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**Date:** 21<sup>st</sup> July 2021

### APPLICATION CONSULTATION RESPONSE

<b>Application Number:</b>	LCC/2021/0012
<b>Location:</b>	Lower Hall Farm, Samlesbury
<b>Grid Ref:</b>	E 359126, N 431260
<b>Proposal:</b>	Extraction of sand and gravel including construction of new access road and new junction with A59 Preston New Road, creation of plant site, weighbridge and stockpiling area, silt ponds, landscaping including screen mounding, with progressive restoration to wetland and passive flood management facility, woodland and agriculture.

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.

#### LLFA Comments

Paragraph 163 of the National Planning Policy Framework requires applicants for planning permission to ensure flood risk is not increased elsewhere, to give priority to the use of sustainable drainage systems and to demonstrate that any residual risk can be safely managed including safe access and escape routes to the proposed development.

Paragraph 165 of the National Planning Policy Framework sets out what applicants need to demonstrate on their sustainable drainage proposals.

The submitted plans do not provide sufficient detail on how surface water is intended to be collected, stored and discharged safely within the site demonstrating that the proposals will not increase surface water flood risk during or after construction on-site or elsewhere. For example, there are no drainage calculations or details of intended surface water discharge location(s), rates, volumes etc.

Water quality should be considered by the applicant with appropriate treatment trains incorporated into the sustainable drainage design.

The LLFA is particularly concerned with regards to surface water runoff from the proposed access road and the flood risk assessment fails to consider this. Proposals do not adequately demonstrate how this risk will be managed and mitigated within the site ensuring there is no adverse impact on adjacent landowner(s).

The applicant has failed to demonstrate how Defra Non-Statutory Technical Standards for Sustainable Drainage Systems will be satisfied, and therefore the proposed development is contrary to national planning policy and the Lead Local Flood Authority cannot be sure the development will meet these standards.

The LLFA will require demonstration that surface water can be managed safely during construction phase(s); this is not considered in the submitted flood risk assessment.

There are no details of proposed management and maintenance arrangements of any sustainable drainage system, the LLFA needs to be satisfied in this regard to ensure Paragraph 165 of the National Planning Policy Framework can be met.

Paragraph 163 of the National Planning Policy Framework and Defra Non-Statutory Technical Standards for Sustainable Drainage Systems requires applicants to demonstrate that the design of any proposed surface water drainage system must mitigate any negative impact of surface water runoff from the development on the flood risk outside the development boundary. The submitted flood risk assessment and sustainable drainage strategy fails to demonstrate how off-site flood risk posed by the proposed development will be mitigated through drainage design.

The LLFA recognises that the applicant may need to provide a detailed sustainable drainage design at a later stage in the planning process, however it is important that key principles set out in the NPPF, PPG and referred to above are demonstrated to be met prior to the grant of planning permission so that such details can be appropriately conditioned.

### **Lead Local Flood Authority Position**

The Lead Local Flood Authority **objects to this application and recommends refusal of planning permission unless or until** concerns have been adequately addressed through the submission of further information in writing to the local planning authority.

### **Reason:**

The Envireau Water Hydrogeological & Flood Risk Assessment of the Proposed Mineral Extraction for Harleyford Aggregates Ltd Samlesbury Estate revision 3.2 dated June 2016 submitted with this application does not comply with the

requirements set out in paragraph 30 of the Planning Practice Guidance, and therefore failed to demonstrate that Paragraphs 163 and 165 of the National Planning Policy Framework have been satisfied. The submitted Flood Risk Assessment does not therefore provide a suitable basis for assessment to be made of the surface water flood risks arising from the proposed development nor how these will be managed in line with the required standards set out in the National Planning Policy Framework and Planning Practice Guidance.

### **Overcoming our Objection**

You can overcome our objection by submitting an FRA and Sustainable Drainage Strategy which covers the deficiencies highlighted in this response and demonstrates that the development will not increase surface water flood risk elsewhere. If this cannot be achieved we are likely to maintain our objection to the application.

We ask to be re-consulted on further information received from the applicant. We will provide you with bespoke comments within 21 days of receiving formal reconsultation. Our objection will be maintained until an adequate FRA and sustainable drainage strategy has been submitted.

Yours faithfully

**Steven Warren**

Lead Local Flood Authority