

Contact: Please contact the Local Planning Authority

Date: 8th October 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:	07/2021/00886ORM
Location:	Pickering's Farm Site, Penwortham (Land east of Penwortham Way and west of Leyland Road)
Proposal:	Outline planning application with all matters reserved except for the principal means of access for a residential-led mixed-use development of up to 920 dwellings (Use Classes C3 and C2), a local centre including retail, employment and community uses (Use Classes E and Sui Generis), a two form entry primary school (Use Class F), green infrastructure, and associated infrastructure following the demolition of certain existing buildings

Under the Flood and Water Management Act 2010 the LLFA is the responsible 'risk management authority' for managing 'local' flood risk which refers to 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.

Lead Local Flood Authority 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 1- Final Sustainable Drainage scheme to be submitted

As part of the submission of any reserved matters application, a detailed surface water sustainable drainage scheme for the site shall be submitted to, and approved in writing by, the local planning authority. The detailed sustainable drainage scheme shall be based upon the site-specific flood risk assessment submitted and sustainable drainage principles 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 sewer, directly or indirectly.

Those details shall include, as a minimum:

- a) Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, discharge rates, finished floor levels in AOD with adjacent ground levels. Final sustainable longitudinal sections plan appropriately labelled to include all pipe/structure references, dimensions, design levels, discharge rates, with adjacent ground levels. Cross section drawings of swales, flow control manholes, attenuation pond inlets/outlets, flood basin inlets/outlets, watercourse outfalls and manhole on watercourse.
- b) Cross section drawings of attenuation ponds and flood basins with 1 in 1 year, 1 in 30 year and 1 in 100 year + climate change water levels.
- c) The drainage scheme should be in accordance with the principles and mitigation measures of the Lees Roxburgh Limited The Lanes, Penwortham, Preston Flood Risk Assessment Report no.6337/R2 dated August 2021 and demonstrate that the surface water run-off and volume shall not exceed the pre-development run-off. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- d) Sustainable drainage flow calculations (1 in 1, 1 in 2, 1 in 30 and 1 in 100 + climate change).
- e) Plan identifying areas contributing to the drainage network
- f) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses,
- g) A plan to show overland flow routes and flood water exceedance routes and flood extents.
- h) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- i) Breakdown of attenuation in pipes, manholes, swales, attenuation ponds and flood basins.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings.

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 2 – 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 3 - 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 a 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.

Condition 4 – Attenuation Basin and Flow Control Device Phasing

All attenuation basins, flow control devices/structures and offsite connections to the proposed SuDS drainage relevant to any phase and downstream of that phase to the outfall are to be constructed and operational prior to the commencement of any development within that phase.

Reason

1. To ensure site drainage during the construction process does not enter the public surface water sewer at un-attenuated rate.
2. To prevent a flood risk on and off site during the construction of the development.

Informative 1 – Response does not grant permission to connect to the ordinary watercourse/culverted watercourse

For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse/culverted 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.

Reason for pre-commencement conditions

Drainage is not only a material consideration but an early and fundamental activity in the ground construction phase of any development and it is likely to be physically inaccessible at a later stage by being buried or built over. It is of concern to **all** flood risk management authorities that an agreed approach is approved before development commences to avoid putting existing and new communities at risk.

The revised NPPF considers sustainable drainage systems to be important and states that they should be incorporated unless there is clear evidence that this would be inappropriate and, as such the LLFA needs to be confident that flood risk is being adequately considered, designed for and that any residual risk is being safely

managed. To be able to do this the LLFA requires an amount of certainty either by upfront detail or secured by way of appropriate planning condition(s).

The proposed pre-commencement condition(s) allows for the principle of development to be granted and detailed drainage designs to be conditioned for approval via reserved matters or via a discharge of condition application which could be more favourable to developers in terms of less delay and less financial outlay early in the process. Non-acceptance of the pre-commencement condition could lead the LLFA to object to the principle of development until all residual risk issues are safely managed.

We ask to be re-consulted following the submission of additional information addressing surface water drainage proposals. We will provide you with comments within 21 days of receiving formal re-consultation.

Yours faithfully,

Steven Warren
Lead Local Flood Authority