

Committee on Climate Change  
7 Holbein Place  
London SW1W 8NR

The Rt. Hon Elizabeth Truss MP  
Secretary of State  
Department for Environment, Food and Rural Affairs  
Nobel House  
17 Smith Square  
London SW1P 3JR

17<sup>th</sup> February 2015

Dear Liz

**Re: Sustainable Drainage Systems**

Thank you for your letter of the 18<sup>th</sup> December 2014 explaining why you have decided to proceed with the proposed changes to the planning system to increase the use of sustainable drainage systems (SuDS). I was pleased to read in the summary of consultation responses that we share the same goal of addressing the barriers to the deployment of SuDS identified by the Pitt Review. My committee remains of the view that the proposed approach does not address these barriers and therefore will fail to deliver the increase in SuDS desired. I note the majority (71%) of respondents to the public consultation shared these doubts.

I welcome your commitment to make progress in this area and therefore offer three suggestions to improve the chances of the new approach being successful.

**Withdraw the automatic right to connect new development to public sewers**

Developers retain the automatic right to connect new homes to sewers regardless of their capacity, six years after the Pitt Review recommended it be removed. Whilst this right remains developers are likely to want to exercise it. Removing the right, or making it qualified or conditional, will be important to tip the balance in favour of more sustainable approaches. There was no reference to this issue in your department's consultation or in your letter.

**Make LLFAs and water companies statutory consultees**

My committee supports in principle the proposal that Lead Local Flood Authorities become statutory consultees on new development in relation to surface water management. This should provide planning officers with the technical advice they need to properly scrutinise

applications from a surface water perspective, assuming LLFAs will be appropriately funded for this role. However, it is arguably as important to ensure that water and waste water companies are consulted on applications where surface water may be an issue. We understand that your preference here is to amend planning guidance to recommend that the local planning authority invite water companies to comment. Subject to the costs and benefits there may be a case to strengthen this, so that water and wastewater companies have a duty to consider the drainage implications of new development.

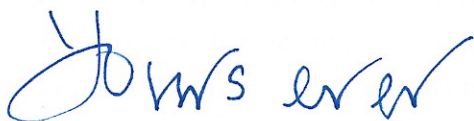
**Collect the data needed to monitor and evaluate the policy**

At present there is no ongoing monitoring of the uptake of SuDS in new development. This will make it difficult to test whether your proposal is having the desired impact. Alongside introducing the new regime in April you should set out how the uptake of SuDS will be assessed and what additional steps would be taken if deployment remains low. This should include monitoring the uptake, and types, of SuDS being incorporated into both major and minor developments. It will also be important to monitor the effectiveness of SuDS in managing run-off and to assess the proportion of surface water which is being managed through these schemes. This would allow you to reconsider your decision to exempt minor development, should the evidence suggest it necessary.

Without these steps there is a risk that an ineffectual policy is introduced without the ability to detect its impact, nor sufficient evidence to justify a stronger intervention should it be required. I note again that the consultation was not accompanied by an Impact Assessment. These are important both to understand the intended scale of benefits, as well as the costs, and the alternative options should the proposed approach fall short.

As you are aware, my committee is due to report to Parliament in June with its assessment of the National Adaptation Programme. The progress being made with managing vulnerability to surface water flooding will be one of the key areas we will focus on. I would be grateful for the opportunity to discuss these suggestions as part of preparing for this, our first statutory report.

I am copying this letter to the Secretary of State for Communities and Local Government.



**PROFESSOR LORD KREBS Kt FRS**  
Chairman, Adaptation Sub-Committee