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Local Development Plan Review Report Comments Form

Comments are encouraged via the Council's website <http://conwy.jdi-consult.net/ldp> using the on-line form available.

Alternatively, comment forms should be returned to:

The Strategic Planning Policy Service, Conwy County Borough Council, Library Building, Mostyn Street, LLANDUDNO, LL30 2RP or by either e-mailing cdll.ldp@conwy.gov.uk

This consultation is limited to comments on the **LDP Review Report**. It is not an opportunity to comment on the existing Local Development Plan; to submit land for consideration for inclusion or to state any changes you may want to see made in the replacement Local Development Plan. This will come at a later stage.

1. Personal Details		2. Agent Details (if any)	
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* Where relevant

Please indicate which paragraph(s) you wish to make comment on*:

4.7, 5.6.16, Appendix 1 section 6 MI/064, Appendix 3 section 6 NTE/8

* Please photocopy this sheet if you require more space and append additional sheets to this form.

Please set out your comment(s) in the order they appear in the Review Report below:

4.7 - While it is acknowledged that Tir Llwyd is unlikely to demonstrate compliance with TAN15 requirements when considering 75 years of climate change, present day risk to the site is generally acceptable. Applications for the site have been unacceptable for approval due to futile attempts to demonstrate compliance with TAN15, however, given that the site is at lower risk than most of the community which it serves there is clear over-riding justification for development of the site to support the community until such time as it may stop being viable to protect the area. While funding to implement SMP policies cannot be guaranteed, the "Hold the Line" policy demonstrates that it is likely to be economically justified to continue providing a similar level of protection for at least 100 years should the funding be made available. Any development at Tir Llwyd should therefore allow for regular monitoring of changes to flood risk and accept that should necessary improvements not be forthcoming this may lead to the lifetime of development being reduced.

While flood risk is a major limitation for traditional development, should there be an overriding need to develop in these areas due to lack of available land elsewhere, examples of development suitable to the risk can be increasingly found around the world. Considering Llandudno in particular where parking is also a significant problem, use of ground floors for garages only, with all high vulnerability usage confined to upper floors above any feasible flood level, may be an acceptable solution to multiple issues. Change of use within flood risk areas should be seen as an opportunity to improve resilience and adapt to climate change risks.

5.6.16 - SuDS policy NTE/8 needs to be updated to fully align with Welsh Government SuDS Standards. These standards are likely to become statutory in 2018 with the introduction of SuDS Approval Boards (SAB) which will create a separate but interconnected SAB application process for surface water drainage for all development of two or more properties and large commercial / industrial development.

While current policy NTE/8 (if enforced correctly - which is often not the case) matches the standards in most regards the primary requirement for maximising rainwater harvesting is not reflected in NTE/8. The policy should highlight the cost benefits for developers in implementing compliant drainage (as per Welsh Government findings) as well as the links to meeting other policy requirements eg:

Water conservation through rainwater harvesting meeting requirements of NTE/8 and NTE/10 (also assisting Welsh Water with WRMP requirements)

Use of areas required to meet open space requirements for surface SuDS components

Opportunities to improve biodiversity and landscape

(Continue on a separate sheet /expand box if necessary)

Signature:

Date

Publication of your comments:

Please note that all comments received will be made available publicly and published on the Councils website

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While a number of SuDS options are listed within policy NTE/8 we would recommend using the full list of component types as they appear in the latest CIRIA SuDS manual as this gives a reasonable idea of the priority with which options should be assessed:

Rainwater harvesting - Green roofs - Infiltration systems - Proprietary treatment systems - Filter strips - Filter drains - Swales - Bioretention systems - Trees - Pervious pavements - Attenuation storage tanks - Detention basins - Ponds and wetlands

It should be noted that most components (outside the last two) generally do not require any additional land take to reduce the density of development and those that do can be used as part of open space requirements as per above comments. Most options can also be used regardless of ground conditions (Infiltration systems being the only definite exception although pervious pavements, detention basins, swales etc. may be more efficient with well draining ground) so we would not consider porosity testing to be a standard requirement and failure of such testing would not constitute justification of lower priority drainage options.

Given the range of options available, the lack of constraints for many of them and the benefits to the developer in using SuDS we would consider it to be very rare that lower priority drainage to watercourse or sewer would be a justifiable or preferable option to any party.

Appendix 1 - There is no indication of the criteria for green, amber, red status.

MI/0064 - With increasing guidance and understanding of SuDS over recent years ERF comments have increasingly identified failure to meet policy NTE/8 but without the corresponding enforcement of the policy. While there were minimal approvals against advice in the years highlighted much of this was due to refusal of permission for other reasons and non-compliance with NTE/8 was not given as a refusal reason.

In the period since 2016 we are aware of numerous permissions being granted against advice on NTE/8 and would expect this to be an indicator that will be flagged as red during the next review.

As the SAB, when implemented, will take over the surface water drainage approval role for all significant developments this indicator may become unnecessary, however, policy NTE/8 will still be relevant for single properties and should be updated as previously highlighted and enforced.

Appendix 3 - NTE/8 - Since adoption of the LDP there has been new CIRIA SuDS Guidance, Welsh Government SuDS Standard and the upcoming commencement of Schedule 3 of the Flood & Water Management Act. NTE/8 is currently not enforced in order to function effectively and needs amendments to align with current best practice and policy as per our comments. There is potential to highlight how SuDS can contribute to CFS/11, CFS/13, NTE/3 & NTE/10

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