

Contact: Please contact the Local Planning Authority

Date: 28 April 2022

Dear Local Planning Authority,

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

PLANNING APPLICATION CONSULTATION RESPONSE

Application Number:	3/2022/0317
Proposal:	Reserved Matters application in respect of Phase 5 and 6 to include access, appearance, landscaping, layout and scale with respect to 300 dwellings following outline approval 3/2015/0895.
Location:	Land at Higher Standen Farm and Part Littlemoor Farm, Clitheroe

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 this reserved matters application, 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 the decision notice in order to secure this.

Ribble Valley Borough Council and the applicant are reminded that the proposals for access, appearance, landscaping, layout and scale can directly impact the nature of any proposed surface water drainage system for the site. This should be taken in to

consideration when finalising the details of any surface water regulation system for this site.

Informatives

Informative 01 – Ordinary Watercourse (Land Drainage) Consent

Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), you need consent from the Lead Local Flood Authority if you want to build a culvert or structure (such as a weir or outfall) or carry out works within the banks of any ordinary watercourse which may alter or impede the flow of water, regardless of whether the watercourse is culverted or not.

It is strongly advised that you obtain any required consent before or concurrently as you apply for planning permission to avoid delays. This is supported by paragraph 42 of the National Planning Policy Framework which encourages parallel processing of other required consents.

As a minimum, the applicant will be expected to:

- Carry out studies of the existing culvert/watercourse condition and capacity;
- Undertake an examination of the downstream condition and implications of the development proposal, and;
- Restrict surface water discharge rates so that the peak runoff rate from the development to the ordinary watercourse for the 100% (1 in 1-year) annual exceedance probability rainfall event and the 1% (1 in 100-year) annual exceedance probability rainfall event should never exceed the peak greenfield runoff rate for the same event.

As per Lancashire County Councils Consenting and Enforcement Policy, it should be noted that the Lead Local Flood Authority will generally refuse consent to applications that seek to culvert an existing ordinary watercourse. This is in line with Environment Agencies guidance on protecting watercourses.

You should contact the Flood Risk Management Team at Lancashire County Council to obtain Ordinary Watercourse Consent. Information on the application process and relevant forms can be found here:

<https://www.lancashire.gov.uk/flooding/drains-and-sewers/alterations-to-a-watercourse/>

For the avoidance of doubt, once planning permission has been obtained it does not mean that Ordinary Watercourse Consent will be given. **The applicant must obtain Ordinary Watercourse Consent from Lancashire County Council before starting any works** on site. Failure to do so may result in enforcement action and may result in issues for future adoption of the SuDS. **Consent cannot be issued retrospectively by the Lead Local Flood Authority.**

Lead Local Flood Authority - Site-Specific Advice

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

1. The Lead Local Flood Authority accepts and acknowledges the previously agreed allowance of 30% for climate change, in line with the submitted and

approved Flood Risk Assessment and Drainage Strategy. The LLFA would encourage the applicant to appropriately explore the site availability of including a 40% allowance for climate change, in line with the up to date guidance.

2. The Lead Local Flood Authority expects the applicant upon submission of the final drainage strategy to appropriately include an allowance for urban creep.

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).

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

Yours faithfully,

A black rectangular box redacting the signature of the Lead Local Flood Authority.

Lead Local Flood Authority