

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

2024/92727 Land adjacent to, Ashbourne Drive, Liversedge

Erection of residential development 67 dwellings with associated access, parking, public open space, landscaping and infrastructure

Date Responded: 5th November 2024

Responding Officer: Paul Farndale

Responding Ref:

Kirklees Flood Management & Drainage acting as Lead Local Flood Authority can SUPPORT this application subject to appropriate conditions and requirements stipulated in a section 106 agreement.

The submitted flood risk assessment from OEC Consulting Engineers, dated August 2024, picks up points raised by the LLFA in a pre-planning enquiry.

Kirklees LLFA has no objection to a 9.5l/s discharge from the designed site into Blacup Beck to the north of the site.

When submitted a detailed design, any SuDS attenuation must not conflict with public combined sewer that crosses the site. A minor diversion may be necessary.

It has been demonstrated that 'space for water' has been accommodated in this site.

It has been demonstrated that a sequential approach has been adopted for river and surface water flood risk, with properties located in areas of least risk.

It demonstrates that safe flood routing is possible in the design. However, at detailed design stage, the road network must be able to pass on flows in blockage scenarios and exceedance events direct to Blacup Beck and not created a flow routing via the roads serving existing development.

A detailed design should allow for treatment of surface water prior to discharge into Blacup Beck.

Two aspects of maintenance should be allowed for in a section 106 agreement. Namely, the maintenance and management (via a management company) of Suds infrastructure until such as time as a statutory undertaker or Nav equivalent adopts the sewerage and Highways Authority adopts gullies and pipework associated with highway drainage only.

A further maintenance plan for the section of Blacup Beck relevant to the site must also be carried out by a management company for the lifetime of the site.

Suggested Conditions

DR02 Watercourses (adapted) Development shall not commence until a scheme detailing the maintenance and management regime for watercourses within and/or along the site boundary has been submitted to the LLFA and LPA for approval. The scheme shall include an itinerary and schedule of tasks alongside a method statement having performed a risk assessment. The maintenance and management regimes shall be implemented for the lifetime of the site.

DR04/5 Attenuations and Flow Control

Development shall not commence until a scheme restricting the rate of surface water discharge from the site to a maximum of 9.5 *litres per second* into *Blacup Beck* 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 100-year storm event with a climate change allowance of 45%. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. There 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 Overland Flows and Flood Routing

The development shall not commence until an assessment of the effects of 1 in 100-year storm events, with an additional allowance for climate change, 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 Drainage Plan (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.

Section 106 Requirements

A management company is required to be set up with the specific task of maintaining sustainable drainage infrastructure installed on site until such a time that it is adopted by statutory undertaker or a NAV equivalent. This LPA is obligated under NPPF to ensure the maintenance and management of SUDS for the lifetime of the site, including the period prior to adoption. A maintenance and management plan formed after a risk assessment should consist of a method statement including an itinerary and schedule of tasks (a coloured plan identifying maintainable assets should be submitted). This process should be overseen and signed off by the Principal Designer under CDM Regulations 2015 for handover to the management company. The maintenance plan should be submitted with a discharge of condition application associated with specific conditions attached to any planning approval granted.

A separate requirement for the management company would be to follow the same procedure for the maintenance of Blacup Beck and any associated land drainage connection within or adjacent to the site. The management company will perform tasks highlighted in a method statement for the lifetime of the site in this instance. The method statement should be submitted with a discharge of condition application associated with specific conditions attached to any planning approval granted.