Appendix 11.2 Description Summary

Planning Policy Documents Summary

**National Planning Policy Framework (NPPF) and Planning Practice Guidance Document (PPG)**

The NPPF set out the government’s planning policies for England and how they are expected to be applied. This was published in February 2019 by the Ministry of Housing, communities and Local Government. Section 14 of the NPPF ‘Meeting the challenge of climate change, flooding and coastal change’, and the supporting PPG (published in March 2014), section ‘Flood Risk and Coastal Change’ and updated in February 2016 are relevant to this ES Chapter.

The NPPG aims are to ensure flood risk is considered at all stages in the planning process to avoid inappropriate development in areas at risk of flooding and to direct development away from areas of highest risk. In exceptional circumstances where new development is necessary in flood risk areas the policy also aims to ensure it is safe, without increasing flood risk elsewhere and where possible reducing flood risk overall.

**South Cambridgeshire Local Development Framework (LDF)**

**Core Strategy DPD (Adopted 2007)**

Strategic Objective ST/g “to ensure development addresses sustainability issues, including climate change mitigation and adaptation issues, maximising recycling and reuse of resources, and reduce waste and pollution”.

Flood Protection is a Core Output Indicator that all local authorities must monitor and is listed in the Good Practice Guide.

**Development Control Policies DPD (Adopted July 2007)**

Policy DP/1 ‘Sustainable Development’ states that development must be consistent with the principles of sustainable development and should minimise flood risk. Additionally, “Planning permission will not be granted where the Proposed Development would have an unacceptable adverse impact on flooding and flood risk”.

Policy DP/4 ‘Infrastructure and New Developments’ “planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms”. Contributions may be required towards drainage and flood prevention works.
Objective NE/a “to address climate change mitigation and adaptation issues including the need to ensure that new developments are climate proofed”. This includes minimising the risk of flooding.

Policy NE/8 ‘Groundwater’ “development will not be permitted which poses an unacceptable risk to the quality of the underlying groundwater from the chalk aquifer to the south and east of Cambridge”.

Policy NE/9 ‘Water and Drainage Infrastructure’ “planning permission will not be granted where there is inadequate water supply, sewerage or land drainage systems (including water sources, water and sewage treatment works) available to meet the demands of the development unless there is an agreed phasing agreement between the developer and the relevant service provider to ensure the provision of the necessary infrastructure”.

Policy NE/10 ‘Foul Drainage – Alternative Drainage Systems’ “the drainage of roads, including adoptable highways and private roads and hard surface areas used by vehicles will be required to be connected to trapped gullies and petrol / oil interceptors or suitable other methods of pollution control”.

Policy NE/11 ‘Flood Risk’ refers to the now outdated PPS25: Development and Flood Risk Practice Guide, which was the current guidance when the Development Control Policies were adopted in 2007. The NPPF replaced PPS25 in 2012.

The Proposals Map within the Development Control Policies document shows flood zones produced by the EA in 2005. As this mapping was produced over 10 years ago, it is very likely that the EA have updated or refined the flood zone extents since then and current mapping should be used to determine flood risk for the Application Site and surrounding area.

The Development Control Policy document confirms that it is preferable to manage surface water runoff through the use of SuDS.

Cambridge East Area Action Plan (prepared jointly with Cambridge City Council) (Adopted February 2008)

Policy D11 ‘An Integrated Water Strategy’ – D11/a “To ensure that the development would not be at risk of flooding either from itself or surrounding watercourses, for up to the 1 in 100 year event including the forecast effects of climate change”.

Policy D11 ‘An Integrated Water Strategy’ – D11/b “Not to increase the flood risk to surrounding properties and communities".
Policy D11 ‘An Integrated Water Strategy’ – D11/c “To maintain where possible, practicable and sustainable the natural catchment areas”.

Policy D11 ‘An Integrated Water Strategy’ – D11/d “To ensure that landforms and engineering works in any drainage scheme do not compromise the character of the surrounding area by considering the landscape options available for the site”.

Policy D11 ‘An Integrated Water Strategy’ – D11/e “To suggest an appropriate foul water drainage system disposal method for the site”.

Policy D11 ‘An Integrated Water Strategy’ – D11/f “To develop appropriate strategies for the management and maintenance of all water bodies and watercourses”.

Policy D11 ‘An Integrated Water Strategy’ – D11/h “To incorporate the principles of sustainable drainage systems within the development”.

Policy D11.6 “The development will require the preparation of a flood risk assessment on a strategic scale for the development as a whole. This will address any potential flood risk, and will identify the types of SuDS drainage facilities proposed and options for future adoption and maintenance arrangements”.

Policy D11.8 “The foul water produced at the site will be directed to Cambridge Sewage Treatment Works (STW) at Milton to take advantage of consolidating existing facilities. Anglian Water is currently considering relocating the STW in connection with potential redevelopment at Cambridge Northern Fringe East. If relocated, it is still anticipated that the foul water from Cambridge East will be directed to the new STW”.

**South Cambridgeshire Local Plan (2018)**

The South Cambridgeshire Local Plan sets out the planning policies and land allocations to guide the future development of the district up to 2031. It includes policies wide range of topics such as housing, employment, services, facilities and the natural environment.

Land north of Cherry Hinton, is allocated in Policy SS/3 ‘Cambridge East’ within the Local Plan, Chapter 3 Strategic Sites.

Policy CC/1 ‘Mitigation and Adaptation to Climate Change’ “planning permission will only be granted for proposals that demonstrate and embed the principles of climate change mitigation and adaptation into the development. Applicants must submit a Sustainability Statement to demonstrate how these principles have been embedded into the development proposal”.
Climate change adaptation also includes using water more efficiently and controlling high levels of rainwater runoff.

**Policy CC/4 Water Efficiency:** All new developments must achieve as a minimum water efficiency equivalent to 100 litres per person per day. Proposals for non-residential development must be accompanied by a water conservation strategy, which demonstrates a minimum water efficiency standard equivalent to the BREEAM standard for 2 credits for water use levels unless demonstrated not practicable.

**Policy CC/7 Water Quality:** In order to protect and enhance water quality, all development proposals must demonstrate that they comply to the requirements listed within this policy, including adequate water supply, sewerage and land drainage systems. The quality of ground, surface and water bodies will not be harmed and appropriate consideration is given to sources of pollution and by incorporating appropriate SuDS measures.

**Policy CC/8 SuDS.** Requires development proposals to incorporate sustainable surface water drainage systems (SuDS) appropriate to the nature of the site. The policy lists what developments are required to demonstrate with regards to SuDS and enforces the need that they should be considered from the beginning of the design and master-planning process.

**Policy CC/9 Managing Flood Risk:** is for development proposals to ensure they demonstrate that flood risk from all sources has been avoided or managed in accordance with the requirements of the National Planning Policy and the Local Plan.

**Cambridge City Council Local Plan (2018)**

The Cambridge Local Plan forms part of the development plan for Cambridge. It sets out the vision, policies and proposals for the future development and land use in Cambridge to 2031. It is the main consideration in the determination of planning applications.

**Policy 28 Carbon reduction, community energy networks, sustainable design and construction and water use:** In order to ensure that the growth in Cambridge supports the achievements of carbon reduction targets and does not exacerbate Cambridge’s severe water stress, all new development will be required to meet the minimum standards of sustainable construction, carbon reduction and water efficiency listed within the associated policy text of the Local Plan, unless it can be demonstrated that such provision is not technically or economically viable, with a target of water consumption set to 110 litres/person/day for new homes and full credits to be achieved for category Wat 01 of BREEAM for non-residential development.
Policy 31 Integrated water management and the water cycle: Outlines the surface water management practices, such as SuDS, required for new development within Cambridge and reinforces the Water Framework Directive (WFD) and Climate Change resilience within surface water drainage design.

Policy 32 Flood Risk: Outlines the mitigation measures required to prevent the increase of flood risk and design requirements for new developments on both undeveloped and previously developed sites.

Policy 33 Contaminated Land: Development will be permitted where an applicant can demonstrate several factors associated with contaminated land criteria, including the risks to groundwater and controlled waters.

Cambridgeshire Surface Water Management Plan (2011)

In 2011, Cambridgeshire County Council (CCC) published a Surface Water Management Plan (SWMP) to provide a high level review of areas at significant risk of flooding within the county, called ‘wet spots’. The SWMP collates information on historic flood records and potential future floods. A detailed assessment of flood risk areas in Cambridge and Milton has also been undertaken in partnership with Cambridge City Council.

Cambridgeshire County Council Surface Water Drainage Guidance for Developers (2018)

CCC has produced a Surface Water Guidance document outlining the standard design specification parameters for proposed surface water drainage strategies at outline and full application stages.

Cambridge and South Cambridgeshire Level 1 Strategic Flood Risk Assessment (2010)

In 2010, Cambridge City Council and South Cambridgeshire District Council (SCDC) published a Level 1 Strategic Flood Risk Assessment (SFRA). The purpose of the SFRA is to assess and map all forms of flood risk, including that from groundwater, surface water, sewer and rivers. It also accounts for potential impacts of climate change. This SFRA is used to inform the location of future development within the District.

Preliminary Flood Risk Assessment (PFRA) (2011)

The PFRA was produced for CCC to fulfil its statutory requirements under the Flood Risk Regulations, which implement the requirements of the European Floods Directive. PFRAs
provide evidence to help Lead Local Flood Authorities manage local flood risk through their local flood risk management strategies.

**Sustainable Design and Construction Supplementary Planning Document (2007)**
Cambridge City Council produced this document to provide guidance on the policies within the Cambridge Local Plan that relate to SuDS.

**Cambridgeshire Flood and Water Supplementary Planning Document (SPD) (2016)**
Cambridgeshire County Council in conjunction with South Cambridgeshire District Council and the four other local planning authorities in Cambridgeshire produced this document to ensure that Cambridgeshire has a consistent, locally appropriate approach to flood risk and water management. The SPD was re-adopted by South Cambridge District Council in November 2018 and by Cambridge City Council in December 2018. This followed the adoption of the Cambridge and South Cambridge Local Plans.

**Land North of Cherry Hinton Supplementary Planning Document (2018)**
Cambridge City Council and South Cambridgeshire District Council as Local Planning Authorities produced the Land North of Cherry Hinton SPD in partnership with local stakeholders. Following the adoption of the Cambridge Local Plan and South Cambridge Local Plan in 2018, the Land North of Cherry Hinton SPD was adopted by South Cambridgeshire and Cambridge City Councils in November and December 2018 respectively.

Flood Risk, surface water and foul water drainage is addressed within the SPD, with a commitment for appropriate sustainable drainage features to be incorporated within the development proposals, flood compensation to be provided and foul drainage to be adequately accommodated, all in accordance with stakeholder’s requirements.

**Legislative Context Summary**

**Water Framework Directive**
The Water Framework Directive (WFD) (Commission of the European Communities, 2000) established a framework for a European wide approach to action in the field of water policy. Its aim is to ensure all inland and near shore watercourses and water bodies (including groundwater) are of ‘Good’ status or better, in terms of ecology, and also chemical, biological and physical parameters, with the first management cycle ending in 2015 and the second cycle due to end by the year 2021. Therefore, any activities or developments that could cause detriment to a nearby water resource, or prevent the future ability of a water
resource to reach its potential status, must be mitigated so as to reduce the potential for harm and allow the aims of the Directive to be realised.

Classifications for various water bodies are included as part of the River Basin Management Plan (RBMP) for the Anglian River Basin District. The original plans were published in 2009. The RBMP sets out a Programme of Measures (POM) which need to be undertaken in order for each water body to maintain or reach ‘good’ status. The 2009 plans set out measures to achieve by 2015, the updated RBMP sets out measures to achieve by 2027. The plan also sets out the various standards that each water body has to meet in order to be classified as having good status.

**Groundwater Daughter Directive**


The WFD and the new Groundwater Daughter Directive make changes to how groundwater can be protected. These changes provide a new regulatory setting for the protection of groundwater. However, the new or amended regulations are no less protective than those already in place (under the 1980 Groundwater Directive 80/68/EC). The existing principle of preventing or limiting the inputs of list 1 or list 2 substances respectively into groundwater under the original Groundwater Regulations 1998 remains, but has been expanded to encompass all pollutants (any substance liable to cause pollution). For example, nitrate is included as a pollutant.

**Water Resources Act (1991)**

The Water Resources Act 1991 (HSMO, 1991a) in particular Section 92(1)(a) stipulates that the Secretary of State may make provisions “for prohibiting a person from having custody or control of poisonous, noxious or polluting matter unless prescribed works and precautions and other steps have been carried out or taken for the purpose of preventing or controlling the entry of the matter into any controlled waters”. This has implications for the Proposed Development in that all potential pollution sources of controlled waters must be mitigated.

**Land Drainage Act (1991)**

The Land Drainage Act consolidates various enactments relating to Internal Drainage Boards and the functions of these Boards and local authorities in relation to land drainage. Amongst other matters, the Act sets out provisions and powers in respect of the control of flow of watercourse and watercourse restoration/improvement works.
**Water Act (2014)**


**Flood and Water Management Act (2010)**

The Flood and Water Management Act 2010 implements several key recommendations of Sir Michael Pitt’s Review of the summer 2007 floods, protect water supplies to consumers and protect community groups from excessive charges for surface water drainage. It gives the EA a strategic overview role for flood risk, and gives local authorities (known as Lead Local Flood Authorities) responsibility for preparing and putting in place strategies for managing flood risk from groundwater, surface water and ordinary watercourses in their areas.

**Pollution Prevention and Control Act (1999)**

The Pollution Prevention and Control Act 1999 was enacted to meet the requirements of the European Council Directive 96/61/EC on Integrated Pollution Prevention and Control (IPPC Directive). It requires industrial installations to be regulated by pollution control systems that prevent or minimise release of polluting substances to the air, water or land. It requires conditions to be set to achieve a high level of environmental protection as a whole.

**Environment Act (1995)**

The Environment Act 1995 led to the establishment of the Environment Agency (EA) in England and Wales and the Scottish Environment Protection Agency (SEPA) in Scotland. Since the act was enforced the EA in Wales has become Natural Resources Wales (NRW). The primary aim of these organisation is to make provisions with regards to pollution control, conservation of natural resources and the conservation and enhancement of the environment.

**Environment Protection Act (1990)**

The aim of the Environment Protection Act (amended 1995) defines the fundamental structure and authority for waste management and control of emissions into the environment. It defines waste, outlines the roles and functions of the waste collection
authorities, the disposal authorities and the Environment Agency. It also establishes the
criminal offences in relation to waste, lays down the waste management licensing system,
and establishes the statutory duty of care in relation to waste.

**UK Water Quality (Water Supply) Regulations 2000**

The Water Supply (Water Quality) Regulations 2000 set out the standards that water
companies must meet to ensure our drinking water is clean and “wholesome”. These
regulations were amended by the Water Supply (Water Quality) (Amendment) Regulations
2016 in April 2016.