

**Phone:** 0300 123 6780  
**Email:** SUDS@lancashire.gov.uk  
**Date:** 22 November 2019

Dear Sir/Madam

### APPLICATION CONSULTATION RESPONSE

<b>Application Number:</b>	3/2019/0953
<b>Location:</b>	Land at Pendle Road Clitheroe
<b>Proposal:</b>	Phases 2, 3 and 4 of outline planning permission 3/2015/0895

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 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.

The comments provided in this response relate only to matters concerning planning application 3/2019/0953. For the avoidance of any doubt, the LLFA has not previously assessed or commented on any of the matters relating to planning applications 3/2012/0942 or 3/2015/0895. Both of those applications pre-dated our role as statutory consultee for surface water drainage.

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

The LLFA would have **no objection** to the latest development proposals, subject to the requirements of conditions 65, 66, 68, 69, 70, 71 and 72 of planning permission 3/2015/0895 being satisfied in full. The Local Planning Authority is advised to

consider attaching an appropriate condition or informative to any subsequent decision notice to secure this.

The Local Planning Authority and the applicant are also reminded that the proposals for access, appearance, landscaping, layout and scale can directly impact the nature of any proposed surface water regulation system. This should be taken in to consideration when finalising the surface water drainage proposals for the above development site.

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

#### **Surface water drainage:**

The surface water drainage proposals outlined within this submission are only preliminary issue and may be subject to change following further detailed design and investigation. The applicant will therefore be expected to provide a final surface water drainage scheme for this phase of the development once all detailed design and investigation work has been completed. The final strategy will need to be submitted to and approved by the LPA prior to the commencement of any development, and must comply with the requirements of the National Planning Policy Framework and the non-statutory technical standards for sustainable drainage systems; March 2015. The strategy must also be accompanied by an appropriate management and maintenance plan that details how the surface water drainage network will be managed and maintained over the lifetime of the development. The LLFA is satisfied that these details can be secured through the requirements of condition 68 of outline planning permission 3/2015/0895.

For the avoidance of any doubt, the LLFA is not able to assess or comment on the suitability of the preliminary surface water drainage proposals at this time, as insufficient information has been provided in that regard. The LLFA anticipates that such an assessment will be made once all of the relevant information has been submitted by the applicant as part of their application to discharge the requirements of condition 68 of outline planning permission 3/2015/0895. For the LLFA to assess and comment on the suitability of those surface water drainage proposals, the following information will need to be submitted in full:

- A final surface water drainage layout plan; appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels and external ground levels (in AOD);

- A full set of flow calculations for the proposed surface water drainage network. The calculations must show the full network design criteria, pipeline schedules and simulation outputs for the 1 in 1 year, 1 in 30 year and 1 in 100 year return period, plus a 40% allowance for climate change and a 10% allowance for urban creep. The calculations must also demonstrate that surface water runoff will not exceed existing pre-development greenfield runoff rates and volumes for the corresponding rainfall intensity;
- A final site plan showing all on-site surface water catchment areas, i.e. areas that will contribute to the proposed surface water drainage network;
- Confirmation of how surface water is to be managed within the non-drained areas of the site, i.e. gardens and public open space;
- A final site plan showing all overland flow routes and flood water exceedance routes, both on and off site;
- Details of any measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses; and
- Details of an appropriate management and maintenance plan for the surface water drainage network over the lifetime of the development.

### **Sustainable Drainage Systems:**

The LLFA encourages the applicant to maximise the use of sustainable drainage systems (SuDS) when designing the surface water drainage scheme for the development site. That is because sustainable drainage systems offer significant advantages over conventional piped drainage systems in reducing flood risk.

Sustainable drainage systems can attenuate the rate and quantity of surface water run-off from a site, and they can also absorb diffuse pollutants and promote groundwater recharge. Ponds, reed beds and seasonally flooded grasslands are also 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.

Some SuDS features, for example rainwater harvesting and permeable paving used on roads and driveways, must not be included as part of the hydrological calculations for the site. This is because occupants may change or remove these features in the future and this could have the potential to increase surface water runoff from the site. Where SuDS features such as rainwater harvesting and permeable paving are

included in the hydrological calculations, the local planning authority would be advised to consider the removal of permitted development rights.

### **Land Drainage Consent:**

The LLFA are the consenting body for works on Ordinary Watercourses. Under Section 23 of the Land Drainage Act 1991 (the “LDA”) (as amended by paragraph 32 of Schedule 2 of the FWMA 2010) anyone who intends to carry out works which may obstruct or affect the flow of an ordinary watercourse needs written consent from Lancashire County Council.

It is important to note that Land Drainage Consent is a separate application process that lies outside the planning legislation. It should not be assumed therefore the grant of planning permission means that Land Drainage Consent will automatically be given. Parallel processing of Land Drainage Consent applications is advised, as any land drainage consenting issues could directly impact the suitability of the proposed site layout.

Land Drainage Consent applications can take up to eight weeks to process following receipt of all required information and payment (£50 per structure). Retrospective consent cannot be issued.

### **Highway Drainage / Highway Adoption:**

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 will 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. The LLFA also wishes to be formally consulted on all subsequent drainage strategies for this proposed development.

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 faithfully,

**Chris Dunderdale**  
Flood Risk Management

