

Summary of Representations Made Under Regulation 13 to the Draft Flooding, Water Management and Sustainable Drainage Systems (SuDS) SPD

The consultation on the Draft SPD resulted in responses from 15 + 1 consultees. The points raised in representation are set out below. The responses are ordered in accordance with the structure of the Draft SPD, with the chapter headings set out for reference.

Consultee	Key text from representation	Council Response
General		
Andrew Leysens – United Utilities	<p>United Utilities welcomes the Flooding, Water Management and Sustainable Urban Drainage Systems (SuDS) SPD.</p> <p>We encourage you to direct future developers to our free pre-application service to discuss their schemes and highlight any potential issues by contacting: Developer Services – Wastewater Tel: 03456 723 723 Email: SewerAdoptions@uuplc.co.uk Developer Services – Water Tel: 0345 072 6067 Email: DeveloperServicesWater@uuplc.co.uk</p> <p>Our Assets</p> <p>It is important to outline to the LPA the need for our assets to be fully considered in development proposals. We will not normally permit development over or in close proximity to our assets. All United Utilities assets will need to be afforded due regard in the masterplanning process for a site. This should include careful consideration of landscaping and biodiversity proposals in the vicinity of our assets and any changes in levels and proposed crossing points (access points and services). We strongly recommend that the LPA advises future applicants of the importance of fully understanding site constraints as soon as possible, ideally before any land transaction is negotiated, so that the implications of our assets on development can be fully understood. Where our assets exist on a site, we ask site promoters to contact United Utilities to understand any implications using the above contact details.</p> <p>Our Response to the Consultation</p>	<p>UU welcome the SPD, support noted. No change requested in this part of the response.</p>

	<p>United Utilities welcomes this SPD providing detailed guidance on flooding, water management and sustainable drainage to complement policies CL1 and CL2 and other design policies within the Fylde Local Plan 2021-2032. We support the Council's SPD in outlining requirements for future development to ensure full consideration of flood risk assessments, incorporate Sustainable Drainage Systems and appropriately manage and mitigate flooding. We are grateful for the inclusion of many of the comments which we submitted in our response dated 07 Jul 2022 to your earlier consultation. We would continue to refer you to this consultation response alongside the following comments.</p>	
Angela Laycock	<p>Thankyou for letting me read the draft SUD's document. It is quite comprehensive and a necessary. You need to look at the bigger picture of where and how the water from SUD's enters the watercourse with the humongous development that has occurred</p>	<p>Comment noted. No change requested.</p>
Ben Rogers – Lead Local Flood Authority	<p>Lancashire County Council is the Lead Local Flood Authority (LLFA) for the County Council's administrative area. The Flood and Water Management Act (FWMA) sets out the requirement for the LLFA to manage 'local' flood risk (flooding from surface water, groundwater, and ordinary watercourses) within their area.</p> <p>The Lead Local Flood Authority have reviewed the Draft Flooding, Water Management and Sustainable Urban Drainage Systems (SuDS) Supplementary Planning Document [July 2023] and are supportive of the content and requirements set out in it. We have a few minor comments to make at this stage, detailed as set out below.</p> <ul style="list-style-type: none"> • Updated climate change allowances were published by the Environment Agency on Gov.uk on 10 May 2022 to reflect the latest projections in UKCP Local (2.2km) and subsequent research 'Future-drainage: Ensemble climate 	<p>The LLFA are supportive of the SPD.</p> <p>Further in person dialogue has taken place with the LLFA. The LLFA would prefer the SuDS Pro-forma signposting in the document. They do not want it including in the document as it changes regularly, and the latest version will be on their website.</p> <p>The climate change allowances have been added at paragraph 5.35.</p> <p>Fylde Council does not provide advice on their local requirements for determining the lifetime of non-residential developments.</p>

	<p>change rainfall estimates for sustainable drainage’. The SuDS Pro-forma has also been updated to reflect these changes. The latest version is available on the Flood Hub https://thefloodhub.co.uk/planning-development/#section-5 .</p> <p>Fylde falls within the Ribble and Wyre Management Catchments, and so for most residential development in Fylde with a lifetime of over 100 years, the allowances are now 45% (3.3% annual exceedance probability event) and 50% (1% Annual exceedance probability event). The Local Planning Authority should consider adding a paragraph to the document to set out that the new allowances must be applied in both flood risk assessments, and SuDS design.</p> <p>The Lead Local Flood Authority advise that the new allowances are applied with immediate effect to all applications validated on or after 10th May 2022. Planning applications validated before 10th May 2022 should be processed in line with the previous climate change allowances.</p> <p>The Local Planning Authority may also wish to provide advice on their local requirements for determining the lifetime of non-residential developments, as this is key in determining the correct climate change allowance.</p> <p>I hope that you find these comments valuable. Should you wish for further information or clarification on the contents of this letter please contact us at the email address provided.</p>	<p>Further text to be added to the SPD to state that residential development is assumed to have a minimum lifetime of a hundred years. For industrial/commercial the developer will be expected to provide a lifetime for the proposed development.</p>
Christine Ibbotson	<p>I can't say I have read all this nor understood the details.</p> <p>It looks like the document has been through many experts before us !</p> <p>The only comment on drainage I can think of is (and it may not be for this purpose?)</p> <p>The effect of the bypass on local fields, ponds and building - what is the mechanism for checking this is as expected and planned for?</p> <p>Have we any local issues?</p>	<p>No address was provided with this response.</p> <p>It is assumed the respondent lives near the Skipool Windy Harbour By Pass. The Planning Application for this new road which was assessed and approved by National Highways, and will have been assessed and consulted on in order to assess all impacts of the by pass.</p> <p>The Council is not aware of any local issues.</p>

Christopher Carroll – Sport England	<p>Thank you for consulting Sport England on the above Supplementary Planning Document.</p> <p>Sport England have no objections to the document.</p>	<p>Comment noted.</p> <p>No change requested to the SPD.</p>
David Diggle – Turley for Strategic Land Group	<p>We have been instructed by the Strategic Land Group (SLG) to submit representations to the draft Flooding, Water Management and Sustainable Urban Drainage Systems Supplement Planning Document (herein called “the draft SPD”). SLG has land interests at Peel Hill Farm, Whitehills and has made representations to a number of planning applications¹ that have been submitted by various parties on land which is allocated for housing under policy HSS5 in the adopted Fylde Local Plan (FLP).</p>	<p>Comment noted.</p> <p>No change requested to the SPD.</p>
Diane Clarke – Network Rail	<p>Network Rail is a statutory consultee for any planning applications within 10 metres of relevant railway land (as the Rail Infrastructure Managers for the railway, set out in Article 16 of the Development Management Procedure Order) and for any development likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway (as the Rail Network Operators, set out in Schedule 4 (J) of the Development Management Procedure Order).</p> <p>Network Rail is also a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure, therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail’s specific land interests will need to be carefully considered.</p>	<p>Comments noted.</p> <p>No change requested to the SPD.</p> <p>Network Rail will be consulted on any proposed development (planning applications) in close proximity to their estate.</p>
Emily Hrycan – Historic England	<p>We do not have any comments to make at this stage on the consultations.</p>	<p>No comment made.</p> <p>No change requested to the SPD</p>

Nicola Elsworth – Homes England	Homes England does not wish to make any representations on the above consultation. We will however continue to engage with you as appropriate.	No comment made. No change requested to the SPD
John Rowson	<p>Thank you for the opportunity to comment. I am commenting on Flooding, Water Management etc proposals in this email.</p> <p>From my time in running SWAG and then CAPOW on behalf of residents of Wrea Green (2013-2018) and therefore raising issues arising regarding Planning, I saw a number of issues which need re-consideration now –</p> <p><i>[response on specific issues shown in relevant sections]</i></p> <p>ps Your document needs to be spell-checked as ACHIEVE is spelt "acheive" on one occasion.</p>	<p>Spelling of achieve has been corrected.</p> <p>Other comments will be addressed in the relevant sections of this table.</p>
Lancashire County Council – Heritage Environment Team	In the first instance we would of course wish to add our support to the comments made by Historic England included in the Statement of Consultation.	<p>Support noted to the comments made by Historic England.</p> <p>No change requested to the SPD.</p>
Lancashire County Council – School Planning Team	Lancashire County Council's School Planning Team welcome the opportunity to contribute to the Supplementary Planning Documents Consultation – June 2023. We recognise the value of engaging with Local Councils at the earliest stage of their plans to ensure the future needs of education are highlighted and documented within the local plan policies. The value of local knowledge can help to define and shape the future of local communities, ensuring the right level of infrastructure is achieved to meet the growth of housing and employment. The School Planning Team has worked closely with colleagues at Fylde Council over a number of years as they develop Local Plans, Strategic Policies and Supplementary Planning Documents to ensure the infrastructure requirements are included within the policies to support the successful delivery of sustainable housing development, including the allocation of land for new school provision.	<p>Comments noted.</p> <p>No change requested to the SPD.</p>

<p>Melanie Lindsley – The Coal Authority</p>	<p>Thank you for your notification in respect of the above.</p> <p>It is noted that the Fylde Council area does not lie on the coalfield. You can check if your LPA is on the coalfield via the link below Local planning authorities on the coalfield</p> <p>On the basis that the area does not lie on the coalfield the Planning team at the Coal Authority have no comments to make on the draft SPD's.</p>	<p>Comments noted.</p> <p>No change requested to the SPD.</p>
<p>Tim Bettany-Simmons – Canal and River Trust</p>	<p>Thank you for your consultation on the above document.</p> <p>We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.</p> <p>Please find below the Trust's response to your draft Supplementary Planning document in relation to Flooding, Water Management and Sustainable Urban Drainage Systems (SuDS). We hope that the comments provided are clear and helpful and that your next revision will address these points.</p>	<p>Comments noted.</p> <p>No change requested to this section.</p> <p>Other comments will be addressed in the relevant parts of the table.</p>
<p>Glenn Robinson – Lancashire County Council</p>	<p>Generally supportive of the document.</p> <p>There is inconsistency in the wording Sustainable Drainage Systems (SuDS). SuDS applies regardless of location urban or rural.</p>	<p>Support noted. It is understood that the widely recognised term SuDS applies to schemes in both urban and rural areas. The word urban has been deleted.</p>
<p>Vision, Issues and Objectives</p>		

<p>Alice Watson – Natural England</p>	<p>Natural England welcomes the identification of the importance of peat and wetlands within the SPD.</p> <p>Peat is a precious and irreplaceable resource, that once gone is lost for ever and can never be restored to sequester carbon which is bad news in a climate emergency.</p> <p>Following the publication of the England Peat Action Plan, Natural England have a better understanding of the impact of carbon loss from damaged and unmanaged peat as well as the opportunity costs of not restoring peat as functioning ecosystem. England’s peatlands are our largest terrestrial carbon store and are vital for capturing and storing carbon. They provide a range of other valuable benefits including biodiversity rich ecosystems, improved water quality and natural flood management, the protection of historic environment features and connect people with nature.</p> <p>Natural England has data on the carbon storage and sequestration of different habitats (NERR094).</p> <p>Natural England recommend policy in Local Plan Documents that clearly supports protection and enhancement of peatlands (including those in degraded state). We believe peatlands should be protected from inappropriate development and its associated operations for their carbon store and habitat value. This is in line with the England Peat Action Plan as these habitats store carbon, provide wildlife habitat and help limit the impact of flooding. We would wish to see more peatlands restored through re-wetting. We do not support the extraction of peat or its importation.</p> <p>Therefore we advise the wording and guidance in this SPD could be strengthened to ensure the protection of peat from water management and drainage from new developments. Natural England welcome that areas of peat should be identified and mapped, however the SPD does not include guidance on what should be considered, and how drainage and water management should be designed if an area of peat is identified. We advise the SPD should include information that where areas of peat are identified, any drainage design and</p>	<p>Additional text has been added to the Vision and Objectives.</p> <p>The Biodiversity SPD already provides guidance on appropriate tree species close to the protected areas along the coast and says that Poplar and Pine for example should not be planted as they could self -seed and be invasive on the dunes.</p>
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	<p>water management may require a tailored approach. Any peat deposits would require a buffer to ensure the hydrology of the soil is maintained any design should avoid areas of peat being developed or being sealed in.</p> <p>We note the SPD includes the objective to increase existing tree cover. Whilst we welcome this inclusion, and other biodiversity related objectives of the SPD, we advise any additional tree planting should consider the existing biodiversity of the area, and there should be significant consideration to ensure there will be no conflicts between the existing habitat and the species it supports and that to be planted; for example the planting of new trees within existing coastal habitat or within suitable habitat that supports the qualifying species of the Ribble & Alt Estuaries Special Protection Area (SPA)/Ramsar or Martin Mere SPA/Ramsar.</p>	
David Diggle – Turley for Strategic Land Group	<p>SLG agrees with the proposed vision which seeks to sustainably manage water management and to deliver flood resilience to the borough now and in the future. SLG also agrees with the statement made at paragraph 1.1 that in light of the borough’s coastal, low lying geographical location, flood risk and water management are “key issues that need to be addressed in Fylde for both existing and future developments.” <i>[Footnote refers to Planning Application References 17/0779 (Applicant: Wainhomes); 19/0284 (Applicant: BAK); 21/0472 (Applicant: Mr J Ball) and 22/04661 (Applicant: Wainhomes)]</i></p>	<p>Support for vision noted. No change requested.</p>
Legislative and Policy Review		
Andrew Leyssens – United Utilities	<p>Planning Practice Guidance</p> <p>Whilst noting that there is a requirement within the PPG for water and wastewater infrastructure companies to fully account for proposed growth and other relevant issues, it is important to highlight that many sites come forward outside of the development plan process as windfalls which are difficult to plan for. In addition, the full details of a development are not always known at the</p>	<p>Comments noted in relation to the PPG, it is difficult to predict where development will take place and what the exact end use will be.</p> <p>The three Fylde Coast Authorities have commissioned a Joint SFRA Level 1. UU will</p>

	<p>allocation / application stage. For example, the approach to surface water drainage, the point of connection or the nature of an employment occupier, which can result in differing demands on wastewater and water supply requirements.</p> <p>Strategic Flood Risk Assessment (SFRA) (2011)</p> <p>We wish to note that the SFRA (2011) is now out of date and that it is necessary to update this to take account of any new known flood risks. In particular, we have improved data on the risks of flooding from the public sewer and we would wish to assess any potential future allocations against the information which we hold on modelled sewer flood risk and sewer flooding incident data.</p>	<p>be included as a member of the stakeholder group for this document. UU will be consulted early on any potential new allocations for a new Local Plan, when this work takes place.</p> <p>No change requested.</p>
Angela Laycock	<p>On note 4.32 I would suggest that monies are also needed for the development of upstream water courses.</p>	<p>Comment noted.</p> <p>This does not relate to 4.32 which concerns the redevelopment of coastal defences.</p>
Ben Rogers – Lead Local Flood Authority	<p>Regarding paragraph 4.45, and other paragraphs that refer to "pre-application advice" - the Lead Local Flood Authority ask for our service to be referred to as our 'surface water planning advice service'. This is to reflect recent changes that enable this service to be accessed throughout the planning application process, for example, for advice on detailed SuDS design at the discharge of conditions stage.</p>	<p>The reference to the LLFA pre-application advice will be changed to 'Surface Water Planning Advice Service'.</p>
Christopher Carroll – Sport England	<p>Sport England ... welcome paragraph 4.21 which makes reference to the current local plan policy, Strategic Policy ENV3 Protecting Existing Open Space (part of the Green Infrastructure Network) with specific reference to 'sports and playing pitches.' However, Sport England would prefer if 'playing pitches' were replaced with 'playing field' in accordance with paragraphs 99 and 102 of the NPPF.</p> <p>The 2015 Order defines a playing pitch as 'a delineated area which, together with any run-off area, is of 0.2 hectares or more, and which is used for</p>	<p>Playing pitches will be changed to playing field.</p> <p>This was included at 6.13 but has been expanded upon.</p>

	<p>association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo.’</p> <p>As stated previously (please see below), it would also be welcomed if the SPD could expand on this local planning policy objective, as well as specifically explain the importance of existing and proposed playing fields and areas used for outdoor sport to remain useable throughout the year and that it is not appropriate for these areas to remain waterlogged as this can affect the use of the space and the health and wellbeing of residents. These areas should therefore be positively drained and included in the ‘drained area’ as part of any development proposal.</p>	
<p>Flood Risk and Location of Development</p>		
<p>Andrew Leysens – United Utilities</p>	<p>We welcome the reference to all sources of flood risk in this section including reservoir flood risk and the risk of flooding from overwhelmed drainage systems.</p> <p>Reservoir Flood Risk: Within this section we recommend that you refer to new guidance in the PPG regarding the risk of flooding from reservoirs. We recommend you include the following wording:</p> <p style="padding-left: 40px;">‘There are a number of reservoirs within Lancashire, each with its own reservoir flooding zone, showing how far flood water would spread from the reservoir in the unlikely event that a reservoir failed. These maps are available on the Environment Agency website at https://flood-warning-information.service.gov.uk/long-term-flood-risk/map .</p> <p>When looking at possible future development within a reservoir flood zone, applicants must refer to the advice within the National Planning Practice Guidance on Flood Risk and Coastal Change. This states that the local planning authority will need to evaluate the potential damage to</p>	<p>Further text added at 5.10. There are two very small, self-contained, circular, covered reservoirs in Fylde. They are in countryside areas so it is unlikely there will be development close to them. Some of this advice is for Fylde Council not for applicants therefore it hasn’t been included. A sentence has been included for applicants advising them to discuss any proposal in the reservoir flood zones with the reservoir operators.</p> <p>An additional bullet has been added to 5.11 to cover hydraulic locking of outfalls from public sewars on development sites.</p>

	<p>buildings or loss of life in the event of dam failure, compared to other risks, when considering development downstream of a reservoir.</p> <p>Local planning authorities will also need to evaluate in Strategic Flood Risk Assessments (and when applying the Sequential Test) how an impounding reservoir will modify existing flood risk in the event of a flood in the catchment it is located within, and/or whether emergency draw-down of the reservoir will add to the extent of flooding.</p> <p>If development is proposed within a reservoir flood zone, local planning authorities and applicants should discuss the development proposed with the reservoir undertakers (such as United Utilities) at the earliest opportunity, in order to:</p> <ul style="list-style-type: none"> - avoid intensification of development within areas at risk from reservoir failure; and - ensure that reservoir undertakers can assess the cost implications of any reservoir safety improvements required due to changes in land use downstream of their assets. <p>Developers should be expected to cover any additional costs incurred, as required by the National Planning Policy Framework's 'agent of change' policy (paragraph 187). This could be through Community Infrastructure Levy or section 106 obligations for example.'</p> <p>Tidal Impact on Existing Drainage Systems:</p> <p>We also request that you include wording in this section which identifies the potential tidal impact on existing drainage systems. We have recommended wording below.</p> <p style="padding-left: 40px;">'Applicants will need to engage with flood risk management agencies to understand whether a site is affected by a combination of flood risks. In particular, a high tide can result in the hydraulic locking of outfalls from existing drainage systems such as the public sewer. This can increase the</p>	<p>Additional text added to Pre-purchase and Pre-application advice and Managing and Mitigating Flood Risk.</p> <p>Advice on not paving gardens has been added to the householder section however this was already covered at 7.36-7.41 so a cross reference has been included.</p>
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risk of flooding from the public sewer on a site. Such matters will need careful consideration by applicants when promoting development proposals through consultation with the relevant flood risk management agencies.'

Pre-Purchase and Pre-Application Advice

Within paragraph 5.37 we request that you refer to the need for applicants / site promoters to consult with the water and wastewater company to obtain advice on flood risk, foul drainage and any groundwater protection matters. They will also need to consult United Utilities on surface water drainage alongside consultation with the LLFA. Site promoters can use the contact details outlined above.

We request that your document notes that drainage design is intrinsically linked to wider site design. Mitigating measures may be necessary to ensure that a development is resilient to the risk of flooding from the public sewer.

Householder Development

With respect to this section we request that you include an additional paragraph regarding paving over gardens. We request that you include the following wording.

'The paving over of gardens has a significant impact on public sewers. The paving over of gardens can increase the flow of rainwater to the public sewer rather than allowing it to naturally infiltrate to ground. This increases the flow of water to the public sewer, which increases the likelihood of flooding and the likelihood that a public sewer will spill into a waterbody. The combined effect of many properties paving over gardens places a huge strain on our sewers during storm events.

In the first instance, we encourage you to not pave over your garden areas. However, if you do, we request that you do all you can to ensure that surface water can continue to drain via a permeable surface and / or is directed to a permeable surface such as flower beds. In some

	<p>instances, you may require planning permission. Further advice can be found here.</p> <p>In constructing any new householder project, we would encourage you to incorporate rain gardens. Guidance on rain gardens can be found here and here.'</p>	
<p>David Diggle – Turley for Strategic Land Group</p>	<p>The draft SPD acknowledges that any SPD should provide detail and guidance to support policies and proposals as set out in any Development Plan – in this case the Flyde <i>[sic.]</i> Local Plan to 2032 (incorporating a partial review) (FLP) which was adopted by the Council on 6th December 2021. The need to deal with flood risk is not only one of the FLP's main objectives; it is also extensively referenced in a number of important policies including CL11. The SPD also cross-references the national planning policy position to flood risk and location of development as set out in the National Planning Policy Framework. <i>[Footnote refers to Framework paras. 159-169]</i></p> <p>Chapter five of the draft SPD sets out the approach to flood risk and location of development in more detail. Quite rightly, it reaffirms the national and local planning policy imperative to steer new development to areas which are in less risk to flooding are developed in preference to areas of higher risk and in particular, the timing, extent and process of undertaking of the sequential test.</p> <p>In paragraph 5.8, the SPD asserts that “the sequential test has been carried out for the allocations in the Fylde Local Plan (incorporating Partial Review).” This statement is not correct. As our submissions to various planning applications (see Enclosures A, B, C and D) confirm, land allocated for housing under FLP policy HSS5 has not undergone a sequential assessment and testing during the Development Plan process. In summary:</p> <ul style="list-style-type: none"> • The FLP was submitted in December 2016 with two rounds of hearing sessions held between March and December 2017. The first planning application on HSS5 land was submitted in between these two rounds of hearing sessions (September 2017). The Strategic Flood Risk Assessment supporting the FLP identifies the land 	<p>Paragraphs 5.8 and 5.9 have been amended to clarify the circumstances when a sequential test will be required.</p>

allocation as falling within Flood Zone 1. Main Modifications to the FLP underwent consultation in March 2018. The EA responded to these and did not raise any flood risk issue for the allocation HSS5. There was some further, focussed, activity and written correspondence between the Council and the Inspector relating to the Habitat Regulations in June and July 2018. The Inspectors Report was issued on 18th September 2018.

- The Environment Agency (EA) confirmed a change of flood classification for housing allocation HSS5 (from Flood Zone 1 to 3) in its objection letter to the planning application on 2 August 2018.
- The EA's concerns were then brought to the attention of the Local Plan Inspector by a third party who in turn asked for a response from the LPA. The LPA responded that, in order not to delay the adoption of the FLP, any site-specific flood issues are to be dealt through the determination of the planning application rather the Development Plan process. The FLP Examination was subsequently closed with no sequential test being undertaken for housing allocation HSS5.
- The partial review of the FLP was conducted between October 2020 and October 2021. The partial review did not deal with flood risk issues associated with land allocation HSS5.

The information that SLG has obtained confirms that the sequential test implications of the change in flood designation on housing allocation HSS5 were not considered prior to the adoption of the FLP (previous or through partial review), either as a standalone re-assessment or through an update to the Strategic Flood Risk.

Sequential Test Methodology

The draft SPD sets out a broad approach as to a methodology for undertaking a sequential test, referring to national practice guidance and good practice. It provides guidance⁴ in respect of any anticipated area of search and states that:

	<p>“In most cases a search of lower flood risk will incorporate the whole Borough with any variation to be justified in the sequential report and agreed by the Council at pre-application stage.</p> <p>A reduced area of search may be acceptable depending on the local circumstances and whether it can be demonstrated that there is a local need e.g. affordable housing in that area. The area of search can be influenced by particular policy objectives, the scale of the development, or the purpose of the development itself (a particular area it intends to serve for example.”</p> <p>The subsequent table5 is suggested as a starting point for any area of search. For residential schemes, the table asserts that the area of search should be Borough wide, highlighting that all residential development contributes towards housing need in the Borough.</p> <p>While this may be true, it is important that any area of search needs to be guided by the prevailing strategic policies of the FLP. For good reasons, these strategic policies steer development into certain areas of the Borough and set out the extent and spatial distribution of housing. These important factors cannot be ignored when considering a sequential test on a proposal which is seeking to achieve the strategic policy objectives of the FLP.</p> <p><i>[The representation attaches four letters which are copies of representations made to planning applications, relating to application of the sequential test]</i></p>	
<p>Lancashire County Council – School Planning Team</p>	<p>The School Planning Team also request that as part of the Supplementary Planning Document Consultation Fylde Council take into consideration the new LCC School Site Criteria as part of infrastructure delivery especially in relation to Biodiversity Net Gain which is a new statutory requirement from November 2023. Additionally, the site must not be within flood zone 2 or 3 or subject to ground water flooding.</p>	<p>Comments noted.</p> <p>The Council is aware of the Biodiversity Net Gain requirements, which do not relate to flooding.</p> <p>LCC school planning team would be consulted on any planning application for a</p>

		school, therefore, no change is needed to the SPD.
Tim Bettany-Simmons – Canal and River Trust	<p>The Canal & River Trust own and manage the Lancaster Canal, which is a rural section and as such development next to the canal would like to be more limited.</p> <p>Section 5 relating to flood risk does make reference to canals when quoting National Guidance. Given the rural setting of the canal within the authority area the flood risk from the canal would be low.</p>	Comments noted, no change to the SPD requested.
Managing and Mitigating Flood Risk		
Alice Watson – Natural England	We further note Section 6.33 states that opportunities to retrofit Green Infrastructure (GI) will be looked on favourably. We advise you may wish to strengthen this section to include examples on how they can retrofit GI including adding green roof systems, roof gardens and green walls to existing buildings and new tree planting or altering the management of land (e.g. management of verges to enhance biodiversity).	Text on retrofitting GI will be added to 6.33.
Andrew Leyssens – United Utilities	<p>Finished Floor and Ground Levels</p> <p>We welcome the wording in this section. We suggest that this is expanded to include reference to changes of levels on top of a public sewer.</p> <p>‘An applicant should not assume that changes in levels or any proposed diversion of the public sewer system will be acceptable as such proposals could increase or displace flood risk. In such circumstances, any alteration of the public sewer would be refused by the wastewater undertaker. This could be material to the detail of your site design and layout.’</p>	These two sections of text will be added to the SPD.

	<p>This is also relevant to paragraph 6.21.</p> <p>Site Layout</p> <p>We note that paragraph 6.13 refers to the drainage of playing fields. We request that you include the following wording in this paragraph.</p> <p style="padding-left: 40px;">‘Applicants should note that the connection of any land drainage to the public sewer will not be permitted and therefore alternative drainage arrangements to manage land drainage will need to be secured.’</p>	
Angela Laycock	<p>On note 4.32 I would suggest that monies are also needed for the development of upstream water courses.</p>	<p>Considered here as could relate to 6.32 rather than 4.32. The Council agrees with this comment although it is assumed that ‘development’ means natural flood management. Upstream areas of the Ribble for example will be managed by the relevant authorities in those areas. No change needed to the SPD.</p>
Ben Rogers – Lead Local Flood Authority	<p>Paragraph 6.24 (and subsequent sections on culverting in section 6) could refer to the LLFA's Ordinary Watercourse Consent Service. Any works to a culvert require consent from the LLFA under the land drainage act 1991. In a similar manner to how the SPD refers and links to the LLFA's planning advice service in section 5.40, so too could this section link to the LLFA's Ordinary Watercourse Service, which can be found here:</p> <p>https://www.lancashire.gov.uk/flooding/drains-and-sewers/alterations-to-a-watercourse/</p>	<p>More text and the link have been added to 6.26. The word ‘daylighting’ has been added.</p>

	<p>It may also be worth mentioning that we would like to see developments "daylighting" existing culverts by replacing them with open ditches/SuDS.</p>	
<p>Diane Clarke – Network Rail</p>	<p>We ask that all surface and foul water drainage from development areas are directed away from Network Rail’s retained land and structures into suitable drainage systems, the details of which are to be approved by Network Rail before construction starts on site.</p> <p>Water must not be caused to pond on or near railway land either during or after any construction-related activity and as a permanent arrangement.</p> <p>The construction of soakaways for storm or surface water drainage should not take place within 30m of the Network Rail boundary. Any new drains are to be constructed and maintained so as not to have any adverse effect upon the stability of any Network Rail equipment, structure, cutting or embankment.</p> <p>The construction of soakaways within any Network Rail lease area is not permitted.</p> <p>The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 30m of the Network Rail boundary where these systems are proposed to be below existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.</p> <p>If a Network Rail-owned underline structure (such as a culvert, pipe or drain) is intended to act as a means of conveying surface water within or away from the development, then all parties must work together to ensure that the structure is fit for purpose and able to take the proposed flows without risk to the safety of the railway or the surrounding land. Usage of any Network Rail culverts are to be agreed with Network Rail. It must not be assumed that Network Rail will grant any access to its drainage to outside parties.</p> <p>Wayleaves and or easements for underline drainage assets</p>	<p>Comments noted.</p> <p>Network Rail will be consulted on any proposed development (planning applications) in proximity to their estate.</p>

	<p>The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.</p> <p>Protection of existing railway drainage assets within a clearance area</p> <p>There are likely to be existing railway drainage assets in the vicinity of proposed works. Please proceed with caution. No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent. There must be no interfering with existing drainage assets/systems without Network Rail's written permission. The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Network Rail Asset Protection for further information and assistance.</p> <p>Before the submission of a planning application outside parties are to submit details to AssetProtectionLNWNorth@networkrail.co.uk – it is advised that agreement to development drainage to agreed prior to submission of plans to determine any impacts of the proposal and to ensure that the developer includes and funds any mitigation measures as required by Network Rail. The applicant is liable for all costs incurred by Network Rail in facilitating the proposal.</p>	
<p>Robert Ankers – Betts Associates for Emery Planning</p>	<p>Fylde Council is consulting on a new Flooding, Water Management and Sustainable Urban Drainage Systems (SuDS) Supplementary Planning Document (SPD). This note reviews the preliminary planning document in relation culverting watercourses.</p> <p>Sustainable Drainage Systems (SuDS)</p>	<p>'Should be resisted' allows for short sections to be culverted for highways/access to developments.</p> <p>No change needed to the SPD.</p>

	<p>The SPD states the culverting of watercourse should be resisted. Whilst this is generally good practice there are instances where culverting of watercourses are required. Many developments have either site access or highway connectivity through schemes which necessitate the localised culverting of existing watercourses. These crossing will be short localised culverts for the road width only, culverted sections will not be provided other than for road crossings.</p>	
<p>Tim Bettany-Simmons – Canal and River Trust</p>	<p>Section 6 details managing and mitigation flood risk and we note paragraph 6.15 which states, "Land alongside a watercourse is particularly valuable in relation to improving the biodiversity offer and maximising ecological value. Retaining and enhancing ecological networks adjacent to watercourses will help to ensure that the biological and chemical quality of a watercourse is not reduced as a result of development, which is a key requirement of the Water Framework Directive. Based on this, it is recommended that an unobstructed buffer area is incorporated into the layout of the proposed development between watercourses and the built development. This buffer should be free from built development, lighting and formal landscaping."</p> <p>The Trust would support this principle and agree that a buffer zone should be incorporated into any proposed development adjacent to the canal. Any such buffer zone would need to be subject to ongoing management and maintenance responsibility.</p>	<p>Add the words 'Any such buffer zone would need to be subject to ongoing management and maintenance responsibility by the landowner or responsible authority'.</p>
<p>Glenn Robinson – Lancashire County Council</p>	<p>At this time LCC Highways do not accept third party discharge into any highway drains except in exceptional circumstances. LCC Highways are currently drafting a policy document which will outline what the exceptional circumstances will be and all local authorities will be provided with copies when it is available.</p>	<p>Text added to paragraph 5.37.</p>

Sustainable Urban Drainage Systems (SuDS)

Andrew Leysens –
United Utilities

We welcome the reference to the drainage hierarchy in paragraph 7.3. However, in accordance with our previous submission, we request that the hierarchy is amended to reference a pumped discharge of surface water to a watercourses *[sic.]* is sequentially preferable to discharge to a sewer especially a combined sewer. Alongside this we request that the SPD includes the following explanatory wording.

‘A pumped discharge of surface water to a watercourse is sequentially preferable to any discharge to a sewer. Discharge to a sewer is more unsustainable for a number of reasons. These include: - an increased risk of impact on the environment in terms of increased risk of spills to watercourses from public sewers; - additional energy required to treat surface water at existing wastewater treatment works; and additional energy required to pump via existing pumping stations on the public sewer network.’

We also request that you include the following wording.

‘For any development proposal which is part of a wider development / allocation, foul and surface water strategies must be part of a holistic site-wide strategy. Pumped drainage systems must be minimised where possible and a proliferation of pumping stations on a phased development will not be acceptable.’

Design Principles and SuDS techniques

Whilst welcoming a design principle which maximises multi-functionality, we request that your explanatory text states that clear evidence will be required where multi-functional SuDS are not included and that even in urban environments, applicants will be required to innovatively consider how landscaping can be integrated with opportunities for surface water management. We request that you include the following wording.

Additional text has been added to the relevant sections of the SPD.

	<p>‘Applications for major development will be required to incorporate sustainable drainage which is multi-functional, in accordance with the four pillars of sustainable drainage, in preference to underground piped and tanked storage systems, unless, there is clear evidence submitted to the local planning authority which demonstrates why such techniques are not possible. The sustainable drainage should be integrated with the landscaped environment and the strategy for biodiversity net gain. Even in urban environments where space is limited applicants will be expected to demonstrate how surface water management has been integrated with the landscaping for a site such as rain gardens, tree pits and green roofs.’</p> <p>Rainwater Harvesting</p> <p>Whilst being supportive of the principle of rainwater harvesting, we request that you include the following wording.</p> <p>‘The incorporation of any rainwater harvesting must be carefully considered and meet all regulatory requirements. It is critical that expert advice and any relevant approvals are obtained to prevent any cross contamination of rainwater into the mains water pipework system.’</p>	
Angela Laycock	<p>Note 7.54 If Main Drain was at a lower level like it was before the Environment Agency took it over so that you could see land drains then the main river would have more capacity to store excess water though I do agree with climate change we may need some more mitigation but as long as it does not affect upstream.</p> <p>Note 7.87 to 7.96 . I hope Fylde Borough Council is going to enforce this.</p>	<p>Comments noted.</p> <p>No change requested to the document.</p>

<p>Ben Rogers – Lead Local Flood Authority</p>	<ul style="list-style-type: none"> • Section 7 should refer to the fact that the LLFA objects to any proposals to pump surface water where clear and robust evidence is not provided to demonstrate why a gravitational connection cannot be provided, which is accordance with standard S12 of Defra's technical standards for SuDS. It may be appropriate to include this around the paragraphs on hierarchy of drainage options (7.3). Given the maintenance and sustainability issues it poses, we generally consider pumping to be at the bottom of the hierarchy of drainage options – i.e. a pumped connection to an ordinary watercourse is not necessarily preferable to a connection to a surface water sewer. 	<p>Paragraph 7.5 has been amended to include the text about the LLFA objecting to proposals to pump surface water.</p>
<p>Diane Clarke – Network Rail</p>	<p>We ask that all surface and foul water drainage from development areas are directed away from Network Rail's retained land and structures into suitable drainage systems, the details of which are to be approved by Network Rail before construction starts on site.</p> <p>Water must not be caused to pond on or near railway land either during or after any construction-related activity and as a permanent arrangement.</p> <p>The construction of soakaways for storm or surface water drainage should not take place within 30m of the Network Rail boundary. Any new drains are to be constructed and maintained so as not to have any adverse effect upon the stability of any Network Rail equipment, structure, cutting or embankment.</p> <p>The construction of soakaways within any Network Rail lease area is not permitted.</p> <p>The construction of surface water retention ponds/tanks, SuDS or flow control systems should not take place within 30m of the Network Rail boundary where these systems are proposed to be below existing track level. Full overland flow conditions should be submitted to Network Rail for approval prior to any works on site commencing.</p>	<p>Comments noted.</p> <p>Network Rail will be consulted on any proposed development (planning applications) in proximity to their estate.</p>

If a Network Rail-owned underline structure (such as a culvert, pipe or drain) is intended to act as a means of conveying surface water within or away from the development, then all parties must work together to ensure that the structure is fit for purpose and able to take the proposed flows without risk to the safety of the railway or the surrounding land. Usage of any Network Rail culverts are to be agreed with Network Rail. It must not be assumed that Network Rail will grant any access to its drainage to outside parties.

Wayleaves and or easements for underline drainage assets

The position of any underline drainage asset shall not be within 5m of drainage assets, sensitive operational equipment such as switches and crossings, track joints, welds, overhead line stanchions and line side equipment, and not within 15m of bridges, culverts, retaining walls and other structures supporting railway live loading.

Protection of existing railway drainage assets within a clearance area

There are likely to be existing railway drainage assets in the vicinity of proposed works. Please proceed with caution. No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent. There must be no interfering with existing drainage assets/systems without Network Rail's written permission. The developer is asked to ascertain with Network Rail the existence of any existing railway drainage assets or systems in the vicinity of the development area before work starts on site. Please contact Network Rail Asset Protection for further information and assistance.

Before the submission of a planning application outside parties are to submit details to AssetProtectionLNWNorth@networkrail.co.uk – it is advised that agreement to development drainage to agreed prior to

	<p>submission of plans to determine any impacts of the proposal and to ensure that the developer includes and funds any mitigation measures as required by Network Rail. The applicant is liable for all costs incurred by Network Rail in facilitating the proposal.</p>	
<p>Robert Ankers – Betts Associates for Emery Planning</p>	<p>Fylde Council is consulting on a new Flooding, Water Management and Sustainable Urban Drainage Systems (SuDS) Supplementary Planning Document (SPD). This note reviews the preliminary planning document in relation to culverting watercourses.</p> <p>Sustainable Drainage Systems (SuDS)</p> <p>The SPD states the culverting of watercourse should be resisted. Whilst this is generally good practice there are instances where culverting of watercourses are required. Many developments have either site access or highway connectivity through schemes which necessitate the localised culverting of existing watercourses. These crossings will be short localised culverts for the road width only, culverted sections will not be provided other than for road crossings.</p>	<p>‘Should be resisted’ allows for short sections to be culverted for highways/access to developments.</p> <p>No change needed to the SPD.</p>
<p>John Rowson</p>	<p>- Installed SUDs need to be checked to ensure these can cope with the volumes of surface water required during the Planning Stage. From my past work, I could find NO statutory body which actually undertakes this for a development after implementation. It seems to be a "suck it and see" approach.</p>	<p>For proposed major schemes the capacity of proposed SUDs is checked by the LLFA and EA. If the capacity was found to be lacking the applicant would be advised to revise the application before it could be recommended for approval.</p>
<p>Lancashire County Council, Heritage Environment Team</p>	<p>As for the footnote (3) included in the Draft Flooding, Water Management and Sustainable Urban Drainage Systems (SuDS) SPD as a response to the comments made by Historic England, it would appear to be incorrectly referenced in the Statement of Consultation as being Footnote (4), whilst the link to Historic</p>	<p>The footnote has been included as text with a working link.</p>

	<p>England's Guidance Preserving Archaeological Remains was broken when I tried it.</p> <p>Although the footnote does refer to the HET as the place to go to for advice, we would suggest that, given its length, it's inclusion as a separate paragraph would help make the need to consult more readily apparent.</p>	
Water Quality and Pollution Control		
<p>Andrew Leysens – United Utilities</p>	<p>At the current time the wording of this section is specific to a watercourse. We request that you refer to the water environment absolute including bathing waters and the groundwater environment. With respect to groundwater, we request that you include the following wording.</p> <p style="padding-left: 40px;">‘Groundwater Source Protection Zones</p> <p style="padding-left: 40px;">Development proposals must accord with the latest national guidance on Groundwater Protection. Where necessary, applicants will be required to undertake a risk assessment (quantitative and qualitative) of the impact on the groundwater environment and public water supply. Development will only be acceptable where it is demonstrated to the Local Planning Authority that there will be no unacceptable impact on the groundwater environment and public water supply.</p> <p style="padding-left: 40px;">Where required in consultation with the Environment Agency and/or the water and sewage company, new development proposals will be expected to be supported by a risk assessment, careful masterplanning, and the incorporation of mitigation including measures to manage the impact of the construction process. Guidance on development in groundwater source protection zones is provided on gov.uk and within the ‘Environment Agency’s Approach to Groundwater Protection’.</p> <p style="padding-left: 40px;">A quantitative and qualitative risk assessment and mitigation strategy with respect to groundwater protection will be required to manage the</p>	<p>Additional text added to 8.1.</p> <p>The Council is not aware of any Groundwater Source Protection Zones in Fylde and has therefore asked United Utilities to clarify where they are and provide a map.</p> <p>No response has been received from United Utilities.</p>

	<p>risk of pollution to public water supply and the water environment. The risk assessment should be based on the source-pathway-receptor methodology. It shall identify all possible contaminant sources and pathways for the life of the development and provide details of measures required to mitigate any risks to groundwater and public water supply during all phases of the development. Subject to the outcome of the risk assessment, the mitigation measures may include the highest specification design for the new foul and surface water sewer systems (pipework, trenches, manholes, pumping stations and attenuation features).'</p>	
<p>John Rowson</p>	<p>Where there are old joint surface water and sewer pipes, there is a need to ensure the additional sewage can be handled safely, without causing sewage flooding or overflow.</p> <p>Where there is a pumping station (as in Wrea Green) and excess joint water (sewage and surface water) during storms (or even due to a blockage), which is above handling capacity of the pumping station, the excess is allowed to flow into Wrea Brook, there needs to be a meter on that outflow pipe to gauge the volume and period for such sewage mix overflow into Wrea Brook and beyond, down to the sea. When asked about this United Utilities said there wasn't one and reliance was placed on the Environment Agency to test the water in Wrea Brook periodically. However, by then the damage is done and further lighter rain will dilute any prior concentration. A meter would provide data on anything else which might need to be done. I am sure this is just an example of this issue.</p> <p>United Utilities should take a proper stand on matters. I was advised during a meeting with their representative between 2014 and 2018, that they do not object to developments because of joint water and sewage handling, for fear of being sued by developers. This needs to stop!</p>	<p>Comments noted.</p> <p>A limited number of spills are permitted each year. None of the points raised are within the Council's jurisdiction.</p> <p>No change requested to the SPD.</p>

	<p>There needs to be a regular checking of mains pipes to ensure that these are not obstructed by debris or tree roots, hence causing flooding. There should be a timetable for this, with regular reporting to the Public on the achievement of this timetable, the results and the action proposed.</p>	
<p>Tim Bettany-Simmons – Canal and River Trust</p>	<p>Section 8 relates to water quality and pollution control; we would advise that the biggest potential impact on the Lancaster Canal tends to be pollution from Agricultural uses. For any new developments or changes to land use involving farms near our canal, then we would want to work closely with the Council in order establish robust conditions that will protect the canal from agricultural run-off and cattle poaching, but also to look at opportunities to seek changes to farming practices which are not ideal for the long-term health of the canal ecosystem. For example, like ensuring better storage of materials/nutrients, upgraded water troughs to avoid cattle in the canal. This will help to prevent eutrophication of the waterbody, spikes in pollution incidents that cause fish kills, and help us to achieve better status on the Water Framework Directive. The installation of stock proof fencing and coir rolls/marginal planting along the offside bank would help improve the bank integrity, capture run-off pollutants and improve habitat for water voles.</p>	<p>Some text to be included that says the Council will work with the Canal and River Trust to protect the water quality of the Lancaster Canal.</p> <p>The Council notes the comments made however it cannot require some of the measures mentioned via the planning system.</p>
<p>Appendices</p>		
<p>Andrew Leysens – United Utilities</p>	<p>Appendix E Riparian Owner</p> <p>Consistent with the wider document, we request that this section restates the need for applicants to engage with the riparian owner to secure the right to discharge. It should explain that:</p> <p style="padding-left: 40px;">‘It is in the applicant’s interest to ensure that a point of outfall for the discharge of surface water to any watercourse / waterbody is secured as soon as possible.</p>	<p>An additional paragraph has been added to Appendix E.</p>

	<p>The acquisition of a right to discharge to a watercourse / waterbody and the right to lay and maintain any associated drainage pipes should be a key consideration in the acquisition of a site / completion of an agreement to promote a site for development.'</p>	
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