

Subject: Flooding control

Date: Monday, 22 September 2014 17:45:08 British Summer Time

From: Michael Bach

To: Chris Banks

CC: Jonathan Bore, Jonathan Wade, Amanda Frame

REF 207/12

Dear Chris,

Please bring to the Inspector's attention that BREEAM Domestic Refurbishment credits cover the issue surface water run off.

Michael Bach

BREEAM Domestic Refurbishment 2012

POL 02 Surface Water Runoff

It is required under the first credit of POL 02 that any new hardstanding areas are required to be permeable to produce a neutral impact (no change) on surface water runoff and:

'that any previously permeable surfaces, or an impermeable surface that drains onto a permeable surface (e.g. paving slabs set on concrete that drain onto soft landscape areas) the additional runoff for rainfall depths up to 5mm caused by the area of the extension must be managed on site using Sustainable Drainage Solutions (SUDS) such as soakaways.'

For the second credit the site will need to comply with:

'All runoff from the roof for rainfall depths up to 5mm, have been managed in site using source control methods (e.g. through infiltration, soakaways etc.). This should include runoff from all existing and new parts of the roof.'

The final third credit is in relation to runoff rates and volumes. BREEAM states that:

- a) The peak rate of run-off as a result of the refurbishment for the 1 in 100 year event has been reduced by 75% from the existing site.*
- b) The total volume of run-off discharged into the watercourses and sewers as a result of the refurbishment, for a 1 in 100 year event of 6 hour duration has been reduced by 75%.*
- c) An allowance for climate change must be included for all the above calculations in accordance with the best practises.*

Subject: Examination of RBKC Local Plan: Basements

Date: Monday, 22 September 2014 17:31:19 British Summer Time

From: Michael Bach

To: Chris Banks

CC: Amanda Frame, Jonathan Bore, Jonathan Wade, Preeti.GulatiTyagi@rbkc.gov.uk, Robert Krzyszowski

REP/207/13

Dear Chris,

The Kensington Society would like to raise a new issue – an omission – with regard to basements that provide living accommodation: means of escape whether in the event of flooding or fire. Both Hammersmith and Fulham have policies about basements in areas at risk from both fluvial flooding and surface water flooding.

At present the Kensington and Chelsea policy does not deal with risk to life and means of escape.

Michael Bach

The **LB of Hammersmith and Fulham Policy DM A8** – which we have referred to in our answer to your question 17 - specifically deals with risk from flooding:

“Where there is a medium to high risk of fluvial flooding and no satisfactory means of escape can be provided, new self-contained basement flats will not be permitted.”

The **LB of Camden Policy**

DP22: Promoting sustainable design and construction

The Council will require development to be resilient to climate change by ensuring schemes include appropriate climate change adaptation measures, such as:

j) not locating vulnerable uses in basements in flood-prone areas.

In certain circumstances the use of basements may be restricted to non-habitable uses.

Map 2 and policy CS13 identify areas of the borough that have been affected by sewer or surface water flooding in the past as well as areas identified as being at risk of surface water flooding.

Policy DP27: Basements and Lightwells

We have quoted the complete policy below and have highlighted not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding.

DP27 – Basements and lightwells

In determining proposals for basement and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. We will require developers to demonstrate by methodologies appropriate to the site that schemes.

- a) maintain the structural stability of the building and neighbouring properties;
- b) avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- c) avoid cumulative impacts upon structural stability or the water environment in the local area;

and we will consider whether schemes:

- d) harm the amenity of neighbours;

- e) lead to the loss of open space or trees of townscape or amenity value;
- f) provide satisfactory landscaping, including adequate soil depth;
- g) harm the appearance or setting of the property or the established character of the surrounding area; and
- h) protect important archaeological remains.

The Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding.

In determining applications for lightwells, the Council will consider whether:

- i) the architectural character of the building is protected;
- j) the character and appearance of the surrounding area is harmed; and
- k) the development results in the loss of more than 50% of the front garden or amenity area.

REP/207/14

Subject: Planning Portal - Planning system to promote SuDS
Date: Monday, 22 September 2014 14:33:52 British Summer Time
From: Michael Bach
To: Chris Banks
CC: Amanda Frame, Jonathan Bore, Jonathan Wade, patricia.cuervo@rbkc.gov.uk, Preeti.GulatiTyagi@rbkc.gov.uk, Robert Krzyszowski
BCC: Chris Turner

Dear Chris,

Please bring this to the Inspector's attention. The policies for basements need to be "enabling" to catch forthcoming increased emphasis on SuDS.

Michael Bach
Kensington Society

http://www.planningportal.gov.uk/general/news/stories/2014/september14/180914/180914_3
[News and blog](#) [News and Blog](#) [2014](#) [September 2014](#) [18 September 2014](#)
Planning system to promote SuDS

Planning system to promote SuDS

Moves to strengthen planning policy on so-called sustainable urban drainage systems (SuDS) has been announced by the Government, which has decided the planning system will be the best vehicle for ensuring these measures to reduce flood-risk are implemented and maintained.

SuDS are designed to manage excess rainwater where it falls rather than the traditional approach of channeling it through drains. Examples include ponds, reed beds, drainage channels and porous driveways.

Following the Pitt Review into the 2007 floods, ministers agreed that SuDS should become compulsory on all new developments from April 2014, as mandated by the Flood and Water Management Act.

Under this plan, the adoption and maintenance of SuDS would have transferred to so-called SuDS Approval Bodies (SABs) that would be established by local authorities. However, this move was delayed to allow councils more time to set up SABs.

Now a joint consultation from the Department for Communities and Local Government and the Department for Environment, Food & Rural Affairs has proposed a different approach, designed to overcome the problems and complications identified by councils and the development industry of having a separate consenting regime - and involving a different part of the local authority - for SuDS.

The consultation document stressed: "The system proposed by Government builds on the existing planning system, which developers and local authorities are already using. Policy changes to the planning system can also be introduced relatively quickly ensuring that sustainable drainage systems flood risk benefits can be brought forward as soon as possible."

Under this approach a requirement that SuDS are provided in new development would only apply to schemes of 10 homes or more.

The document said that making SuDS a planning matter "would give scope for decision-makers to give increased weight to the provision and maintenance of SuDS for the management of run-off, alongside other material considerations during the determination of a planning application".

It added: "Planning applications that fail to meet a policy requirement to normally deliver SuDS first over conventional drainage could be rejected."

The document has proposed that planning conditions should require a maintenance regime for SuDS. The document pointed out that the Maintenance Companies often set-up managed public spaces on new development could extend their remit to cover SuDS.

Alternatively, water and sewerage companies could be responsible, with the costs recovered through water charges.

DCLG and Defra have argued that a "suite of viable maintenance options will need to be available to developers to ensure that at least one option is open to them in every case to enable them to satisfy a planning condition".

The Government hopes to have the changes in place in national planning policy by spring 2015.

https://consult.defra.gov.uk/water/delivering-sustainable-drainage-systems/supporting_documents/20140912%20SuDS%20consult%20doc%20finalfinal.pdf

Subject: Basements Flood Risk

Date: Tuesday, 23 September 2014 09:21:55 British Summer Time

From: Michael Bach

REP/207/15

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/311514/LIT_9955.pdf

Environment Agency Advice: Householder and other extensions in Flood Zones 2 and 3: April 2012

Subterranean/basement extensions

Due to the risk of rapid inundation by floodwater basements should be avoided in areas at risk of flooding. The LPA may hold additional guidance for basement extensions.

Self-contained basement dwellings are 'highly vulnerable' development and should not be permitted in Flood Zone 3. We are opposed to these developments.