

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

**Date:** 15 August 2024

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>	3/2023/0858
<b>Proposal:</b>	Retention of wedding marquee and raised decking to the west of the main built form of Stanley House until 31.12.2027.
<b>Location:</b>	Stanley House Preston New Road Mellor BB2 7NP

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 **maintains its objection** 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

 lancashire.gov.uk

## Reason

Paragraphs 173 and 175 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 175 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 a soakaway to the northern area of the development, however, the soakaway tests provided demonstrate that infiltration is not viable in the trial pit locations or in accordance with parameters within section 25.3 of The SuDS Manual. Should no evidence be provided that appropriately demonstrates that infiltration is viable in the proposed soakaway location, then 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 acceptable infiltration testing, or robust evidence of a 'plan b' outfall location, 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 173 and 175 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

Section 25.3 of The SuDS Manual states that 'The results of incomplete tests should not be extrapolated to obtain design values of infiltration rates. The head of water in the infiltration test should fall to less than 25% of the initial head of water. If this does not occur, the results should state that the infiltration rate cannot be determined. If other variations to the test method in Bettez (1996) be required, the test results sheet should clearly state what variations have been made to the test and why'.



In addition to this, should the applicant continue to explore the option of a soakaway, the applicant is expected to undertake infiltration testing in the area designated for any proposed soakaway.

### **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 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.

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.

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**



