

Essex County Council
**Flood & Water Management
Planning & Environment**
E3 County Hall
Chelmsford
Essex CM1 1QH



Mike Stranks
Rochford District Council
Planning Services

Date: 23rd June 2016
Our Ref: SUDS-001077
Your Ref: 16/00409/FUL

Dear Mr Stranks,

Consultation Response –16/00409/FUL– Land Between The Athenaeum Health Club And Cherry Orchard Way Rochford Essex

Thank you for your email received on 9th June which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C697)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we object to the granting of planning permission based on the following:

The Flood Risk Assessment (FRA) submitted with this application does not comply with the requirements set out in Essex County Council's Detailed Drainage Checklist.

Therefore the submitted documents do not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular the submitted FRA fails to:

- Restrict to a suitable run-off rate

In line with the Essex SuDS Guide, run-off should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates. If this is not feasible on site and evidence is provided to demonstrate this, we would expect to see a minimum of 50% betterment on brownfield rates. Any run-off rate/s chosen and storage provision proposed based on this chosen rate should be supported by calculations.

- Demonstrate how surface water will be treated on site.

Water quality treatment should be provided in line with Table 26.2 and Table 26.3 of the CIRIA SuDS Manual C753.

- Show there is permission in principle to discharge to the chosen outfall.

It should be demonstrated that there is permission in principle from the relevant authority to discharge into a sewer outfall to show there is a viable way of disposing of surface off site.

- Provide a drainage plan.

A drainage plan should be submitted showing conveyance and exceedance routes, location and sizing of storage features, discharge rates and outfall/s from the site. This is to demonstrate visually that a drainage scheme is feasible on site.

- Provide a topographical survey

A topographical survey should be included to understand the natural drainage regime at the site.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

We also have the following advisory comments:

- Infiltration and groundwater testing will need to be conducted at a detailed stage.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Whilst we have no further specific comments to make at this stage, attached is a standing advice note explaining the implications of the Flood and Water Management Act (2010) which could be enclosed as an informative along with your response issued at this time.

Yours sincerely,

Ellie Scott
Development and Flood Risk Officer
Team: Flood and Water Management
Service: Planning & Environment
Essex County Council

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Appendix 1 - Flood Risk responsibilities for your Council

The following paragraphs provide guidance to assist you in determining matters which are your responsibility to consider.

- Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements)

You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood.

- Flood recovery measures (including flood proofing and other building level resistance and resilience measures)

We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing.

Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation.

Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Further information can be found in the Department for Communities and Local Government publications '[Preparing for Floods](#)' and '[Improving the flood performance of new buildings](#)'.

- Sustainability of the development

The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising vulnerability and providing resilience to these impacts. In making your decision on this planning application we advise you consider the sustainability of the development over its lifetime.