

**Consultation Response from KC,
Lead Local Flood Authority**

2022/91735 Land off, Hermitage Park, Lepton, Huddersfield, HD8 0JU

Outline application, with access and layout, for the erection of 80 dwellings and associated work

**Date Responded: 16th March 2023
Responding Officer: Paul Farndale
Responding Ref:**

Consultation Summary

Further to our comments dated 13th July 2022, 22nd September 2022, 8th November 2022 and 1st December 2022, Kirklees Flood Management acting as Lead Local Flood Authority can SUPPORT this application subject to appropriate CONDITIONS.

Detailed Comments

Watercourse

Levels have been submitted showing blockage route of the north-eastern watercourse. As a belt and braces approach a cut off swales has been included on all drawings as the watercourse has been illegally diverted through the site previous. Risk mitigation is accepted.

The watercourse still needs to be surveyed as part of the risk assessment but can be conditioned. This also applied to the examination of an improved trash screen. It is expected that the applicant will liaise with the LLFA over this matter.

Surface Water Discharge

A discharge rate of 13.3l/s to Beldon Brook has been agreed. This is shown on drawings for outside the red line boundary and may need diverting to suit other sites' layout going forward.

Surface Water Attenuation

It has been demonstrated that space has been made for water. A detailed design of detention ponds including construction details (lining/forebays), cross sections and maintenance and operation plan will be required via condition. We would like to see inlet and outlets preferably to utilise the full length of such ponds to aid treatment of water.

Flood Routing

Safe flood routing has been agreed from the Engineering layout shown on drawings 1093-007D and a specific drawing for plot 37 ref 1.093-SK03.

Construction Phase Temporary Drainage, Flood Risk and Pollution Prevention

Risk assessments and method statements will be required to produce a master plan for phasing of construction that details a plan and narrative of mitigation measure to be included to prevent downstream flooding of land and other construction sites and pollution of local watercourses. This can be conditioned.

Section 106 Undertaking

Although the FRA states that SUDS systems will be subject to an adoption agreement, history tells us

that such agreements and indeed adoptions are not guaranteed. As House of Commons Written Statement 161, now incorporated into NPPF, provides an obligation for the LPA to ensure the maintenance and management of SUDS for the life of the site.

A unilateral agreement to set up a management company for the integrated spine system to drain this site right to Beldon Brook which incorporates master planning of the wider housing allocation, to maintain and manage surface water drainage system up to the date of adoption is required.

With the principle established in section 106, an itinerary and schedule of maintenance and management task, bespoke to this site, including safe access to and into attenuation systems and the maintenance thereof will be required to be submitted before development commences. Clearly a detailed design is required to assess what is require, overseen by the Principal Designer through CDM Regulations 2015. Maintenance agreements under section 106 will cease with the statutory undertaker adopts the system.

A second area to be managed for the management company is the swale, again in line with CDM Regulations 2015. This time however maintenance will remain with the management company until the site is demolished.

In light of the CCTV survey of the northeast culvert not being done at this stage we request from the planning officer an allowance of £10,000 for reducing flood risk in the immediate vicinity of the site as a contribution to any renewals and/or repairs required to local watercourses (within the specific ward boundary).

Drainage Masterplanning – HS2 and HS3 (Phased 1, 2, 3 and 4)

Referenced on previous comments.

Suggested Conditions

DR02 Swale

Development shall not commence until a scheme finalising the location of the watercourse overflow swale including typical cross section and maintenance and management plan has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the swale works and comprising the approved scheme have been completed. The maintenance and management regimes shall be implemented thereafter.

DR04/5 Attenuation and surface water Design

Development shall not commence until a scheme restricting the rate of surface water discharge from the site to a maximum of 13.3 *litres per second*) has been submitted to and approved in writing by Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 30-year storm event as a minimum requirement. Volumes generation in excess of the critical 1 in 30-year event, up to and including the critical 1 in 100 year storm event with an appropriate allowance for climate change shall be stored on site in areas to be approved in writing by the Local Planning Authority. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. here shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and

attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented thereafter.

DR07 Flood Routing and Overland Flows

The development shall not commence until detailed design changes to drawings ref 1093-007D and 1093-SK03 demonstrates the accommodation of the effects of 1 in 100 year storm critical events with an additional allowance for climate change, blockage scenarios, and exceedance events, on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area, in both directions, has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use (dwellings shall not be occupied) until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter.

DR10 Construction Phase (Temporary Drainage)

Development shall not commence until a scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation strip) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- phasing of the development and phasing of temporary drainage provision.
- include methods of preventing silt, debris and contaminants entering existing drainage systems and watercourses and how flooding of adjacent land is prevented.

The temporary works shall be implemented in accordance with the approved scheme and phasing. No phase of the development shall be commenced until the temporary works approved for that phase have been completed. The approved temporary drainage scheme shall be retained until the approved permanent surface water drainage system is in place and functioning in accordance with written notification to the Local Planning Authority.