

**Contact:** Please contact the Local  
Planning Authority

**Date:** 28 September 2023

Dear Local Planning Authority,

Thank you for inviting the Lead Local Flood Authority to comment on the below application.

**PLANNING APPLICATION CONSULTATION RESPONSE**

<b>Application Number:</b>	3/2021/0731
<b>Proposal:</b>	Redevelopment of the existing educational facility including part demolition of the existing infant school to provide a standalone nursery facility, together with the erection of a new infant block to the rear of the new nursery building, alongside additional car parking. Soft and hard landscaping treatment and vehicular and pedestrian access works off Greenacre Street.
<b>Location:</b>	St James C of E Primary School Greenacre Street Clitheroe BB7 1ED

The Lead Local Flood Authority is a statutory consultee for major developments with surface water drainage, under the Town and Country Planning (Development Management Procedure) (England) Order 2015. It is in this capacity this response is compiled.

Comments provided in this representation, including conditions, are advisory and it is the decision of the Local Planning Authority whether any such recommendations are acted upon. The comments given have been composed based on the extent of the knowledge of the Lead Local Flood Authority and information provided with the application at the time of this response.

**Lead Local Flood Authority Position**

The Lead Local Flood Authority has **no objection** to the above application subject to the inclusion of the following conditions, in consultation with the Lead Local Flood Authority:

**Lancashire County Council**

PO Box 100, County Hall, Preston, PR1 0LD



### **Condition 1 – Development is in accordance with the submitted Flood Risk Assessment**

The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment (1<sup>st</sup> September 2023 / KPZ-JBAU-00-00-RP-Z-0002-St\_James\_Clitheroe\_-\_FRA – Version S3-P02/ JBA Consulting)

The measures shall be fully implemented prior to the first use of the development 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 in consultation with the Lead Local Flood Authority.

#### **Reason**

To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

### **Condition 2 – Final Surface Water Sustainable Drainage Strategy to be submitted**

No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative surface water sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

- a) Sustainable drainage calculations for peak flow control and volume control for the:
  - i. 100% (1 in 1-year) annual exceedance probability event;
  - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
  - iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep

Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.

- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
  - i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;



- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
  - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
  - iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
  - v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
  - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
  - vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- c) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

### **Reason**

To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

### **Condition 3 – Construction Surface Water Management Plan**

No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
- b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.



## Reasons

To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.

### **Condition 4 – Sustainable Drainage System Operation and Maintenance Manual**

The commencement of use of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of the maintenance, operational and access requirement for all SuDS components and connecting drainage structures, including all watercourses and their ownership;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

## Reason

To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.

### **Condition 5 – Verification Report of Constructed Sustainable Drainage System**

The commencement of use of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved



drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

### **Reason**

To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.

### **Reason for Pre-Commencement Conditions**

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 National Planning Policy Framework 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 Lead Local Flood Authority 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 Lead Local Flood Authority requires an amount of certainty either by upfront detail or secured by way of appropriate planning condition(s).

The proposed pre-commencement condition(s) allows for the principle of development to be granted and full 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 Lead Local Flood Authority to object to the principle of development until all residual risk issues are safely managed.

The Lead Local Flood Authority asks to be consulted on the details submitted for approval to your authority to discharge these conditions and on any subsequent amendments/alterations.

### **Informative**

#### **Informative 01 – Connection to Main River**

The applicant will require an environmental permit from the Environment Agency to discharge to the main river. Information on environmental permits is available at: <https://www.gov.uk/topic/environmental-management/environmental-permits>

#### **Lead Local Flood Authority - Site-Specific Advice**

The following advice is provided to inform the applicant and the Local Planning Authority of our expectations:



The Lead Local Flood Authority advises the applicant to apply the updated climate change allowances to the drainage strategy, given the amount of time has surpassed on this application and given the developments proximity to areas of high surface water flood risk.

The Lead Local Flood Authority expect a volumetric runoff coefficient of 1 to be applied when modelling impermeable areas. The assumption of 84% and 0% respectively (which is commonly applied by users of MicroDrainage and other design tools) is not particularly conservative for assessing storage requirements for extreme events, though for sizing drainage pipework it is probably not unreasonable. This approach was justified in a paper in the 1990s based on the original runoff model in the Wallingford Procedure which was issued in 1983. This justification is a misuse of the correlation equation which had been developed, and has since which been rendered obsolete based on the fact that the original equation was shown to under-predict runoff for large rainfall events. This approach is supported by the Design and Construction Guidance and the SuDS Manual.

If the applicant wishes to discuss any aspects of this response with the Lead Local Flood Authority, they can do so through our [planning advice service](#).

### **Lead Local Flood Authority – General Advice**

The Lead Local Flood Authority's general advice is provided through the [Lancashire SuDS Pro-forma and accompanying guidance](#). All applications for major development are expected to follow this guidance and submit a completed SuDS pro-forma.

### **What this response DOES NOT cover**

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 relevant highway authority.

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

For the avoidance of doubt, as the Lead Local Flood Authority, we do not comment on the application of the sequential and/or exception tests.

### **Material Changes or Additional Information to this Planning Application**

If there are any material changes to the submitted information or additional information provided after this Lead Local Flood Authority response to the Local Planning Authority which impact surface water, the Local Planning Authority is advised to re-consult the Lead Local Flood Authority. Please be aware this will be classed as a re-consultation with a full 21-day response time. Re-consultations should be sent to our identified mailbox.

Please note that should the Local Planning Authority make a decision on this application contrary to our advice, then we will be unable to support this application in an appeal or at any future discharge of conditions stage relating to conditions that the Lead Local Flood Authority have not recommended.



Please send a copy of the decision notice to our identified mailbox.

Yours faithfully,

**Harry McGaghey**

Lead Local Flood Authority

