outlined in your draft national standards. Our concern here when working down the list is the statement '*where not reasonably practical*'. This is open to different interpretations.

2) A single set of National Design Standards

You mention within the consultation that, '*Draft sustainable drainage systems National Standards will be supported by partner-lead guidance maintained as a stand alone document.*' You go on to say that '*it is entirely open to other organisations to publish other independent guidance*'.

This does not appear to be in line with the philosophy of the government's Red Tape Challenge. What is needed is a single stand alone document. This will provide not only consistency, but it will also avoid drawn out discussions as to what standard should be used when seeking approval for a scheme thus not delaying the production of new homes.

There is at present 3 sets of guidance available. They are Defra's draft guidance, CIRIA's SUDs manual and BS8582:2013, which all offer variances which all carry cost variations.

If the National Standards are to be enshrined in updated planning guidance then it is essential that we have unified technical guidance in place that can be consistently applied.

Without such a single national standard reference base there will be a significant conflict leading to delay and additional cost which in turn will have an adverse effect on project viability which will affect the delivery of new homes.

Local Authorities, or whoever gives the Local Authority expert advice, should not be allowed to impose their own additional design requirements on top of the national standards.

3) Process

This is as you have outlined within your consultation. The process needs to take place within the planning timeline. The earliest this could start is at the pre-application stage and should be completed before the granting of planning permission.

4) Adoption leading to maintenance.

If house builders look at using one of DEFRA's approved/agreed bodies/organisations for the adoption and maintenance it would be fair to expect an automatic approval for the SuDs adoption proposal providing the agreed standards have been followed.

This approved body/organisation would not want to adopt and maintain the scheme if they were not happy that it complied with the relevant standard.

There is still the unanswered question of third party rights of access which needs to be overcome. This has been an ongoing concern of the HBF for some considerable time now. As it stands our belief is that it is only the WaSC's who have this third party rights of access, and then only under restricted circumstances. The industry must have a situation in which a WaSC, or some other body has the right of requisition whenever third party access is required.

In your consultation 3.6 you mention commuted sums being a potential funding path. The industry already pays significant commuted sums, either to the Local Planning Authority and/or the Highway Authority. This remains a serious concern to HBF members and should be avoided.

Answers to Consultation Questions

Q1. Do you agree that the proposed revisions to planning policy would deliver sustainable drainage which will be maintained? If not, Why?

This should be the case. However the final policy needs to be clear, concise, viable, and proportionate to deliver the consistency required.

The consistency should come from the simple methodology approach set out below, all as described in our introduction above.

Hierarchy of design runoff procedure priority list.

A single set of National Design Standards

Process

Adoption leading to maintenance.

Q2. How should the Local Planning Authority obtain expert advice on sustainable drainage systems and their maintenance? What are the costs/benefits of different approaches?

HBF believes that best placed expert advice should come from any sewerage company. However, if the house builder were to use one of DEFRA's approved/agreed bodies/organisations for the adoption and maintenance, then the Local Planning Authority should not need expert advice as the scheme should be automatically approved providing the house builder has followed the agreed standards.

Q3. What are the impacts of different approaches for Local Planning Authorities to secure expert advice within the timescales set for determining planning applications?

There is an impact in delays etc.; which will come from having the potential diversity of expert advice.

Many major house builders and SMEs retain experienced consultants to evaluate flood risk. Similarly, as an extension of the SFRA and FRA, they are briefed to crystallise design and construction proposals that effectively deal with flood risk. It is not unreasonable to expect a reciprocal level of experience and knowledge to be in place within the local authority approval structure.

As previously mentioned a house builder using one of DEFRA's approved/agreed bodies/organisations for the adoption and maintenance should get an automatic approval providing they have followed the agreed standards.

This approved body/organisation would not want to adopt and maintain the scheme if they were not happy that it complied with the relevant standard.

This will save the local planning authority time. Of course if a non-approved body is to be used then the local planning authority would need to seek the appropriate advice but this should take place within the planning timeframe so as not to cause delays.

Q4. Do you agree that minor size developments be exempt from the proposed revision to the planning policy and guidance? Do you think thresholds should be higher?

No we do not agree that minor size developments be exempt. They should all be subject to a FRA and have to follow the hierarchy set out in the consultation document. However it is essential to make sure that the cost to smaller developments are proportionate in relation to larger developments.

Q5. What other maintenance options could be viable? Do you have examples of their use?

What is set out in your consultation document is adequate.

Q6. What evidence do you have of expected maintenance costs?

We have had figures mentioned by our members of around £100 per plot. In any case any figures should not be higher than that of a conventional system.

Q7. Do you expect the approach proposed to avoid increases in maintenance costs for house builders and developers? Would additional measures be justified to meet this aim or improve transparency of costs for households?

As long as house builders are not responsible for maintenance costs there should not be any additional costs.

It would be good and we have always believed it possible for householders to see a reduction in their water bills. Indeed as you mention in 3.16 of the consultation document *'all the available evidence is that sustainable drainage systems are generally cheaper to build; and maintaining them will be cheaper (or need be no more expensive) than the same cost as is required to maintain conventional drainage at present.'*

It would be proper to have a transparent way of reassuring the consumer that their bills would not be increased as a result of these measures.

Should DEFRA require clarification on any of the issues raised in the above response HBF would be than happy to discuss further.