



Flooding, Water Management and SuDS Supplementary Planning Document

The Planning and Compulsory Purchase Act 2004
The Town and Country Planning England (Local Planning)(England)Regulations 2012 No.767 Part 5
Regulation 14
The Environmental Assessment of Plans and Programmes Regulations

Notice is given that on 13th November 2023 Fylde Council adopted the Flooding, Water Management and SuDS Supplementary Planning Document.

Subject matter and area covered:

The Flooding, Water Management and SuDS Supplementary Planning Document (SPD) covers the whole of the Borough. It provides guidance on:

- The local context , and explains why parts of Fylde are at relatively high risk of flooding;
- Flood Risk and the Location of Development, the Sequential Test, the Exception Test, Site Specific Flood Risk Assessments, Pre-purchase and Pre-Application Advice and Householder Development;
- Managing and Mitigating Flood Risk including detailed design including finished floor levels and ground levels, site levels, floor levels, culverting, flood resilient construction materials, safe access and egress routes, green infrastructure and natural flood management;
- The Discharge Hierarchy, SuDS, the SuDS Management Train, design principles, plus source control, site control, regional control, The SuDS Proforma and maintenance and adoption;
- Water Quality and Pollution; and
- Supporting documentation including references, relevant Local Plan policies, Flood Risk Vulnerability and Flood Zone Incompatibility table, resistance and resilience measures, case studies, riparian ownership and definitions of resistance and resilience.

Process Followed

On 8th June 2022 Planning Committee approved the SPD Scoping document for consultation.

On 18th January 2023 Planning Committee approved the Draft SPD for screening opinions and consultation.

On 17th October 2023 Executive Committee considered the SPD and it was recommended that the Flooding, Water Management and Sustainable Drainage Systems SPD be adopted for development management purposes, subject to the Head of Planning considering the additional representations received from the Environment Agency and, following consultation with chairman and vice-chairman of the Executive Committee, making any appropriate amendments to the SPD as a result. The content of the SPD was finalised on 13th November 2023.

Modifications under section 23(1) of the Planning and Compulsory Purchase Act:

- The SuDS Proforma was removed from the SPD and is signposted instead. Climate change allowances have been included at paragraph 5.32 plus advice on lifetime of developments.
- Removal of the "Consultation Information" section

- Further detail added to the Vision and Objectives with respect to the protection of areas of peat, as requested by the Environment Agency.
- The reference to the Lead Local Flood Authority pre-application advice has been changed to the 'Surface Water Planning Advice Service'.
- The term playing pitches has been replaced by playing fields, at the request of Sport England. More text has been included at 6.13 to explain that these areas should be positively drained and included in the drained area of any development proposal.
- More detail has been included on reservoir flooding at 5.10 at the request of United Utilities, plus an additional bullet at 5.11 to cover hydraulic locking of outfalls from public sewers on development sites. Further text was also added to Pre-Purchase and Pre-Application Advice, about consulting UU, plus more information in the Householder Section on the impacts of paving over gardens.
- Text on retrofitting Green Infrastructure has been added to 6.33 at the request of Natural England.
- Further advice has been provided with respect to changes in levels and diversions of the public sewer system which will be unacceptable to United Utilities. Also, connection of land drainage to the public sewer will not be permitted.
- At the request of the LLFA a reference to their Ordinary Watercourse Consent Service has been provided.
- Text included on the on- going management and maintenance of buffer zones at the request of the Canal and River Trust.
- Wording added to paragraph 5.37 to clarify that LCC Highways do not accept third party discharge into any highway drains except in exceptional circumstances.
- Further text on minimising pumped discharges and design principles and SuDS, plus rainwater harvesting at the request of UU.
- Additional text at 7.5 about the LLFA objecting to proposals to pump surface water.
- A footnote about consulting the LCC Heritage Environment Team has been included as text.
- Text added to say that the Council will work with the Canal and River Trust to protect the water quality of the Lancaster Canal.
- At the request of UU further text added to appendix E to clarify that it is in the owner'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, the right to discharge should be a key consideration in the acquisition of a site.
- At the request of the Environment Agency an up-to-date Flood Risk Zone map is included.
- The word developer inserted to make it clear it is developers who are cutting off access for riparian owners.
- More specific links included and references to EA consents and permits.
- More detail on householder applications, in particular, if they are in proximity to a main river.
- Strengthening of paragraph 6.15 to provide for the permanent retention of a continuous unobstructed area adjacent to watercourses.
- Natural Flood Management has been deleted from paragraph 6.16.
- Further sentence added to paragraph 6.17 with respect to freeboarding.

- Paragraph 6.18 amended to refer to Flood Risks to people and Hazard Rating analysis.
- Paragraph 6.22 additional text added with respect to compensatory flood storage.
- Paragraph 6.29 re-worded to clarify that wherever possible safe access routes should be provided that are located above design flood levels and avoid flow paths (i.e. 'dry')

Challenge:

Any person who is aggrieved by the adoption of the Flooding, Water Management and SuDS Supplementary Planning Document may make an application to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004 on the grounds that:

- a) the document is not within the appropriate power, and/or
- b) a procedural requirement has not been complied with

Any such application must be made no later than 3 months from the date on which the Supplementary Planning Document was adopted, that is by 5.00pm on 13th February 2024.

Further information or advice can be obtained by phoning 01253 658418 or by emailing planningpolicy@fylde.gov.uk

Julie Glaister
Planning Policy Manager
13th November 2023