

Contact: Please contact the Local Planning Authority

Date: 18 May 2023

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:	3/2023/0305
Proposal:	Proposed construction of a 68 bed residential care home, related infrastructure and landscaping.
Location:	Land at former Higher Standen Farm (adj Swardean Way Valley Lane Higher Peak Crescent South Gate Broadfield Street) Pendle Road Clitheroe BB7 1PR

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 **objects** to the above application 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.

Lancashire County Council

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



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. **Provide appropriate minimum operation standards for peak flow and volume control**, in line with the Defra Technical Standards for Sustainable Drainage Systems, therefore, is contrary to paragraph 169 of the National Planning Policy Framework.

Standard S6 of the Defra Technical Standards for Sustainable Drainage Systems requires applicants to demonstrate that post-development surface water runoff volume of any proposed development is discharged at a rate that does not adversely affect flood risk (Qbar).

The submitted surface water sustainable drainage strategy states that surface water from the site will be discharged at 11l/s but fails to demonstrate how the greenfield Qbar rate for the site has been calculated and therefore contain surface water volume flows within the parameters set out in Standard S6 of the Defra Technical Standards for Sustainable Drainage Systems as evidence. This is sufficient reason in itself for a refusal of planning permission.

2. **Provide an appropriate allowance for climate change**, in line with [national guidance](#) and, therefore, does not have appropriate minimum operation standards for the lifetime of the development, contrary to Paragraph 169 of the National Planning Policy Framework. Failure to provide an appropriate allowance for climate change will result in increased flood risk on and off site over the lifetime of the development. This is considered contrary to Paragraph 167 of the National Planning Policy Framework and therefore sufficient reason in itself for a refusal of planning permission.

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.

The Lead Local Flood Authority asks to be re-consulted with the results of the amended site-specific flood risk assessment and/or amended sustainable drainage strategy and/or SuDS Pro-forma. We will provide you with further comments within 21 days of receiving formal re-consultation. Re-consultations should be sent to our identified mailbox.

Our objection will be maintained until the amended documents, as outlined above, have been received. Production of the amended documents will not in itself result in the removal of an objection.

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

Lead Local Flood Authority - Site-Specific Advice

The following advice is provided to inform the applicant and the Local Planning Authority of any additional concerns with the application:

The applicant has failed to provide evidence of an urban creep allowance being applied to the development.

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.

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 Lead Local Flood Authority via our identified mailbox.

If you decide to approve contrary to our advice

If the Local Planning Authority grants planning permission for this development contrary to our advice, then we will be unable to support this application in an appeal or to assist with the discharge of any planning conditions, including surface water or flood risk conditions that we have not recommended.

The Local Planning Authority should be aware that any development built after 1 January 2012 is not eligible for Grant-in-Aid funding from central government to study or alleviate flood issues. This is set out in section 9.3 of the [Memorandum relating to capital grants for local authorities and internal drainage boards in England](#).

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

Yours faithfully,

Harry McGaghey

Lead Local Flood Authority

