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APPLICATION CONSULTATION RESPONSE

Application Number:	3/2015/0649
Location:	Land adj 97 Woone Lane Clitheroe BB7 1BJ
Grid Ref:	373961, 441141
Proposal:	Erection of ten dwellings with creation of new access to Woone Lane

Thank you for inviting the Lead Local Flood Authority (LLFA) to comment on the above application. 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 with the application at the time of this response.

LLFA Advice

District Local Plans

Support for the use of SuDS in ensuring development does not increase flood risk on-site or elsewhere is set out in [Paragraph 103 of the National Planning Policy Framework \(NPPF\)](#) and in the [Written Statement on Sustainable Drainage Systems \(HCWS161\)](#).

The adopted Ribble Valley Local Plan also includes provisions to encourage the use of SuDS on development proposals within Ribble Valley. Specific policies include:

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

The applicant therefore must incorporate sustainable drainage within the drainage strategy for the proposed development.

Sustainable Drainage Systems: General Advice

[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.

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 in accordance with Standard 2 and Standard 3 of the [Non-Statutory Technical Standards for Sustainable Drainage Systems](#).

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 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.

Sustainable Drainage Systems: Infiltration & Permeability Testing

The applicant is reminded that Paragraph 103 of the NPPF requires priority use to be given to SuDS and in accordance with Paragraph 80, Section 10 of the Planning Practice Guidance the preferred means of surface water drainage for any new development is via infiltration. The applicant must submit evidence as to why each 'level' of this hierarchy cannot be achieved.

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 exceedance working with the natural topography for the site. Should exceedance routes be used, the applicant must provide a site layout plan with these displayed, in line with Standard 9 of DEFRA's Technical Standards for SuDS.

Sustainable Drainage Systems: Drainage Strategy does not include SuDS

The drainage scheme proposed does not include SuDS elements. The applicant should provide the local planning authority with a revised sustainable drainage strategy which includes SuDS elements with attenuation, storage and treatment capacities incorporated as detailed in the CIRIA SUDS Manual (C697), Planning Practice Guidance and Non-Statutory Technical Standards for Sustainable Drainage Systems.

Where this cannot be achieved the applicant must provide appropriate evidence and justification for each level of discharge as to why a sustainable drainage system which meets the hierarchy set out in Paragraph 80 of Section 10 of the Planning Practice Guidance cannot be achieved.

Sustainable Drainage Systems: Flow Balancing

Flow balancing SuDS methods which involve the retention and controlled release of surface water from a site may be an option for some developments at a scale where uncontrolled surface water flows would otherwise exceed the pre-development greenfield runoff rate. Flow balancing should seek to achieve water quality treatment as part of a treatment train and amenity benefits as well as managing flood risk.

Sustainable Drainage Systems: Advice & Further Information

Further information and advice 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

Multi-Functional SuDS

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.

On smaller development sites, space efficient SuDS can still be incorporated and include, for example, green roofs, bioretention gardens, permeable paving, rills, rainwater harvesting, hardscape storage, micro-wetlands, and bioretention tree pits.

Water Quality: Water Framework Directive

Under the Water Framework Directive (WFD), all water bodies should reach 'good ecological status' by 2015. No activities or works, including the proposed development, should deteriorate the status of any nearby watercourse as the main objectives for the WFD is to prevent deterioration in 'status' for all waterbodies. The ecological health of any receiving watercourse can be protected by the implementation of a SuDS scheme with an appropriate number of treatment stages that are appropriately maintained. Current WFD ecological status of all assessed water bodies is available on the EA website.

Local government has a major role in delivering and achieving the objectives set out in the WFD 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 in developing a detailed drainage strategy and that the local planning authority considers appropriate conditions to secure this, where applicable.

Pollution to Ordinary Watercourse

Even if the applicant is not intending to discharge or carry out any works to an ordinary watercourse(s), due to the proximity to Mearley Brook it is advised to contact the Lead Local Flood Authority using the contact details at the top of this letter to discuss your proposals to ensure that the development will not result in a negative impact of the water quality or ecology of the watercourse.

For example, pollution control measures may be required. Information on pollution control measures can be found in Pollution Prevention Guidance (PPG) 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.

Pollution prevention guidance can be found on the Environment Agency's website:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

Potential presence of protected species in a watercourse

The Lead Local Flood Authority recommends that where there is any potential for the existing habitat of protected species (for example great crested newt, native white clawed crayfish, water vole, bats or otter species) on the proposed development site, the applicant should undertake an appropriate ecological assessment by a competent ecologist prior to starting works on site.

It is an offence to undertake works which adversely affect any legally protected species or habitat without appropriate mitigation measures in place.

Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected as development that encroaches on to it has a potentially severe impact on their ecological value. Retaining and enhancing coherent ecological networks adjacent to watercourses will help to ensure the biological and chemical quality of watercourses is not reduced as a result of development, which is a requirement of the Water Framework Directive.

Lead Local Flood Authority Position

The Lead Local Flood Authority **wishes to withdraw its objection** to the proposed development which will be acceptable subject to the inclusion of the following planning condition(s), in consultation with the Lead Local Flood Authority:

Condition 1: Appropriate surface water drainage scheme to be submitted

Condition

No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

- a) Information about the lifetime of the development, 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, 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, and details of floor levels in AOD;
- b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate (which is required to be calculated). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) 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);

- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reasons

- 1. To ensure that the proposed development can be adequately drained.
- 2. To ensure that there is no flood risk on or off the site resulting from the proposed development
- 3. To ensure that water quality is not detrimentally impacted by the development proposal

Condition 2: No Occupation of Development until completion of SuDS in accordance with agreed SuDS Scheme and Management & Maintenance Plan

Condition

No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details.

The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reasons

- 1. To ensure that the drainage for the proposed development can be adequately maintained.
- 2. To ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.

Condition 3: Surface Water Lifetime Management and Maintenance Plan

Condition

No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

- a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reasons

1. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development
2. To reduce the flood risk to the development as a result of inadequate maintenance
3. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.

Condition 4: Construction Phase Surface Water Management Plan Approval

Condition

No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

Reason

1. To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere;
2. To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

Informative: This response does not grant permission to connect to the highway drainage network

The Lead Local Flood Authority asks to be re-consulted on the discharge of condition upon the submission of a sustainable drainage strategy to the local planning authority. We will provide you with further comments within 21 days of receiving formal re-consultation.

Yours faithfully,

Terence McCormick
Lead Local Flood Authority