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**Ref:** 3/2014/0764  
**Date:** 7 April 2015

**APPLICATION CONSULTATION RESPONSE**

<b>Application Number:</b>	3/2014/0764
<b>Location:</b>	Land East of Chipping Lane, Longridge
<b>Grid Ref:</b>	360084, 437993
<b>Proposal:</b>	[AMENDED PLANS] Outline - Development of up to 520 homes including affordable housing and housing for the elderly, relocation of Longridge Cricket Club to provide a new cricket ground, pavillion, car park and associated facilities, new primary school, vehicular and pedestrian access landscaping and public open space, with all matters reserved except for access.

Thank you for inviting the Lead Local Flood Authority (LLFA) to comment on the above amended plans submitted in conjunction with this application. The Flood and Water Management Act (FWMA) 2010 introduces a range of new powers, duties and responsibilities and makes Lancashire County Council a Lead Local Flood Authority (LLFA). The Flood and Water Management Act 2010 sets out the requirement for LLFAs to manage 'local' flood risk within their area. 'Local' flood risk refers to flooding or flood risk from surface water, groundwater or from ordinary watercourses.

Comments provided in this representation, including conditions, are advisory and it is the decision of the Local Planning Authority (LPA) whether any such recommendations are acted upon. It is ultimately the responsibility of the Local Planning Authority to approve, or otherwise, any drainage strategy for the associated development proposal.

The comments given have been composed based on the current extent of the knowledge of the LLFA and information provided at the time of this response.

**Planning Policy**

[Paragraph 103 of the National Planning Policy Framework \(NPPF\)](#) and [Written Statement on Sustainable Drainage Systems \(HCWS161\)](#) requires that surface water arising from a developed site should, as far as it is practicable, be managed in a sustainable manner to mimic surface water flows arising from the site prior to the

proposed development, whilst reducing flood risk to the site itself and elsewhere, taking climate change into account.

In addition, the adopted Local Plan also includes provisions to *encourage* the use of SuDS on development proposals in Ribble Valley. Specific policies include:

### **Local Plan for Ribble Valley: Core Strategy 2008 – 2028**

- Key Statement EN3: Sustainable Development and Climate Change
- Policy DME6: Water Management

### **Sustainable Drainage Systems**

The Lead Local Flood Authority encourages that site surface water drainage is designed in line with the [Non-Statutory Technical Standards for Sustainable Drainage Systems](#) and [Planning Practice Guidance](#), including restricting developed discharge of surface water to greenfield runoff rates making suitable allowances for climate change and urban creep, managing surface water as close to the surface as possible and prioritising infiltration as a means of surface water disposal where possible.

Regardless of the site's status as greenfield or brownfield land, the Lead Local Flood Authority encourages that surface water discharge from the developed site should be as close to the greenfield runoff rate as is reasonably practicable.

Sustainable drainage systems offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open space.

The multifunctional potential of sustainable drainage systems (SuDS) should be exploited to maximise their cost effectiveness, regardless of the size of development site. Early design consideration is advised to build SuDS into multi-functional spaces and build up a network of SuDS that manage runoff close to its source to avoid the need for large storage areas.

Designing green space and public realm with SuDS that work well when both wet and dry can provide valuable community recreational space as well as important blue and green infrastructure. Sports pitches, squares, courtyards, playgrounds, landscapes around buildings, urban parks, green corridors and woodlands are all popular types of open space which can be integrated with SuDS. SuDS can also contribute to development targets for open space where they are designed to be multi-functional.

The wide variety of available sustainable drainage techniques means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

Further information on SuDS can be found in;

- CIRIA C687 – Planning for SuDS – Making it Happen
- CIRIA C697 – The SuDS manual
- CIRIA C635 - Designing for exceedance in urban drainage: good practice
- CIRIA C698 – Site handbook for the construction of SUDS
- HR Wallingford SR 666 - Use of SuDS in high density developments
- National Planning Policy Framework and Planning Practice Guidance

### **Amended Flood Risk Assessment [REF 880500 R1 (03)]**

Paragraph 6.1 of the amended flood risk assessment (FRA) [REF 880500 R1(03)] shows the loH surface water run off calculations for the proposed development. The applicant has failed to take into account climate change in calculating the surface water runoff for the 1 in 100 year storm. The local planning authority is strongly advised to request amended surface water runoff calculations from the applicant prior to the design of a 'final' drainage strategy for the development site taking into account climate change in line with the 'Climate change allowances for planners':

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/296964/LIT\\_8496\\_5306da.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/296964/LIT_8496_5306da.pdf)

Paragraph 6.1 of the amended FRA indicates that the applicant intends to discharge surface water into Higgin Brook and unnamed watercourses on site at the rate of 7.3 litres per second, which is the QBAR runoff rate. This is intended to be achieved through appropriate use of a sustainable drainage system (SuDS) prioritising the use of infiltration in line with the [hierarchy of drainage options](#) contained within the Planning Practice Guidance. It is advised that Ribbles Valley Borough Council secure the discharge rate at a maximum of 7.4 litres per second (as the QBAR runoff rate) through the use of an appropriate planning condition(s) to achieve this rate to ensure risk of surface water flooding to the proposed development, on-site or elsewhere, is minimised.

In accordance with the Environment Agency's guidelines, the Building Regulations and Planning Practice Guidance the preferred means of surface water drainage for any new development is into a suitable soakaway or infiltration drainage system.

Prior to designing site surface water drainage for the site, a full ground investigation should be undertaken to fully explore the option of ground infiltration to manage the surface water in preference to discharging to a surface water body, sewer system or other means. For example, should the applicant intend to use a soakaway, they should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

The Lead Local Flood Authority also strongly encourages that the developer should take into account designing drainage systems for exceedence working with the natural topography for the site.

Ribble Valley Borough Council is advised to condition further exploration of infiltration measures through appropriate geotechnical and infiltration testing prior to the development of a 'final' drainage strategy for the development site.

It was noted in our previous consultation response that the applicant intends to utilise the existing ponds and depressions within the line of the existing watercourses for the management of surface water. It is unclear from the amended FRA whether the applicant still intends to do so. Should the applicant wish to do so, the applicant must ensure that the ponds are correctly connected to the watercourses so that they function as designed and Land Drainage Consent will be required from the Lead Local Flood Authority. The applicant will also need to carry out a full ecological survey of the ponds and watercourses to determine the presence of any protected species or habitats within the existing ponds and watercourses, and appropriate mitigation measures employed during construction works. In addition to this, written approval from the local planning authority for the final detailed drainage strategy and full planning permission should be obtained before any infilling of ponds is undertaken.

### **Land Drainage Consent**

Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), you need consent from the Lead Local Flood Authority if you want to build a culvert or structure (such as a weir) or carry our works in, under, over or within 8 metres of the top of the bank of any watercourse which may alter or impede the flow of water on any ordinary watercourse, regardless of whether the watercourse is culverted or not.

Paragraph 5.10 of the amended FRA indicates that the applicant intends to secure a 10 metre easement into the development proposal to safeguard access to ordinary watercourses on site. This 10 metre easement should be applicable to all ordinary watercourses, culverted or otherwise, on the site. For the avoidance of doubt, construction over a culverted watercourse is not acceptable as access for maintenance purposes is restricted and it has the potential to pose an undue flood risk to buildings above should the culvert collapse. Unconsented works will result in enforcement action being taken by the Lead Local Flood Authority under its powers under Section 23 of the Land Drainage Act 1991.

As per Lancashire County Council Consenting and Enforcement Policy, it should be noted that the Lead Local Flood Authority will generally refuse consent applications

which seek to culvert an existing ordinary watercourse. This is in line with Environment Agency guidance on protecting watercourses:

<http://evidence.environment-agency.gov.uk/FCERM/en/FluvialDesignGuide/Chapter8.aspx?pagenum=6>

You should contact the Flood Risk Management Team at Lancashire County Council to obtain Land Drainage Consent **prior to starting any works on site**. Information on the application process and relevant forms can be found here:

<http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-a-watercourse.aspx>

Pollution control measures may be required to be considered and implemented where applicable prior to works starting on site. Information on pollution control measures can be found in Pollution Prevention Guidance 5 (PPG5) which provides advice about how to prevent pollution and comply with environmental law when planning works near, in or over ponds, lakes, ditches, streams, rivers and other watercourses.

It gives information about planning the works, managing silt, concrete and cement, oils and chemicals, maintaining structures over watercourses, waste management and responding to pollution incidents.

PPG5 can be found on the Environment Agency's website:

<https://www.gov.uk/government/publications/works-in-near-or-over-watercourses-ppg5-prevent-pollution>

For the avoidance of doubt, once planning permission has been obtained it does not mean that land drainage consent will be given.

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

The Lead Local Flood Authority has **no objection** to the proposed development and recommends the inclusion of the following conditions:

#### **Surface Water Drainage Strategy Approval**

##### **Condition**

No development shall commence until details of the design, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

- a) Information about the design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses;
- b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- c) Flood water exceedance routes, both on and off site;
- d) A timetable for implementation;
- e) Site investigation and test results to confirm infiltrations rates;
- f) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

### **Reasons**

- To ensure that the proposed development can be adequately drained through appropriate means at a rate agreed with the applicable land drainage consenting body (Lead Local Flood Authority).
- To ensure that the proposed development will not cause a current or future flood risk on-site or elsewhere.
- To secure an appropriate management and maintenance plan for the lifetime of the development to ensure that a flood risk as a result of inadequate maintenance is minimised.

### **Land Drainage Consent**

#### **Condition**

No development shall take place until the applicant has obtained land drainage consent, agreed in writing, from the consenting authority. Thereafter the works shall be carried out in accordance with the approved land drainage consent and any subsequent amendments shall be agreed in writing with the consenting authority. The applicant must notify the consenting authority no less than seven days before commencement of the works of their intention to start works on site. For the avoidance of doubt the 'consenting authority' is the

Lead Local Flood Authority which, within the administrative boundary of Lancashire, is Lancashire County Council.

**Reason**

To comply with Section 23 of the Land Drainage Act 1991 and to ensure that any construction works to the ordinary watercourses (Higgins Brook and Unnamed Watercourses) do not pose an up- or down-stream flood risk, and to ensure water quality is not compromised as a result of any construction work on the development site or to the watercourse.

Should you wish for further information or clarification to the contents of this letter please contact the case officer on the number provided on this letter.

Yours sincerely,

**Laura Makeating**  
Flood Risk Management

