

## Report of the Portfolio Holder for Economic Development and Asset Management

### Major Development Drainage

#### 1. Purpose of Report

To make Cabinet aware of the approach the Planning Department will take to address and mitigate issues of on-site drainage of major developments, during the construction phase. This is following a few recent incidents of off-site flooding during the construction of recent housing developments.

#### 2. Recommendation

**Cabinet is asked to NOTE the approach taken by the Council to include a relevant planning condition to cover issues of site drainage, during the construction phase in addition to the inclusion of a relevant policy in the forthcoming Broxtowe Local Plan.**

#### 3. Detail

Due to the increased rainfall over the winter months and a lack of suitable drainage during the construction phase of developments, the construction of housing sites in both the north and south of the Borough have caused issues of off-site flooding. This has caused local disruption to pathways, gardens, roads and, in some more severe cases, damage to homes and property.

Historically, major housing developments have usually been coupled with appropriate planning conditions to cover issues of drainage, but usually with the caveat of 'before the houses are occupied or completed' or such similar wording. Consequently, the issues of flooding are assessed and mitigated, but not until the point at which houses are finished or due to be occupied. As such, there is limited protection for off-site flooding during the construction phase. This usually has not created an issue but due to the recent wetter winters and the impact of climate change, this scenario no longer seems to be sufficient. To that end, for all major housing schemes moving forward the Planning Department will include a suitable drainage condition to address this issue, during the construction phase of development. This should help prevent issues of off-site flooding in the future.

#### Future Policy

The Council will shortly be commencing work on a new Broxtowe Local Plan. As part of a new flooding and drainage policy, specific requirements can be included to require developers to ensure that adequate drainage measures are implemented during the initial site clearance and construction phases to prevent increasing flood risk to neighbouring properties. This would include temporary measures prior to the permanent drainage infrastructure being constructed. This will therefore ensure that this issue is addressed, in formal planning policy, in due course.

4. Key Decision

Not applicable.

5. Updates from Scrutiny

Not applicable.

6. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

There are no additional financial implications for the Council at this stage with any costs being contained within existing Planning Policy budgets. Any significant budget implications in the future, over and above virement limits, would require approval by Cabinet.

7. Legal Implications

The comments from the Head of Legal Services were as follows:

Planning conditions will be considered and written following the usual planning guidelines and in line with six tests as outlined within the National Planning Policy Guidance. The planning policies, and adoption thereof, will go through the usual statutory procedures at the relevant time.

8. Human Resources Implications

Not applicable.

9. Union Comments

Not applicable.

10. Climate Change Implications

There are not considered to be any significant climate change implications.

11. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

12. Equality Impact Assessment

Not applicable.

13. Background Papers

Nil.