

Lead Local Flood Authority - (LLFA)

Planning Application - Consultation Response

Flood Risk Management Team
Staffordshire County Council

Lead Local Flood Authority - (LLFA)

Planning Application Response

Local Planning Authority	Staffordshire Moorlands District Council
Planning application name	Land Off Bemersley Road Brown Edge
Planning application reference	APP/B3438/W/24/3351328 SMD/2022/0076
Type of application	Full
Date consulted	23/01/2025
Date of response	05/02/2025

Disclaimer

This response is made by the County Council in its capacity as a Lead Local Flood Authority as a statutory consultee. As a Lead Local Flood Authority we respond to Planning Applications where resources allow and considering where development has the greatest ability to affect flood risk.

These comments should be taken as general comments on flood risk and drainage only. A detailed review of any technical methodology and results has not been undertaken by the Council. Liability for such technical work therefore rests with organisation(s) who have undertaken the said work.



History of LLFA Involvement

January 2023: we provided our support to this application with the following conditions suggested to the LPA.

Condition 1 (Compliance)

The development permitted by this planning permission shall only be carried out in accordance with the Staffordshire SuDS Handbook and the approved Drainage Strategy Document (01 Proposed Drainage Layout (Rev P0), SLR Consulting, November 2022) and the following mitigation measures detailed the strategy:

- Limiting the surface water run-off generated by the 100yr + 20% climate change critical storm so that it will not exceed 0.5l/s and not increase the risk of flooding off-site.
- Provision of swales that span the eastern extent of the proposed infrastructure with adaptations to improve biodiversity.
- The access track and vehicle movement areas are to be surfaced with permeable material either the same as, or demonstrating betterment, in area and water quality treatment than the provision in the approved drawing.
- The existing southern field boundary ditch will be cleared and remediated where required to ensure that the channel is free flowing and clear of excessive vegetation that could impede flow.
- The existing track culvert will be excavated and replaced with a new culverted crossing comprising a minimum capacity of 1.44m³/s
- The section of ditch between the new track culvert to the outfall should be cleared and de-silted.

Reason

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Condition 2 (To be discharged)

Prior to the occupation of the development the following additional details should be incorporated in the scheme approved

under Condition 1 and approved in writing by the local planning authority.

- Provision of a finalised management and maintenance plan for surface water drainage and both of the discharge ditches (other side of the track culvert) to ensure continued performance of the system for the lifetime of the development. Details of the maintenance arrangements should be provided, to include a schedule of activities with frequencies, together with the name and contact details of the party or parties responsible for ongoing maintenance.
- Provision of the name and contact details of the party or parties responsible for the construction phase maintenance strategy.

The scheme shall be fully implemented and subsequently maintained, 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.

Reason

To ensure the long-term management and maintenance of the SuDS infrastructure.

Condition 3 (Compliance)

Developer to ensure that satisfactory arrangements for the control of surface water are in place as part of any temporary works associated with the permanent development, to ensure that flood risk is not increased, and water quality is managed prior to the completion of the approved drainage strategy.

Reason

To ensure lifetime maintenance of the system to prevent flooding issues.

20/11/2024: We were notified of the appeal against refusal of planning permission but did not provide a response as we were not aware of any changes to the application documents and so

maintained our position of support with our previously suggested conditions.

22/11/2024: We were subsequently consulted by the LPA to 'provide our comments on the appeal documents where amended documents have been provided in respect of drainage and flood risk assessment'.

11/12/2024: We completed a review of the updated document 410.05075.00157 *Flood Risk Assessment and Surface Water Drainage Strategy v.02, November 2023, SLR*. And provided the following response to the LPA.

Staffordshire County Council Flood Risk Management position

We have reviewed the amended appeal submission and there is further information required to demonstrate an acceptable drainage strategy. We would therefore recommend that planning permission is not granted until this has been resolved and the existing conditions we provided will need to be amended. Outstanding issues are detailed below:

Swale

- Detailed design will be required (as per the previous strategy) of the new single swale feature.
- The updated strategy states that the swale will now hold water on a permanent basis as part of a wetlands habitat. Please provide the permanent water level and include this in the model simulation to determine the impact on the function of the drainage network.
- The post-dev modelling provided seems to be representative of the previous strategy, please update to represent the latest proposals.

New Ditch

- Please provide detailed design of the new proposed ditch between the end of the swale and the existing ditch.
- Please provide levels showing that the new ditch can achieve a gravity connection through the existing slope into the existing ditch.

Other

The updated drainage plan does not show any permeable surfacing which was previously proposed in the strategy, please add this back in.

Please note that this list is not necessarily exhaustive and that new revisions of documents often raise further questions.

Please re-consult us at flood.team@staffordshire.gov.uk when amended details are received. If you are minded to approve the application contrary to this advice, we request that you contact us again to allow further discussion.

05/02/2025: We completed a review of the document *250117_410.064607.00001_Ball_Green_BEES_SCC response_05*
Titled: RE: Application ref. SMD/2022/0076 Brown Edge Ball Green BEES Planning Application Consultation Response, SLR, 17/01/2025.

Following this review we have updated our response of the 11/12/2024 to the following:

Staffordshire County Council Flood Risk Management position

We have reviewed the amended appeal submission and there is still further information required to demonstrate an acceptable drainage strategy. We would therefore recommend that planning permission is not granted until this has been resolved and the existing conditions we provided will need to be amended. Outstanding issues are detailed below:

Swale

- Detailed design will be required (as per the previous strategy) of the new single swale feature. - *What we were looking for here is the equivalent of what you provided in the original approved strategy on Drawing: '02 Drainage Details, SLR, Rev P0, November 22' but updated for the new strategy.*

- The updated strategy states that the swale will now hold water on a permanent basis as part of a wetlands habitat. Please provide the permanent water level and include this in the model simulation to determine the impact on the function of the drainage network. - *You have modelled the swales as features that do not permanently hold water. This is not representative of what you're having on site as you will lose storage capacity in the swale to the permanent water level.*
- ~~The post-dev modelling provided seems to be representative of the previous strategy, please update to represent the latest proposals.~~

New Ditch

- Please provide detailed design of the new proposed ditch between the end of the swale and the existing ditch. - *Not provided, we just have a line on a plan between the hydrobrake and the headwall. We need to see a detailed design for this ditch and the headwall you're proposing to ensure this ditch is suitable and can achieve the gravity connection into the existing ditch. In addition, we need to see details of how the ditch will be cut through the slope.*
- Please provide levels showing that the new ditch can achieve a gravity connection through the existing slope into the existing ditch. - *existing ditch levels are not provided at the proposed point of connection. As per the previous comment we need to see the detailed design of the ditch at this stage.*

Other

~~The updated drainage plan does not show any permeable surfacing which was previously proposed in the strategy, please add this back in.~~

Please note that this list is not necessarily exhaustive and that new revisions of documents often raise further questions.

Please re-consult us at flood.team@staffordshire.gov.uk when amended details are received. If you are minded to approve the application contrary to this advice, we request that you contact us again to allow further discussion.

Conclusion

As previously evidenced by our support of the site and conditions provided in 2023, the site is viable from a flood risk and drainage perspective.

Following our review of the latest documents we have requested further information should be provided by the applicant. We have requested this additional information to fulfil the requirements of the Staffordshire SuDS Handbook Appendix A for a FULL application. The key issues outstanding are:

- providing a viable point of connection for surface water discharge.
- providing modelling of the updated drainage network to prove that it works as proposed and to understand the impact of the proposed permanent water level in the swale on the function of the drainage infrastructure.
- There is not enough detail to constitute a detailed design required of a drainage strategy for a full application.

It is the LLFA's opinion that the submitted Flood Risk Assessment and Drainage Information is contrary to paragraph 175 of the National Planning Policy Framework.

Should the appeal be approved, the LLFA have provided a drainage condition in that should be inserted into the appeal decision notice to determine any future planning applications for the Site regarding matters of surface water drainage.

Appeal Conditions

Condition 1 (Compliance)

Prior to first development the applicant shall submit a detailed drainage design for the site in accordance with the Staffordshire SuDS Handbook and the approved Document (410.05075.00157

Flood Risk Assessment and Surface Water Drainage Strategy v.02, November 2023, SLR.) and the following mitigation measures detailed the strategy:

- Limiting the surface water run-off generated by the 100yr + 40% climate change critical storm so that it will not exceed 1l/s and not increase the risk of flooding off-site.
- Detailed design for a swale(s) that spans the eastern extent of the proposed infrastructure in accordance with the non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations and include an assessment of the impact of the permanent water level proposed in the swale on the function of the drainage network.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
- Detailed design of the proposed ditch between the end of the swale and existing ditch including details levels required to achieve a gravity connection.
- The access track and vehicle movement areas shall be surfaced with permeable material.
- The existing southern field boundary ditch shall be cleared and remediated where required to ensure that the channel is free flowing and clear of excessive vegetation that could impede flow.
- The existing track culvert shall be excavated and replaced with a new culverted crossing comprising a minimum capacity of 1.44m³/s
- The section of ditch between the new track culvert to the outfall should be cleared and de-silted.

Reason

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Condition 2 (To be discharged)

Prior to the occupation of the development the following additional details should be incorporated in the scheme approved under Condition 1 and approved in writing by the local planning authority.

- Provision of a finalised management and maintenance plan for surface water drainage and both of the discharge ditches (other side of the track culvert) to ensure continued performance of the system for the lifetime of the development. Details of the maintenance arrangements should be provided, to include a schedule of activities with frequencies, together with the name and contact details of the party or parties responsible for ongoing maintenance.
- Provision of the name and contact details of the party or parties responsible for the construction phase maintenance strategy.

The scheme shall be fully implemented and subsequently maintained, 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.

Reason

To ensure the long-term management and maintenance of the SuDS infrastructure.

Condition 3 (Compliance)

Developer to ensure that satisfactory arrangements for the control of surface water are in place as part of any temporary works associated with the permanent development, to ensure that flood risk is not increased, and water quality is managed prior to the completion of the approved drainage strategy.

Reason

To ensure lifetime maintenance of the system to prevent flooding issues.

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End

Please contact us on flood.team@staffordshire.gov.uk if you have any queries about this response.