

Contact: Please contact the Local
Planning Authority

Date: 29 June 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:	3/2023/0465
Proposal:	Erection of one new dairy cattle building with underground slurry tanks, associated hard standing and solar panels to south facing roofscape, removal of redundant metal ring slurry store and erection of two concrete slurry tanks with canopies.
Location:	Black Moss Farm Elmridge Lane Chipping PR3 2NY

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

Lancashire County Council

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



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

Standards S2 and S3 of the Defra Technical Standards for Sustainable Drainage Systems require applicants to demonstrate that post-development peak flows of any proposed development do not exceed existing pre-development surface water runoff rates for the 100% (1 in 1-year) and 1% (1 in 100-year) annual exceedance probability rainfall event.

The submitted surface water sustainable drainage strategy fails to contain peak flows within these parameters as evidence has not been provided to demonstrate how the peak runoff rate from the development to the surface water body for the 100% (1 in 1-year) annual exceedance probability rainfall event and/or the 1% (1 in 100-year) annual exceedance probability rainfall event will not exceed the peak greenfield runoff rate for the same event.

Therefore, the proposals are contrary to Standard S2 of the Defra Technical Standards for Sustainable Drainage Systems. This is sufficient reason in itself for a refusal of planning permission.

2. **Provide appropriate minimum operation standards for 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 S4 of the Defra Technical Standards for Sustainable Drainage Systems requires applicants to demonstrate that post-development surface water runoff volume from the development in the 1% (1 in 100-year) annual exceedance



probability, 6-hour rainfall event does not exceed the greenfield runoff volume for the same event.

The submitted surface water sustainable drainage strategy fails to contain surface water volume flows within the parameters set out in Standard S4 of the Defra Technical Standards for Sustainable Drainage Systems. This is sufficient reason in itself for a refusal of planning permission.

3. **Meet the hierarchy of runoff destinations** under the Planning Practice Guidance.

The Planning Practice Guidance requires applicants for planning permission to discharge surface water runoff according to a hierarchy of runoff destinations, where the aim should be to discharge surface runoff as high up the hierarchy of drainage options as reasonably practicable.

The evidence provided is insufficient and in its current state the drainage design is considered contrary to policy and therefore sufficient reason in itself for a refusal of planning permission. The applicant should provide sufficient information to demonstrate a robust justification for all runoff destinations examined, as well as further evidence of the proposed watercourse for discharging surface water from the development.

4. **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 proposed to discharge surface water from the development via an existing pond that is to outfall to a watercourse, the applicant has failed to provide information as to the location of this existing watercourse. Furthermore, given that the pond is existing, the applicant is expected to provide evidence as to the suitability of the pond for storing surface water post development, given the conversion of greenfield to impermeable area.

In addition to this, the drainage proposals only depict surface water post development being managed for the cow shed area of the development and not for the slurry tank area of the development, given that this area also is for the conversion of greenfield to impermeable area, the applicant will be expected to demonstrate how surface water will be managed within a drainage system for these new impermeable area.

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

