

Cabinet

18 November 2025

Technical Guidance on SuDs Applications and Discharging Drainage Conditions - Request For Adoption

Portfolio Holder: Councillor Simon Curry, Portfolio Holder for Climate Change and Strategic Regeneration

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Summary

This technical guidance outlines the requirements and best practices for Sustainable Urban Drainage Systems (SuDS) in planning applications and condition discharge submissions within Medway, ensuring alignment with national policy and local flood risk strategies. It provides detailed expectations for SuDS design, implementation, verification, and maintenance across various development types, supporting improved surface water management and flood resilience. This report seeks to adopt the technical guidance to regularise development.

Recommendations

- 1.1. The Cabinet is requested to adopt the Technical Guidance on Sustainable Urban Drainage Systems Applications and Discharging Drainage conditions, set out at Appendix 1 to the report.
2. Suggested reasons for decision(s)
 - 2.1. By agreeing to the adoption, it will enable the Council to fulfill its duties as a Lead Local Flood Authority to develop, maintain, apply, and monitor a strategy for local flood risk management in its area and ensure the best sustainable development.
 - 2.2. This report has been prepared following engagement with housing developers to ensure that SuDs proposed for sites are acceptable and meet national requirements.

3. Budget and policy framework

- 3.1 Following the Pitt Review into the widespread flooding across the UK in 2007, the Government has enacted legislation and introduced regulations to improve the approach to flood risk management.
- 3.2 The Flood Risk Regulations 2009 (FRR 2009) and the Flood and Water Management Act 2010 (FWMA 2010) established Medway Council as a Lead Local Flood Authority (LLFA). The FRR 2009 and the FWMA 2010 set out a number of roles and responsibilities for LLFA's with respect to the management of local flood risk (i.e. from surface water, groundwater and 'ordinary watercourses').
- 3.3 The costs of implementing the roles and responsibilities are covered by the approved budget via an Area Based Grant from the Department of Food and Rural Affairs (DEFRA).
- 3.4 The roles and responsibilities contribute towards three of the five council priority areas included within the Council Plan outlined below, as well as several ambitions and principles included within the Sustainable Community Strategy:
 - Safe, clean and green Medway.
 - Everybody travelling easily around Medway.
 - Benefiting from the area's regeneration.

4. Background

- 4.1 In line with the updated National Standards for Sustainable Drainage Systems (SuDS) published by DEFRA in June 2025, planning applications in England must now demonstrate compliance with a structured set of seven standards that guide the design, implementation, and maintenance of surface water drainage systems. These standards include a mandatory runoff hierarchy, prioritising reuse and infiltration over discharge to sewers, and require robust evidence when lower-priority options are selected.
- 4.2 The National Planning Policy Framework (NPPF), revised in December 2024, further reinforces the role of SuDS by making them a non-negotiable element in most development proposals, especially those in flood-prone areas.
- 4.3 Developers must also consider water quality, amenity, biodiversity, and lifecycle maintenance in their drainage strategies, ensuring SuDS are integrated early in the design process and contribute to multifunctional green infrastructure.
- 4.4 The strategy should be viewed as a living document and the approach taken is that more specific actions would be identified as more information is gathered concerning local flood risk issues whether by reporting, or via further study.

5. Options

5.1. The options available are:

- A. approve the request for adoption of the draft Technical Guidance on SuDs Applications and Discharging Drainage Conditions, set out at Appendix 1 to the report;
- B. reject the request for adoption; or
- C. refine the request for adoption.

6. Advice and analysis

6.1 The strategy culminates in a number of objectives and measures consistent with the EA's National Strategy aimed at delivering the legislative requirements of the Flood and Water Management Act and adopting a more coordinated approach to local flood risk management for Sustainable Urban Drainage Systems. The objectives are included within the Executive Summary and are concerned with:

- Understanding the risks.
- Preventing inappropriate development.
- Managing the likelihood of flooding.
- Improving flood prediction, warning, and post recovery.

6.2 The adoption of the Technical Guidance will promote sustainable development in relation to SuDs across Medway. A diversity Impact assessment document is appended to this report.

7. Risk management

7.1. Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community. Using the following table this section should therefore consider any significant risks arising from your report.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Failure to comply with legislation.	The risks exposed by a failure to comply with parts of the legislation are great and there is an expectation that LLFA's will gradually increase expertise and capacity in this field.	Report to be updated with the release of new SuDs Guidance	DIV

Likelihood	Impact:
A Very likely B Likely C Unlikely D Rare	I Catastrophic II Major III Moderate IV Minor

8. Consultation

- 8.1 It is intended that following appropriate approval, a draft strategy will be made final and adopted subject to final accessibility checks.

9. Climate change implications

- 9.1 There are no climate change implications of the requested public consultation.

10. Financial implications

- 10.1 There are no financial implications for the Council, other than the printing costs for a limited number of paper copies of the draft strategy and officer time, which can be accommodated from within existing revenue budgets.

11. Legal implications

- 11.1 All legal aspects have been set out within this report.

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Appendices

Appendix 1 - Draft Technical Guidance on SuDs Applications and Discharging
Drainage Conditions.

Appendix 2 – Diversity Impact Assessment

Background papers

None