

**Phone:** 0300-123-6780  
**Email:** Suds@lancashire.gov.uk

**Date:** 26 November 2019

### APPLICATION CONSULTATION RESPONSE

<b>Application Number:</b>	2019/0366/FUL
<b>Location:</b>	Pennylands House, High Street, Skelmersdale
<b>Proposal:</b>	Demolition of existing structures and erection of Class A1 foodstore and flexible use (Class A1/A2/A3) unit with associated access, car parking, servicing and hard and soft landscaping
<b>Grid Reference:</b>	SD 346905 405897

Thank you for inviting the Lead Local Flood Authority (LLFA) to comment on the above application. The Flood and Water Management Act 2010 sets out the requirement for LLFAs to manage 'local' flood risk within their area. 'Local' flood risk refers to flooding or flood risk from surface water, groundwater or from ordinary watercourses.

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. It is ultimately the responsibility of the Local Planning Authority to approve, or otherwise, any drainage strategy for the associated development proposal. 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 condition, in consultation with the Lead Local Flood Authority:

### **Condition 1: Development is in accordance with the submitted FRA**

The development permitted by this planning permission shall be carried out in accordance with the following mitigation measure as identified within the FRA ref: 3139-FRA, dated October 2018.

1. Reduction of the predevelopment brownfield flow rates by 50% and provision of commensurate on site storage.

The mitigation measure shall be fully implemented prior to occupation of the development and subsequently 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.

### **Reasons**

1. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
2. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

### **Condition 2: Appropriate surface water drainage scheme to be submitted**

No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme, have been submitted to and approved in writing by the local planning authority.

Those details shall include:

- a) Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels in AOD with adjacent ground levels;
- b) Sustainable drainage flow calculations should demonstrate that the existing brownfield peak flow rates at the outfall has been assessed for the 1 in 1, 1 in 30 and 1 in 100 (+ climate change) return periods, in accordance with the guidance provided in Section 24.5 of the SuDS Manual 2015 (CIRIA 753). The drainage scheme shall subsequently demonstrate that at least 50% betterment on the corresponding peak rates is achieved. The scheme shall be implemented in accordance with the approved details before the development is completed.
- c) Plan identifying areas contributing to the drainage network;
- d) Measures taken to prevent flooding and pollution of the surface waters;
- e) A plan to show overland flow routes and flood water exceedance routes and flood extents;
- f) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

### **Reasons**

1. To ensure that the final drainage designs are appropriate following detailed design investigation.
2. To ensure that there is no flood risk on or off the site resulting from the proposed development
3. To ensure that water quality is not detrimentally impacted by the development proposal
4. To reduce the flood risk to the development as a result of inadequate maintenance

### **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.

### **Material Changes**

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](mailto:suds@lancashire.gov.uk)

Yours faithfully,

**Wojciech Rozanski**  
Lead Local Flood Authority