

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 (SMDC)
Planning application name	Application for Variation of a Condition 9 (foul and surface water drainage) of SMD/2016/0134 for 7 dwellings at Land Adjacent to the Orchard, Springfield Drive, Leek, Staffordshire, ST13 6ET
Planning application reference	SMD/2024/0413
Type of application	Variation
Date consulted	28/07/2025
Date of response	18/08/2025

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.

Thank you for consulting us on this application. Our response is detailed below.

Preamble

The applicant seeks the following:

- Variation of a Condition 9 (foul and surface water drainage) of SMD/2016/0134 for 7 dwellings at Land Adjacent to The Orchard, Springfield Drive, Leek, Staffordshire, ST13 6ET.

A variation is sought for the approved surface water drainage design for the development which the LLFA understands has mostly been constructed and is now occupied.

Therefore, the variation application is retrospective and the LLFA have been asked by the Local Planning Authority to review the latest version of the surface water drainage design and advise whether the revised design sought for approval under the variation application is technically appropriate irrespective of what has been constructed to date within the site.

In this regard, the LLFA have no responsibility for the as built nature of the development, and this would remain the liability of the applicant/ site developer.

Planning History

It should be noted that the LLFA were not originally consulted upon the application in 2016 (SMD/2016/0134) and were not previously involved in the planning process.

The approved drainage system is shown upon drawing: Site Plan – 2015-2095-08 Revision E 04.04.2016 submitted and approved under application SMD/2016/0134.

The approved drainage system consisted of a gravity based, piped drainage system to convey surface water to the south-eastern corner of the development plot to connect to the surface water storm sewer in Springfield Drive.

A flow control chamber restricted outflows to 5l/s and to achieve the restricted discharge rate, an offline attenuation crate was proposed in the garden of property no. 4. To provide water treatment, a bypass separator was shown to the west of Plot number 4.

In the LLFA's initial response, the LLFA recommended that the variation proposed by the applicant was refused until further information was provided.

Of relevance was the management and maintenance arrangement for the drainage system to ensure its operational efficiency over the lifetime of the development.

All correspondence between the applicant and the LPA has been included within Appendix A.

Revised Strategy Comments

From a design perspective, the revised surface water drainage system is shown upon the following drawing: *Strategic Drainage Plan K638-107 Revision H 02.09.2024*.

This configuration of the surface water drainage system is not in accordance with the approved drainage layout under application SMD/2016/0134, however, the LLFA have been asked to review the revised plan and advise whether the proposed design is technically suitable.

The revised drainage plan shows that surface water from the site is conveyed by a piped network towards the south-eastern corner of the plot as previously approved.

Due to the site levels, a pump is included to discharge surface water up to the storm sewer in Springfield Drive. The discharge rate remains as 5 l/s, however, instead of an attenuation tank within the garden of Plot 4, attenuation is provided by 2 no. oversized pipes and a separate offline attenuation tank measuring 4m by 1.6m and a depth of 0.7m.

The plan also demonstrates that if constructed in accordance with the approved design, Finished Floor Levels (FFLs) should be 150mm above the surrounding ground to prevent the ingress of surface water.

In addition to the drainage plan, information has been submitted to demonstrate the design and hydraulic performance of the revised surface water drainage system.

An Impermeable Area Plan (K638-100 Revision C) shows that the site has an impermeable area of 1,595m² which has been modelled correctly within the hydraulic calculations.

These hydraulic calculations demonstrate that the proposed drainage system shown by *Strategic Drainage Plan K638-107 Revision H 02.09.2024* is capable of conveying, attenuating and discharging of surface water generated by the site for all events up to the 100-year return period, inclusive of a 40% allowance for climate change. Results show that a maximum volume of 2.7m³ would flood the surface during this event which is unlikely to impact upon the proposed dwellings and/ or 3rd party land.

The previously approved drainage system included a bypass separator to provide treatment of surface water prior to discharging off site. The LLFA understands that this infrastructure has not been constructed, however, this feature has been removed on the recommendation of others following an audit (See correspondence in Appendix A).

As per the correspondence in Appendix A, Severn Trent Water (STW) have provided approval for an indirect connection from the site to their sewerage infrastructure as per the information provided by the applicant.

In addition, the applicant has advised that the drainage and services infrastructure within the development is to be maintained privately in perpetuity by Deebank Heights Management Company Limited, which is the established legal entity that will take over from Deebank Developments Ltd. once the development finally completes.

Staffordshire County Council Flood Risk Management Position

Following the LLFAs initial response upon the application, the LLFA have received further information from the applicant regarding the revised design of the surface water drainage system.

The LLFA have been requested to review the design and advise whether the proposed design is technically suitable.

The LLFA have no objection to the variation proposed and recommend that the following drawings and documents are included upon any further decision notice:

- Impermeable Area Plan - K638-100 Revision C - 02/09/2024;
- Strategic Drainage Plan - K638-107 Revision H - 02/09/2024
- Revised Attenuation Tank Position - 2015-2095-96 Rev D -12/08/2024; and
- Surface Water Calculations File - 17/04/2024.

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



Appendix A - Correspondence Log

Email of 27/03/2025 from Applicant to LPA

Thank you for your report dated 25th March 2025. We welcome the document and agree with most of the contents. Please accept our responses below:

The report provides comparative analysis between the drainage scheme shown in site plan drawing 2015-2095-08-Rev. E, approved by SMDC LPA on 8th July 2016 under SMD/2016/0134 and drawing K638-107-Rev. H - Strategic Drainage Plan - submitted within application SMD/2024/0413. Missing from the analysis is a great deal of intervening context between 2016 and 2024, the key aspects of which are explained below:

Informative 3 of the Decision Notice for SMD/2016/0134 required the Deebank Heights development to undergo a Staffordshire Act Section 7 audit by the approved contractor of Staffordshire County Council. The Section 7 audit was incredibly detailed and took 23 months to complete, but the added value of the audit was that it tied together all aspects of the detailed infrastructure design. The drainage infrastructure approved by the LPA in July 2016 under SMD/2016/0134 was at best indicative and proved not to be favoured by the respective drainage engineers representing SCC and the applicant.

Attenuation of stormwater underwent several detailed design iterations, including a concrete ring solution situated along the border with 12 Springfield Drive - very similar in nature to the as-built design. The final design that gained Section 7 approved in May 2018 was a 15-metre x 5-metre x 1-metre-deep semi-soakaway cellular crate solution at the border with 12 Springfield Drive. As detailed in application SMD/2024/0413, we maintain that the as-built design is much superior to the Section 7 approved system, with the prime beneficiary of the as-built system ironically being 12 Springfield Drive, with the wider benefit of stormwater being managed in a fully sealed system. The project has, since 2006, always been required by Severn Trent Water to discharge stormwater down the drains of Springfield Drive on the clearly stated basis that the capacity of those drains far exceeds the loads the Deebank Heights development would ever place on them.

Although no agency involved has ever made explicitly clear the relative order of priority of approved designs, or the protocols that link the project between the two respective authorities, SCC ultimately approved the Strategic Drainage Plan version K638-107-Rev E. This plan omitted the need for a bypass separator which gained written endorsement by the S7 auditors in Section 2.11.12 of the S7 report on the basis that Environment Agency regulations did not require a bypass separator on schemes containing fewer than 50 car parking spaces or in circumstances where the chance of oil leakage is not considered to be high.



We politely challenge the sentiments that the existing as-built attenuation infrastructure is not being maintained, only on the basis some aspects of infrastructure have yet to be finished and have kept both Severn Trent and Building Control fully informed of intentions to coincide infrastructure final completion with groundworks for the final new-build unit. In all other areas, we are supportive of the report from the LLFA and will comply with its requirements.

We will also now liaise with the LPA re timescales for completion and inspection of that work.



Email of 28/07/2025 from Applicant to LPA

Sorry for the few days delay in getting the information back to you. Edith and I still await comments back again from the STW Network team, but the information you need in connection with the LLFA is set out below, and proof of the s106 network connections paid for in 2018 and finalised in 2019 are attached as received from Edith this morning. As there is one final new-build property to compete, there will be one final network connection required for it, and it is this that may have got lost in translation in the responses.

Ownership and Maintenance / Call-Out Provision for the Pumped Solution

As approved per the Section 7 Agreement, the services infrastructure within the development is to be maintained privately in perpetuity by Deebank Heights Management Company Limited, which is the established legal entity that will take over from Deebank Developments Ltd. once the development finally completes.

We decided to keep the pumping solution fully local, and Pisces Pumps Ltd of Cheddleton, Staffs, are the company that specified the installation and maintenance arrangements, as attached. Given their locality, Pisces pledge a 24-hour turnaround for maintenance work should the need arise beyond annual servicing. Please find attached the maintenance and call-out arrangements from Pisces Pumps.

Land Levels

Yes, (LLFA Officer) is correct about the respective invert levels. Whilst the 1200mm concrete ring attenuation infrastructure could theoretically be drained by gravity, the invert level of the header chamber is lower than the outfall into the network at the site entrance on Springfield Drive. To get the full attenuation capacity benefit we have therefore a need to utilise the pumping solution.

I hope this provides all you need, but please get in touch anytime if I can help any further.

