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**Date:** 3 October 2019

### APPLICATION CONSULTATION RESPONSE

<b>Application Number:</b>	3/2018/0236
<b>Location:</b>	Land at former golf driving range Lincoln Way Clitheroe BB7 1QD
<b>Proposal:</b>	Erection of 27 light industrial units, 8 office units and associated access, parking and ancillary works.

Thank you for re-consulting the Lead Local Flood Authority (LLFA) 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 at the time of this response.

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

The Lead Local Flood Authority has **no objection** to the proposed development, subject to the inclusion of the following recommended planning conditions:

#### **Condition 1:**

The development permitted by this planning permission shall be carried out in accordance with the surface water drainage scheme outlined on drawing no. 16004/D601. The surface water drainage scheme shall be fully implemented prior to occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the arrangements outlined on drawing no. 16004/D601.

**Reasons:**

1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
2. To reduce the risk of flooding to the proposed development and future occupants.
3. To ensure that the drainage for the proposed development can be adequately maintained.
4. 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 2:**

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.

**Reasons:**

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.

### **Lead Local Flood Authority Advice:**

#### **Construction Phase including enabling works:**

It is critical that flood risk is appropriately managed during the construction phase(s) of the development. Compaction of the soil is likely to speed up the run-off rate whilst the site is cleared and the permanent drainage systems and/or attenuation systems are constructed and brought into use.

The developer should identify the flood risk associated with this phase of the development and provide details of how surface water will be managed during construction, including any mitigation. The LLFA is satisfied that these details can be secured through the inclusion of the above recommended planning condition.

#### **Reason for the pre-commencement condition:**

Drainage is not only a material consideration but an early and fundamental activity in the ground construction phase of any development and it is likely to be physically inaccessible at a later stage by being buried or built over. It is of concern to all flood risk management authorities that an agreed approach is approved before development commences to avoid putting existing and new communities at risk.

The revised NPPF considers sustainable drainage systems to be important and states that they should be incorporated unless there is clear evidence that this would be inappropriate and, as such the LLFA needs to be confident that flood risk is being adequately considered, designed for and that any residual risk is being safely managed. To be able to do this the LLFA requires an amount of certainty either by upfront detail or secured by way of appropriate planning condition(s).

The proposed pre-commencement condition allows for the principle of development to be granted and detailed drainage designs to be conditioned for approval via a discharge of condition application which could be more favourable to developers in terms of less delay and less financial outlay early in the process. Non-acceptance of the pre-commencement condition could lead the LLFA to object to the principle of development until all residual risk issues are safely managed.

**Highway matters:**

This response does not cover highway drainage, matters pertaining to highway adoption (s38 Highways Act 1980) and/or off-site highway works (s278 Highways Act 1980). Should the applicant intend to install any sustainable drainage systems under or within close proximity to a public road network (existing or proposed), then they would need to separately discuss the use and suitability of those systems with the local highway authority.

The applicant is also encouraged to discuss the suitability of any overland flow routes and/or flood water exceedance with the local highway authority should they have the potential to impact the public highway network and/or public highway drainage infrastructure (either existing or proposed).

**Material changes:**

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 LLFA.

Yours faithfully,

**Chris Dunderdale**  
Lead Local Flood Authority

