

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

**Date:** 23 July 2025

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>	3/2025/0363
<b>Proposal:</b>	Erection of 19 no affordable dwelling (100% affordable housing scheme) with associated car parking, landscaping and access from Pendle Street East, including demolition of existing domestic garages.
<b>Location:</b>	Land off Pendle Street East Sabden BB7 9EQ

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 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 181 and 182 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 182 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 182 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 greenfield Qbar rates but fails to contain surface water volume flows within the parameters set out in Standard S6 of the Defra Technical Standards for Sustainable Drainage Systems as evidence has not been provided to demonstrate the how the greenfield Qbar rate for the site has been calculated. This is sufficient reason in itself for a refusal of planning permission.

2. **Provide multifunctional benefits**, as expected under paragraph 182 of the National Planning Policy Framework and the Planning Practice Guidance.

Paragraph 182 of the National Planning Policy Framework is clear that sustainable drainage systems should, where possible, provide multifunctional benefits. The proposed sustainable drainage system does not provide multifunctional benefits that go beyond the 'four pillars' of water quality, water quantity, amenity and biodiversity, in line with paragraph 055 of the Planning Practice Guidance, or provide evidence that such techniques are not possible, in line with paragraph 059 of the Planning Practice Guidance.

Failure to provide a sustainable drainage system that provides multifunctional benefits, or provide evidence that such techniques are not possible, is considered contrary to the Planning Practice Guidance and, therefore, the current proposal is considered



contrary to the National Planning Policy Framework. This is sufficient reason in itself for the refusal of planning permission.

- 3. Appropriately size the SuDS** and, therefore, does not provide appropriate proposed minimum operational standards, in line with Paragraph 182 of the National Planning Policy Framework. The submitted drainage strategy sizes the SuDS based only on the impermeable area of the site (approximately 0.303ha), excluding the remaining permeable areas of the site, but calculates the discharge rate based on the full site area of approximately 0.576ha.

The applicant has stated that infiltration is not possible on the proposed development and, therefore, while these areas, such as gardens, roadside verges and areas of public open space, may not be positively drained, they may contribute indirectly to the drainage system during extreme events.

The applicant must design their SuDS with an appropriate estimation of the area contributing to the drainage system, both permeable and impermeable, with evidence of this area provided through an appropriate contributing areas plan, or otherwise demonstrate how surface water runoff from non-drained areas will be managed without contributing to the drainage system and without increasing flood risk on or off-site.

The current failure to do so means the SuDS is likely undersized and, therefore, may contribute to increased flood risk on or off-site, contrary to the National Planning Policy Framework. This is a sufficient reason in itself for the 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 181 and 182 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 provided information that suggests that the development is previously developed and although the Lead Local Flood Authority acknowledges that the proposed site entrance utilises some land which could be classified as previously developed, the majority of the development proposals will be utilising a greenfield area, therefore the applicants justification for providing a betterment on approximately 17l/s is not supported by the methodologies for calculating previously developed rates and volumes in section 24.5 of The SuDS manual and not an appropriate justification for the whole site.

The applicant has provided evidence that the greenfield runoff rate has been calculated using an outdated data set (FEH13), the applicant is expected to provide robust evidence of the calculated greenfield runoff rate and volume using the updated datasets and a consistent contributing area.

The Lead Local Flood Authority makes note to the Local Planning Authority of the deficiencies with the submitted flood risk assessment given its scanned nature as well as a number of the appendices being unclear photographs of evidence, as this makes the required evidence difficult to review in detail.

### **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

