

**Contact:** Please contact the Local Planning Authority

**Date:** 01 August 2022

Dear Local Planning Authority,

Thank you for inviting the Lead Local Flood Authority to comment on the below application.

### PLANNING APPLICATION CONSULTATION RESPONSE

<b>Application Number:</b>	3/2022/0414
<b>Proposal:</b>	Electric quad motorsport facility with support building and car park
<b>Location:</b>	Carr Hall Whalley Road Wilpshire BB1 9LJ

The Lead Local Flood Authority is a statutory consultee for major developments with surface water drainage, under the Town and Country Planning (Development Management Procedure) (England) Order 2015. It is in this capacity this response is compiled.

Comments provided in this representation, including conditions, are advisory and it is the decision of the Local Planning Authority whether any such recommendations are acted upon. The comments given have been composed based on the extent of the knowledge of the Lead Local Flood Authority and information provided with the application at the time of this response.

#### **Lead Local Flood Authority Position**

Further to the Lead Local Flood Authority (LLFA) response dated 30<sup>th</sup> May 2022, the Lead Local Flood Authority **maintains** its response to the above application on the basis of:

#### **Objection 1 – Inadequate Surface Water Sustainable Drainage Strategy**

In the absence of an acceptable surface water sustainable drainage strategy to assess the principle of surface water sustainable drainage associated with the proposed development, we object to this application and recommend refusal of planning

permission until further information has been submitted to the Local Planning Authority.

## **Reason**

Paragraphs 167 and 169 of the National Planning Policy Framework require major developments to incorporate sustainable drainage systems that:

- take account of advice from the Lead Local Flood Authority;
- have appropriate proposed minimum operational standards;
- have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- where possible, provide multifunctional benefits.

The submission of basic information on how surface water is intended to be managed is vital if the Local Planning Authority is to make informed planning decisions. In the absence of acceptable information regarding surface water sustainable drainage, the Lead Local Flood Authority cannot assess whether the development proposed meets the requirements of Paragraph 169 of the National Planning Policy Framework or the Planning Practice Guidance in principle. This is sufficient reason in itself for a refusal of planning permission.

In particular, insufficient evidence has been submitted with the application for the Lead Local Flood Authority to assess whether the proposed development will include a surface water sustainable drainage system as expected under the National Planning Policy Framework and, therefore, is contrary to paragraphs 167 and 169 of the National Planning Policy Framework and Policy DM34 of the adopted Lancaster Local Plan.

The proposed application will result in an increase in impermeable area from the introduction of the proposed building and car parked area. The introduction of impermeable areas may increase the rate and volume of surface water runoff from the site compared to the current, greenfield conditions, however, this is unclear due to the lack of evidence provided. If it is evidenced that the rate and volume of surface water will increase, then there is potential for surface water flood risk to increase, both on and off-site, contrary to paragraph 167 of the National Planning Policy Framework. This should be controlled through the implementation of a surface water sustainable drainage system with appropriate minimum operation standards in line with national policy, guidance and standards, including the National Planning Policy Framework, Defra Technical Standards for sustainable drainage systems, Planning Practice Guidance and Climate Change Allowances.

Although the applicant has eluded to the proposal that surface water will be accounted for, either by infiltration or discharge to the watercourse, as the application stands at full application stage, the applicant has not provided any evidence to assess the current greenfield surface water runoff rates and volumes from the site, nor any evidence to assess how these will be impacted by the proposed development. It has not been demonstrated how any additional runoff will be managed, nor the amount of storage that will need to be provided through a sustainable drainage system. It is also unclear where this storage will be located within the site. Thus, the Lead Local Flood Authority is unable to assess whether the proposed development meets the Defra

Technical Standards for sustainable drainage systems. Therefore, the impact on surface water flood risk cannot be understood by the Lead Local Flood Authority, who is unable to advise the Local Planning Authority, who is required to make an informed decision on the development proposal. While infiltration is proposed by the applicant, no evidence has been provided, mainly infiltration testing to demonstrate that this is a viable way of managing the (as yet un-quantified) volume of surface water generated from the development. If infiltration is evidenced to be unsuitable, then evidence of the 'plan B' approach of discharging to the watercourse will be required to ensure surface water can discharge to the on-site watercourse through identified flow paths that minimise the impact on residents, infrastructure and the environment. The absence of an acceptable surface water sustainable drainage system strategy is sufficient reason in itself for a refusal of planning permission.

Finally, as a result of not providing a SuDS, there are no arrangements for maintenance of any surface water sustainable drainage system to ensure an acceptable standard of operation for the lifetime of the development, therefore, the proposed development is contrary to paragraph 169 of the National Planning Policy Framework and Policy DM34 of the adopted Lancaster Local Plan.

The absence of any maintenance arrangements for the SuDS means that the Lead Local Flood Authority cannot assess whether the development proposal meets the requirements of Paragraph 169 of the National Planning Policy Framework in principle. This is sufficient reason in itself for the refusal of planning permission.

Information regarding the management and maintenance of the SuDS components for the lifetime of the development is required to ensure any surface water flood risks on-site or elsewhere arising from poor maintenance of SuDS features are mitigated.

## **Overcoming our Objection**

You can overcome our objection by submitting information that covers the deficiencies highlighted above and demonstrates how surface water will be managed on-site, to satisfy Paragraphs 167 and 169 of the National Planning Policy Framework, the Planning Practice Guidance, and the Defra Technical Standards for Sustainable Drainage Systems. If this cannot be achieved we are likely to maintain our objection to the application. Production of this information will not in itself result in the removal of an objection. The Lead Local Flood Authority asks to be re-consulted with the results of the amended site-specific flood risk assessment and/or amended sustainable drainage strategy and/or SuDS Pro-forma. We will provide you with further comments within 21 days of receiving formal re-consultation. Re-consultations should be sent to our identified mailbox.

Our objection will be maintained until the amended documents, as outlined above, have been received. Production of the amended documents will not in itself result in the removal of an objection.

If the applicant wishes to discuss our objection with the Lead Local Flood Authority, they can do so through our surface water planning advice service. This service is offered to prevent any issues that could potentially affect your application and provide relevant up to date advice regarding surface water flood risk and sustainable drainage.

More information on our surface water planning advice service is available at: <https://www.lancashire.gov.uk/business/business-services/pre-planning-application-advice-service/pre-planning-application-flood-risk-and-land-drainage-advice-service/>

### **Material Changes to this Planning Application**

If there are any material changes to the submitted information which impact on surface water, the local planning authority is advised to consider re-consulting the Lead Local Flood Authority via our identified mailbox.

### **If you decide to approve contrary to our advice**

If the Local Planning Authority grants planning permission for this development contrary to our advice, then we will be unable to assist with the discharge of any planning conditions, including surface water or flood risk conditions that we have not recommended.

The Local Planning Authority should be aware that any development built after 1 January 2012 is not eligible for Grant-in-Aid funding from central government to study or alleviate flood issues. This is set out in section 9.3 of the [Memorandum relating to capital grants for local authorities and internal drainage boards in England](#).

Please send a copy of the decision notice to our identified mailbox.

Yours faithfully,

**Harry McGaghey**

Lead Local Flood Authority