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**Date:** 6 April 2017

### APPLICATION CONSULTATION RESPONSE

<b>Application Number:</b>	3/2017/0184
<b>Location:</b>	Wilkin Square, Clitheroe
<b>Grid Ref:</b>	374353/441579
<b>Proposal:</b>	Erection of 10 dwellings and associated works

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.

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

The Lead Local Flood Authority **objects** to the development proposal on the following basis:

**Objection - Inadequate FRA:** In the absence of an acceptable Flood Risk Assessment (FRA) (report no. 2016-128, dated: 30/01/2017) we object to the grant of planning permission and recommend refusal on this basis for the following reasons:

#### **Reasons:**

The FRA submitted with this application does not comply with the requirements set out in the Planning Practice Guidance, and therefore paragraph 103 of the NPPF

cannot be satisfied. The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the submitted FRA fails to sufficiently demonstrate that surface water can be safely managed for the lifetime of the development without resulting in an increased flood risk. Section 6.3.6 of the FRA indicates that surface water will be directed to Mearley Brook which is approximately 50m south east of the development site. The LLFA is concerned by this as Mearley Brook is outside the red lined boundary of the site and no information has been provided to show how surface water will be connected to this point. If the land is not within the ownership of the applicant, then a legal agreement would be required to ensure access rights and to ensure maintenance can be achieved for the lifetime of the development. Also in order to construct a surface water connection, legal rights to the land either via direct ownership or legal agreement would be required. This would need to be in place prior to planning approval and the surface water connection would need to be built prior to any other development taking place.

### **Overcoming Our Objection:**

You can overcome our objection by submitting an FRA which covers the deficiencies highlighted above and demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall. If this cannot be achieved we are likely to maintain our objection to the application. Production of a revised FRA will not in itself result in the removal of an objection.

We ask to be re-consulted with the results of the FRA. We will provide you with bespoke comments within 21 days of receiving formal re-consultation. Our objection will be maintained until an adequate FRA has been submitted.

The Lead Local Flood Authority requires the following points be brought to the relevant parties' attention:

- Proposed development site is located within Flood Zones 2 & 3 so it is advised that the submitted FRA be consulted by the Environment Agency regarding fluvial flooding from a main river.
- The submitted FRA shows inconsistency as the surface water discharge rate for the 1 in 1 year return period for the existing site is reported to be 3.0l/s but the proposed post development surface water discharge rate for the same year return period is to be 4.9l/s despite the proposed improvements.

Yours faithfully,

**Kevin Kellett**

Lead Local Flood Authority.