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**Date:** 14 October 2020

Dear Sir/Madam

### APPLICATION CONSULTATION RESPONSE

<b>Application Number:</b>	3/2020/0332
<b>Location:</b>	Land off Sheepfold Crescent Barrow BB7 9XR
<b>Proposal:</b>	Application for reserved matters for appearance, landscaping, layout and scale following outline planning permission 3/2018/0910 for 20 bungalows for the elderly (of which two are affordable) and 6 affordable apartments.

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 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 (LLFA) Position**

The LLFA has **no objection** to the above development proposal, subject to the requirements of Conditions 7 of Outline Planning Permission 3/2018/0910 being satisfied in full.

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

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

The surface water drainage scheme set out on drawing 20046/01/1 Rev C is only a preliminary issue and is still subject to change following further detailed design and investigation. To comply with the requirements of condition 7, the applicant will need to provide the final details of the surface water drainage scheme 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 a separate application to discharge the requirements of condition 7.

As noted in our previous consultation response to outline planning application 3/2018/0910 (dated 5 September 2018), final surface water runoff rates can only be agreed once the final layout of the site has been approved. This is because the final surface water runoff rates are directly influenced by the amount of impermeable area within a development site. Looking at these latest proposals, I see the final contributing area for this development has now been set at 0.448ha, which is significantly less than the 1.06ha contributing area the proposed runoff rate was originally based on. To take account of this, the proposed runoff rate of 9.41l/s should now be prorated down so that it appropriately reflects the changes in contributing area. This will ensure compliance with standard S2 of the non-statutory technical standards for sustainable drainage systems, by ensuring the cumulative runoff from the development, i.e. pipe flow plus direct runoff from non-drained areas, does not exceed the existing pre-development greenfield runoff rates for the application site.

As also noted in our previous consultation response to outline planning application 3/2018/0910, the applicant is expected to provide suitable allowances within their drainage network to account for future climate change and urban creep. In line with the latest [Environment Agency guidance on climate change allowances](#), the

drainage system should be designed to make sure there is no increase in the rate of runoff discharged from the site for the upper end allowance – i.e. 40% based on the expected lifetime of the development. The current proposals only provide an additional 30% allowance for climate change which is insufficient and contrary to advice. An additional 10% allowance should also be added to drainage system to account for future urban creep, i.e. the future conversion of permeable surfaces to impermeable surfaces over time, e.g. surfacing of front gardens to provide additional parking spaces, extensions to existing buildings and creation of large patio areas etc. I cannot see any additional allowance for urban creep within the current proposals, so this will need to be factored in at detailed design stage. Otherwise it is unclear how the future impacts of urban creep will be avoided 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. This 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.

### **Ordinary Watercourse Land Drainage Consent:**

Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), the applicant will need consent from the LLFA for any works which may alter or impede the flow of an existing ordinary watercourse, regardless of whether that watercourse is culverted or not.

As per Lancashire County Council Consenting and Enforcement Policy, it should be noted that the LLFA will generally refuse consent applications which seek to culvert existing ordinary watercourses. This is in line with Environment Agency guidance on protecting watercourses.

The applicant should contact the Flood Risk Management Team at Lancashire County Council to obtain Land Drainage Consent. Further information on the application process and relevant forms can be found via the following link: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-awatercourse.aspx>

For the avoidance of doubt, once planning permission has been obtained it does not mean that land drainage consent will be given. Retrospective consent cannot be issued.

### **Highway matters:**

Should the applicant intend to install any sustainable drainage systems and/or watercourses under or within close proximity to a public road network (either existing or proposed), then they will need to separately discuss the use and suitability of those systems with the local highway authority. For the avoidance of doubt, the LLFA does not comment on the suitability for future highway adoption under Section 38 of the Highways Act 1980. This is for the Local Highway Authority to comment on.

### **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.

Yours faithfully,

**Chris Dunderdale**  
Flood Risk Management

