

Update Sheet

Development Control Committee 9th March 2023

FUL/2022/0149 Land at Hollins Cross Woodplumpton Road Burnley Full planning application for the erection of 200 dwellings and associated works.

Following the deferral from January Development Control Committee the Council has requested a consultant 'Sweco' to provide comment in relation to the concerns raised by residents in their letter dated 18th Jan 2023, and the potential impact of groundwater on drainage of the development. The response from Sweco is attached to the committee report in full for members information. It concludes as follows:

'Based on the high-level review of the reports and information listed in Section 1 our assessment concludes that groundwater and any associated potential flood risk is not expected to be of a significant constraint to the development'.

The response does also highlight that *'Further monitoring of winter groundwater levels (between November and March) within peat and sand horizons would be beneficial to inform the detailed design and temporary works'.*

On the 3rd March 2023 a further letter was received on behalf of the residents group (from 'Aegaea'). This has been attached to this for members to consider. The report makes specific reference to the 'Sweco' report.

The letter concludes:

'Groundwater monitoring should be conducted to determine the overall risk to the proposed development. Mitigation should then be designed to support the proposed development in line with NPPF and Local Plan Policy CC4, ensuring that no increase to flood risk within or without the site.

Surface Water Drainage Strategy could be required to be reviewed in terms of design and arrangement of SuDs features. This may limit the depths of suds features and require broader, shallow attenuation, or raised features, especially if groundwater monitoring were to show that the site is much more affected than the current third-party information concludes.

Surface water flooding has been assessed to date by only using the EA RoFSW mapping which does not factor climate change. A site-specific rainfall model factoring climate change and ground conditions would be more representative what the EA national scale model. Model results could demonstrate that further mitigation is required to not increase flood risk elsewhere or impact flood flows in accordance with the PPG, NPPF and Local Plan Policy CC4'.

Officers have noted the content of this last correspondence and highlight the following:

1. The Environment Agency RoGFS (Risk of Flooding from Surface Water) mapping does not highlight this site as being a high-risk site. As such, LLFA have confirmed that as this is not considered a high-risk site, further investigation into this is not required. They would only ask for this extra information on a site which the mapping identifies to be high risk. Officers are therefore satisfied that the information provided in the submitted information is acceptable.

2. The 'Sweco' report states: *'Further monitoring of winter groundwater levels (between November and March) within peat and sand horizons would be beneficial to inform the detailed design and temporary works'*.

Conditions are included at the end of the committee report, to enable the finer detail of drainage on the site to be submitted to and approved in writing prior to the commencement of any development on the site. The use of these conditions retains the control in relation to the drainage detail with the Local Planning Authority, in consultation with the Lead Local Flood Authority. The conditions do encompass both groundwater and surface water. As such officers consider with the use of these suitably worded conditions, this is a reasonable approach to the drainage mitigation on this site.

The applicant has also provided a further response to this letter which addresses the points raised. That letter is also attached for members information. The letter is from LSK/LDE the applicants hydrology consultant. The conclusion of which reads:

'To conclude we do not believe that any of the three points raised in the recent Aegaea letter constitute material considerations which could reasonably justify deferral or refusal of the application on these grounds. The issues raised are addressed in this and previous correspondence. The SWECO report confirms this and also concludes that 'groundwater and any associated potential risk is not expected to be significant constraint to the development. In our professional view Members can be fully satisfied therefore that comprehensive consideration has been given to flood risk and how to drain the site. The proposed scheme should be considered on its merits: that it offers a reduction in potential off site flood risk, manages surface water in the area, retaining it on site and discharging at a reduced runoff rate, this meeting the requirements of paragraph 167 of the NPPF in full'.

The Lead Local Flood Authority, as statutory consultee, have also been re-consulted and they have confirmed they have nothing further to add in addition to their formal responses previously sent. For clarification, they have no objection and recommend various conditions set out in the report. (Those conditions are 23-27 in the report). They have also confirmed specifically are satisfied that groundwater can be considered sufficiently when the final design of the drainage is agreed with the LPA under the relevant conditions.

In conclusion, Officers remain satisfied that the site is acceptable, and with the inclusion of the conditions as set out in the report to retain control of the detail of the drainage system to the Local Planning Authority, they are satisfied that the provisions of local and national planning policy are met in this regard.

A further letter has been received from a resident who has highlighted that his residential property is not mentioned in relation to access to his septic tank. This is on page 6 of the report. To clarify any matters of access are not planning consideration and the resident should contact the developer directly about this.