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Date: 14 September 2020

Dear Sir/Madam

APPLICATION CONSULTATION RESPONSE

Application Number:	3/2020/0601
Location:	Land at Highmoor Farm Clitheroe BB7 1PN
Proposal:	Outline planning for the construction of up to 125 dwellings with public open space, landscaping and sustainable drainage system and vehicular access point from Highmoor Park. All matters reserved except for means of access.

Thank you for 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 with the application at the time of this response.

Lead Local Flood Authority (LLFA) Position:

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

Condition 1 (final surface water drainage scheme):

No development shall commence until final details of the design and implementation of an appropriate surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

- a) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- b) 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);
- c) A full set of flow calculations for the 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 an additional 40% allowance for climate change and a 10% allowance for urban creep. The calculations must demonstrate that surface water runoff will not exceed the existing pre-development greenfield runoff rates and volumes for the corresponding rainfall event;
- d) 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;
- e) Confirmation of how surface water is to be managed within any non-drained areas of the site, i.e. gardens and public open space;
- f) A final site plan showing all overland flow routes and flood water exceedance routes, both on and off site;
- g) Details of any measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses; and
- h) Details of an appropriate management and maintenance plan for the surface water drainage network over the lifetime of the development.

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; and
- 4) To ensure that appropriate maintenance mechanisms are put in place for the lifetime of the development.

Condition 3 (construction phase surface water management plan):

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:

Surface water drainage:

The surface water drainage proposals outlined within the applicant's flood risk assessment (ref: 18522, dated: August 2019) are only preliminary and may change following further detailed design and investigation. The applicant will therefore be expected to provide a final surface water drainage scheme for the site once all detailed design and investigation work has been completed. The final scheme 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 inclusion of the above recommended planning condition.

For the avoidance of doubt, the LLFA is not able to assess or comment on the suitability of the proposed surface water runoff rates or volumes at this time. That is because the final surface water runoff rates and volumes are directly influenced by the amount of impermeable area within the proposed development site. An agreement on this can only be reached once the final site layout has been agreed with the LPA.

The applicant is reminded that the final surface water drainage scheme must comply with the drainage hierarchy established under planning practice guidance. Before a drainage connection to the watercourse can be agreed, the applicant will need to provide further evidence and justification to show why disposal via infiltration is not possible. This should include an assessment of the site conditions to confirm infiltrations rates.

Sustainable Drainage Systems:

The applicant is encouraged 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.

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.

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

Yours faithfully,

Chris Dunderdale
Lead Local Flood Authority

