

Contact: suds@lancashire.gov.uk

Date: 12 April 2022

Dear Pendle Local Planning Authority,

Thank you for inviting Lancashire County Council's Flood Risk Management Team to comment on the above consultation. Lancashire County Council is the Lead Local Flood Authority (LLFA) for the County Council's administrative area.

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. While the LLFA is not a statutory consultee in the plan-making process, we value the opportunity to provide comments from the perspective of our statutory roles.

Comments provided in this representation are advisory and it is the decision of Kelbrook and Sough Parish Council 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 consultation at the time of this response.

It is crucial that Kelbrook and Sough Parish Council provides clear policies and guidance on flood risk and surface water issues in order to deliver developments that are safe and sustainable. The LLFA strongly advises the Parish Council to ensure that the Neighbourhood Plan is in line with current policies, such as the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and DEFRA Technical Standards for Sustainable Drainage Systems (SuDS).

Please see our comments below on the Spring 2022 Regulation 16 consultation Neighbourhood Plan for Kelbrook and Sough. These comments do not cover the totality of our position but are provided in order to give examples of our current thought process and to demonstrate what the LLFA recommends for inclusion / improvement within the review of the Kelbrook and Sough Neighbourhood Plan.

The Lead Local Flood Authority have reviewed the Kelbrook and Sough Parish Neighbourhood Development Plan, and have the following comments:

Specific Comments

1. Policy KS ENV1 – Green Infrastructure could be revised to reflect the Governments Planning Practice Guidance (PPG) and its reference to 'blue infrastructure' which would help to promote Blue-Green SuDS into high quality

place making, which have amenity and biodiversity benefits as well as managing surface water quantity and quality. This inclusion of Blue-green infrastructure could include more specific reference to the inclusion of treatment trains and biodiversity net gain in the design of Sustainable Drainage Systems (SuDS). This would promote higher quality SuDS that meet the "four pillars", as set out in The SuDS Manual.

2. Objective 2 makes reference to preventing water and soil pollution, the Parish Council could include reference to the published guidance on pollution prevention. Guidance on this matter during the construction phase can be found in Chapter 31 of the CIRIA SuDS Manual C753 and could be included into the policies KS HOU1 and KS HOU2 respectively.
3. Kelbrook and Sough Parish Council should consider including under Policy KS HOU1 and KS HOU2, the need for new housing/development to incorporate sustainable drainage systems in accordance with paragraph 169 of the NPPF.
4. Policy KS HOU 1 - allocation of land at Docliffe yard for housing, part (i) makes no mention of LLFA or its role as a statutory consultee, the requirement of a Sustainable Drainage Strategy, SuDS or surface water flood risk.
5. The Neighbourhood plan makes reference to the requirement for a Site-Specific Flood Risk Assessment as part of the NPPF for major planning applications, the plan could be revised to also include the requirement for a drainage strategy for major applications as well as the difference between these documents.
6. The LFFA would advise that any current mention of SuDS 'features' be changed to reflect the language used in the SuDS Manual and be edited to SuDS 'components'

General Comments

1. For the avoidance of doubt any reference to SuDS refers to Sustainable Drainage Systems and the CIRIA SuDS Manual is the industry standard used by professionals as the reference guide for Sustainable Drainage Systems.
2. The Neighbourhood Plan should specify the requirement for an allowance to be made for climate change in the sustainable drainage systems of new developments, in line with the published climate change allowances on gov.uk.
3. The Neighbourhood Plan should specify the requirement for an allowance to be made for urban creep in the design of a new development sustainable drainage system. A 10% increase is recommended in line with The CIRIA

SuDS Manual C753 to account for future conversion of permeable areas to impermeable area, for example, building extensions, paving of gardens, conversion of front gardens to driveways.

4. The Neighbourhood Plan should specify the requirement for all new developments to achieve greenfield runoff values in accordance with DEFRA Technical Standards for Sustainable Drainage systems. This paragraph should also clarify that greenfield runoff rates cover runoff from the entire development site area, not just the impermeable areas within the site.
5. The Neighbourhood plan could include the need for developers to adhere to the hierarchy of drainage options stipulated in paragraph 080 of the PPG.
6. Where appropriate, the Parish Council should consider specifying land to be safeguarded for current or future flood risk management within the Neighbourhood Plan, in line with Paragraph 161 of the NPPF.
7. It should be specified that all surface water sustainable drainage systems should be designed to SuDS adoptable standards in accordance with The SuDS Manual and United Utilities. This is primarily a concern for United Utilities who you may wish to consult further with on this point. You can find more information on their website here: <https://www.unitedutilities.com/builders-developers/larger-developments/wastewater/sustainable-drainage-systems/>
8. The Neighbourhood Plan should include a requirement to avoid and minimise culverting watercourses wherever possible and should seek to promote daylighting of culverts where possible, as well as the requirement to seek permission to alter or carry out works to a watercourse or water body from the relevant body (LCC LLFA for ordinary watercourses, Environment Agency for main rivers, Canal and Rivers Trust for any canals).
9. The plan currently makes no reference to Natural Flood Management (NFM) strategies, the Neighbourhood Plan could look to integrate information regarding NFM into the plan, to give a broader scope of different strategies applicants can use to reduce flood risk and improve biodiversity alongside other SuDS components.

I trust you find this response helpful and constructive. If you have any questions or wish to discuss any aspects of the response further, please do not hesitate to contact the LLFA using the details at the top of this response.

Yours faithfully,

Harry McGaghey
Lead Local Flood Authority