

**Phone:** 01772 533487  
**Email:** Laura.makeating@lancashire.gov.uk

**Your ref:** 3/2014/0831  
**Our ref:** 3/2014/0831  
**Date:** 13 November 2014

Dear Daniela,

### APPLICATION CONSULTATION RESPONSE

<b>Application Number:</b>	3/2014/0831
<b>Location:</b>	Whiteacre Lane, Wiswell, Barrow, BB7 9BJ
<b>Grid Ref:</b>	374068, 437823
<b>Proposal:</b>	Outline proposal for a residential development of around 25 dwellings

Thank you for inviting Lancashire County Council's Flood Risk Management Team to comment on the above application. Lancashire County Council is the Lead Local Flood Authority (LLFA) for the County's administrative area. The Flood and Water Management Act (FWMA) sets out the requirement for the LLFA to manage local flood risk within their area.

It should be noted that the comments provided in this representation, including conditions, are advisory comments and it is the decision of the Local Planning Authority 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.

#### **Local Flood Risk**

The Lancashire and Blackpool Local Flood Risk Management Strategy was formally adopted by the County Council on 9<sup>th</sup> April 2014. The Strategy sets the overarching strategic approach to how the LLFA, along with other Risk Management Authorities, intend to address local flood risk in Lancashire over a three year period. The Strategy holds the equivalent weighting of a Supplementary Planning Document and is a material consideration in the planning process.

It is advised that flooding from "local" sources (surface water, groundwater and flooding from ordinary watercourses) is taken into consideration, where possible, and especially where there is a known flooding issue in an area. Climate change impacts should also be considered when modelling flood risk. Maps of surface and groundwater flooding are available on the Environment Agency's website and an officer assessment of local flood risk can be found in the table below.

		<b>Comment</b>
<b>What river flood zone is the proposal located within?</b>	Flood Zone 1	
<b>Is the location of the proposed development susceptible to surface water flooding?</b>	No	Low surface water flood risk along the eastern boundary of the site
<b>Is the location of the proposed development susceptible to groundwater flooding?</b>	Yes	High (>75%) risk of groundwater flooding

### **Local Planning Policies**

#### **Policy G7**

All development proposals will be expected to:

- i) Protect flood plains.
- ii) Protect areas at risk from flooding as indicated on the proposals map.
- iii) Allow necessary access to watercourses for maintenance.
- iv) Prevent an unacceptable change to surface water run-off.
- v) Protect the continuity and integrity of existing fluvial defences.

#### **Policy G8**

In its consideration of all development proposals the Council will take full account of the need to:

- (a) remove and reclaim contaminated land plus derelict and disused sites, which cause clear environmental damage, for uses in accordance with the provisions of this plan;
- (b) minimise air, surface water, ground water, light and ground pollution;
- (c) prevent the intrusion of noise into residential areas or areas used for recreation;

### **Flood Risk Assessment (FRA)**

An important part of the planning application process is consideration of flood risk as detailed under Footnote 20 of the National Planning Policy Framework (NPPF). This is facilitated through a site-specific flood risk assessment (FRA) which is required because the development proposal is for an area larger than 1 hectare in Flood Zone 1.

Flooding from local sources should be also considered in addition to flooding from main rivers. Where necessary and/or appropriate the LLFA will provide comment on FRAs, but they are not required to do so under Schedule 5 of the Town and County Planning (Development Management Procedure) (England) Order 2010

It is unclear from the FRA (Ref: 5792/R1, dated August 2014) how surface water runoff from the development is intended to be managed. The proposed surface water drainage strategy (Ref: 5792/01-04) shows a balancing pond but it is not cited in the FRA. It is advised that the FRA is amended accordingly to accurately reflect the proposals for surface water drainage at this stage.

### **Sustainable Drainage Systems and Water Sensitive Urban Design**

Under Government proposals, approval will be required for the drainage design on any new development for which a full planning approval is submitted to the Local Planning Authority which meets the requirement criteria of 10+ dwellings or greater than 0.5 hectare from the date of implementation. More information can be found at: <http://new.lancashire.gov.uk/council/planning/sustainable-drainage-systems.aspx>

It is therefore recommended that the proposed outline application incorporates sustainable drainage systems, water sensitive urban design and climate change impacts into the drainage design from the earliest stage and conforms to the British Standard BS8582:2013 – Code of practice for surface water management for development sites. It is also recommended that the applicant consults C697 – The SuDS Manual as a best practice guide to SuDS.

The Flood Risk Assessment states that geological mapping indicates that the site is underlain by clay. It is recommended that the LPA require this to be confirmed through relevant site-specific geotechnical investigations and utilised in developing a detailed drainage strategy for the development, including in the identification of appropriate SuDS features.

### **Water Framework Directive 2000 and Bathing Water Directive 2006**

The European Water Framework Directive (WFD) came into force in December 2000 and became part of UK law in December 2003. The WFD considers the ecological health of surface water bodies (good status being defined as a slight variation from undisturbed natural conditions), as well as achieving traditional chemical standards. It provides an opportunity to plan and deliver a better water environment, focussing on ecology, through river basin management planning.

The Bathing Water Directive (BWD) 2006 was introduced to safeguard public health and clean bathing waters, and stricter controls for testing of bathing water quality will be introduced from 2015. The BWD requires the monitoring and assessment of bathing waters and authorities must inform the public about bathing water quality and beach management, through the so-called bathing water profiles, in their area.

Local government has a major role in delivering and achieving the objectives set out in the WFD and BFD and to help the natural and modified environment adapt to the impacts of climate change. One mechanism of doing so is through the planning and development process to ensure that new developments do not pose a threat to water quality.

It is recommended that the developer has regard for the WFD and BWD in developing a detailed drainage strategy and the employment of SuDS, if and where possible, is strongly recommended to help achieve this.

### **Land Drainage Consent (LDC)**

Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), you need consent if you want to build a culvert or structure (such as a weir) which may alter or impede the flow of water on any ordinary watercourse.

You should contact the Flood Risk Management Team at Lancashire County Council to obtain Land Drainage Consent. 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>

There is an ordinary watercourse located on the site and it is understood from the FRA and indicative drainage strategy that the developer intends to connect the development surface water drainage system into this system. The Lead Local Flood Authority has no objection in principle to this providing Land Drainage Consent is sought at the appropriate stage.

It is noted that the developer intends to infill the dry shallow grassed ditch located along the internal boundary. This is not acceptable. Our records show that this is a historic watercourse and infilling it will increase the risk of localised flooding and reduce flood storage capacity on site. For these reasons, land drainage consent would not be granted to infill the ditch. Lancashire County Council will generally refuse consent applications which seek to culvert an existing ordinary watercourse. This is in line with Environment Agency guidance on protecting watercourses. For queries or information regarding this matter please contact the consenting officer, Sudhakar Yallanki (01772 537949).

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

The Lead Local Flood Authority **objects** to the proposed development on the basis of:

- Infilling the dry shallow ditch which is identified as a historic ordinary watercourse according to Lancashire County Council's records. Infilling this ditch increases localised flood risk and reduces flood storage capacity on site.

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

