

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

**Date:** 03 May 2022

Dear Local Planning Authority,

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

#### **PLANNING APPLICATION CONSULTATION RESPONSE**

<b>Application Number:</b>	3/2021/1262
<b>Proposal:</b>	Full application for the erection of 4no. commercial units (Use Class E).
<b>Location:</b>	Land at the North of the Chapel Hill site Longridge

Under the Flood and Water Management Act 2010 the LLFA is the responsible 'risk management authority' for managing 'local' flood risk which refers to flood risk from surface water, groundwater or from ordinary watercourses. The LLFA 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 (LPA) whether any such recommendations are acted upon. 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 Position**

The Lead Local Flood Authority **maintains its objection** to the proposed development on the basis of:

#### **Objection 1 – Inadequate Surface Water Sustainable Drainage Strategy**

In the absence of an acceptable surface water sustainable drainage strategy to assess the principle of surface water sustainable drainage associated with the proposed development, we object to this application and recommend refusal of planning permission until further information has been submitted to the Local Planning Authority.

#### **Reason**

Paragraphs 167 and 169 of the National Planning Policy Framework require major developments to incorporate sustainable drainage systems that:

- take account of advice from the Lead Local Flood Authority;
- have appropriate proposed minimum operational standards;
- have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- where possible, provide multifunctional benefits.

The submission of basic information on how surface water is intended to be managed is vital if the Local Planning Authority is to make informed planning decisions. In the absence of acceptable information regarding surface water sustainable drainage, the Lead Local Flood Authority cannot assess whether the development proposed meets the requirements of Paragraph 169 of the National Planning Policy Framework or the Planning Practice Guidance in principle. This is sufficient reason in itself for a refusal of planning permission.

In particular, the submitted surface water sustainable drainage strategy fails to:

1. **Demonstrate the principle of development.** The proposed drainage strategy involves an on-site connection to the private surface water sewer, no evidence of an agreement in principle with the and asset owner has been provided to the Local Planning Authority. Should no agreement be reached, it may not be possible to drain the site, hence the Lead Local Flood Authority are currently unable to agree to the principle of development and recommend the refusal of planning permission, until evidence of an agreement in principle with the appropriate parties, or robust evidence of a 'plan b' outfall location, should a connection to the private surface water sewer not be possible, has been submitted to and approved in writing by the Local Planning Authority.

### **Overcoming our Objection**

You can overcome our objection by submitting information that covers the deficiencies highlighted above and demonstrates how surface water will be managed on-site, to satisfy Paragraphs 167 and 169 of the National Planning Policy Framework, the Planning Practice Guidance, and the Defra Technical Standards for Sustainable Drainage Systems. If this cannot be achieved we are likely to maintain our objection to the application. Production of this information will not in itself result in the removal of an objection.

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

The LLFA makes note to the applicant that the North West SuDS Pro-forma directs developers that when not using an existing drainage system in its entirety for brownfield sites, it is expected that surface water drainage calculations are derived using the greenfield rates for the site.

### **Material Changes to this Planning Application**

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

**If you decide to approve contrary to our response**

If the Local Planning Authority grants planning permission for this development contrary to the LLFA's objection, we will be unable to provide comment on the discharge of any surface water or flood risk conditions which we have not recommended.

Yours faithfully,

**Harry McGaghey**

Lead Local Flood Authority