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Date: 26/02/2021

Dear Local Planning Authority,

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

PLANNING APPLICATION CONSULTATION RESPONSE

Application Number:	20/01193/OUTMAJ
Location:	Land South Of Parr Lane Ecclestone
Proposal:	Outline planning application (with all matters reserved) for the development of land off Parr Lane, Ecclestone for up to 34 dwellings and associated infrastructure (including 30% affordable housing)

Under the Flood and Water Management Act 2010 the LLFA is the responsible 'risk management authority' for managing 'local' flood risk which refers to flooding or flood risk from surface water, groundwater or from ordinary watercourses. The LLFA 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 (LPA) whether any such recommendations are acted upon. The comments given have been composed based on the current extent of the knowledge of the LLFA and information provided with the application at the time of this response.

LLFA Comments

- 1. Infiltration** - Sections 8.2 and 9.1 of the Flood Risk Assessment and Drainage Strategy (October 2020, Reford Consulting Engineers Limited) state that infiltration will not be feasible on site due to the presence of "slowly permeable seasonally wet slightly acid but base-rich loamy and clayey soils". The variable nature of such superficial deposits mean that a desk study is not sufficient in of itself to rule out infiltration as a drainage mechanism in this case. Consequently, site investigations will still be required to confirm infiltration rates and groundwater levels in accordance with industry guidance.

2. **Climate Change** – Section 8.4 of the Flood Risk Assessment and Drainage Strategy (October 2020, Reford Consulting Engineers Limited) states that overall flows up to the 1 in 100 year event plus allowance for 30% climate change will be contained on site within the drainage system. Government guidelines on climate change allowances stipulates that developments with a design life beyond 2080 should account for upper end estimations for the total potential change anticipated, which equates to a **40%** allowance for the 1 in 100 year storm event. The attenuation volume of between 240 m³ and 378 m³ proposed in section 8.7 of the FRA will likely be insufficient as a result.

Lead Local Flood Authority (LLFA) Position

The Lead Local Flood Authority has **no objection** to the proposed development subject to the inclusion of the following conditions, in consultation with the Lead Local Flood Authority:

Condition 01 – Development is in accordance with the submitted Flood Risk Assessment

The development permitted by this planning permission shall be carried out in accordance with the principles set out within the Flood Risk Assessment and Drainage Strategy (October 2020, Reford Consulting Engineers Limited). The measures shall be fully implemented prior to first occupation of any dwelling and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

Reason

To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

Condition 02 – Final Sustainable Drainage Strategy to be submitted

No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority.

The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

Those details shall include, as a minimum:

- a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change), with allowance for urban creep.
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

- i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;
 - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels;
 - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
 - v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot to confirm minimum 150mm+ difference for FFL.
- c) Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- d) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with industry guidance.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason

To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

Condition 03 – Construction Phase Surface Water Management Plan

No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

Those details shall include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged, they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The development shall be constructed in accordance with the approved details.

Reasons

- 1. To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere;

2. To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

Condition 04 – Operation and Maintenance Plan & Verification Report of Constructed Sustainable Drainage System

No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason

To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 165 of the National Planning Policy Framework.

LLFA Informatives

1. Land Drainage Consent

The submitted Flood Risk Assessment and Drainage Strategy (October 2020, Reford Consulting Engineers Limited) proposes to discharge to the unnamed watercourse that runs northwards towards Parr Lane on the eastern boundary of the site, ultimately draining to the River Yarrow, roughly 900 m to the north. Any work within the banks of the watercourse which may alter or impede the natural flow of water will require Land Drainage Consent from the LLFA under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010).

When applying for Land Drainage Consent, as a minimum, the applicant will be expected to:

- a. Carry out studies of the existing culvert/watercourse condition and capacity;
- b. Undertake an examination of the downstream condition and implications of the development proposal, and;
- c. Restrict discharge rates so that the peak runoff rate from the development to the ordinary watercourse for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the agreed discharge rate.

As per Lancashire County Council Consenting and Enforcement Policy, it should be noted that the Lead Local Flood Authority will generally refuse consent applications which seek to culvert an existing ordinary watercourse.

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

Guidance: <https://www.lancashire.gov.uk/media/903914/land-drainage-consent-advice-note.pdf>

Application form: <https://www.lancashire.gov.uk/media/903913/land-drainage-consent-application-form.pdf>

For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse and, once planning permission has been obtained, it does not mean that land drainage consent will be given. The applicant should obtain Land Drainage Consent from Lancashire County Council **before** starting any works on site.

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 local highway authority.

The applicant is also encouraged to discuss the suitability of any overland flow routes and/or flood water exceedance with the local 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 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 LLFA. Please send a copy of the decision notice to: suds@lancashire.gov.uk

Yours faithfully,

Benjamin Rogers

Lead Local Flood Authority