Land at Downlands Farm, Uckfield (WD/2022/1637/MEA) – Lead Local Flood Authority position

Date: 05 July 2023

Document summary

Summary of the Lead Local Flood Authority's position on the proposed development at Land at Downlands Farm, Uckfield, which will be included in Wealden District Council's Statement of Case for APP/C1435/W/23/3321978.

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Site description

The appeal site is a greenfield site located between the A22 motorway and the town of Uckfield. The existing drainage regime at the Site is by overland flows, following the natural topography and feeding into a number of onsite ordinary watercourses. The majority of these are surrounded by areas of Ancient Woodland (refer to Figure 1 below).

The site lies wholly within fluvial Flood Zone 1. The site is not at risk from tidal, sea or fluvial flooding or from failure of a drainage asset such as a canal or reservoir. The majority of the site is at very low risk of flooding from surface water but with high risk flow paths associated with the watercourses mentioned above. Groundwater levels are stated to be typically greater than 1.9 metres below ground level.

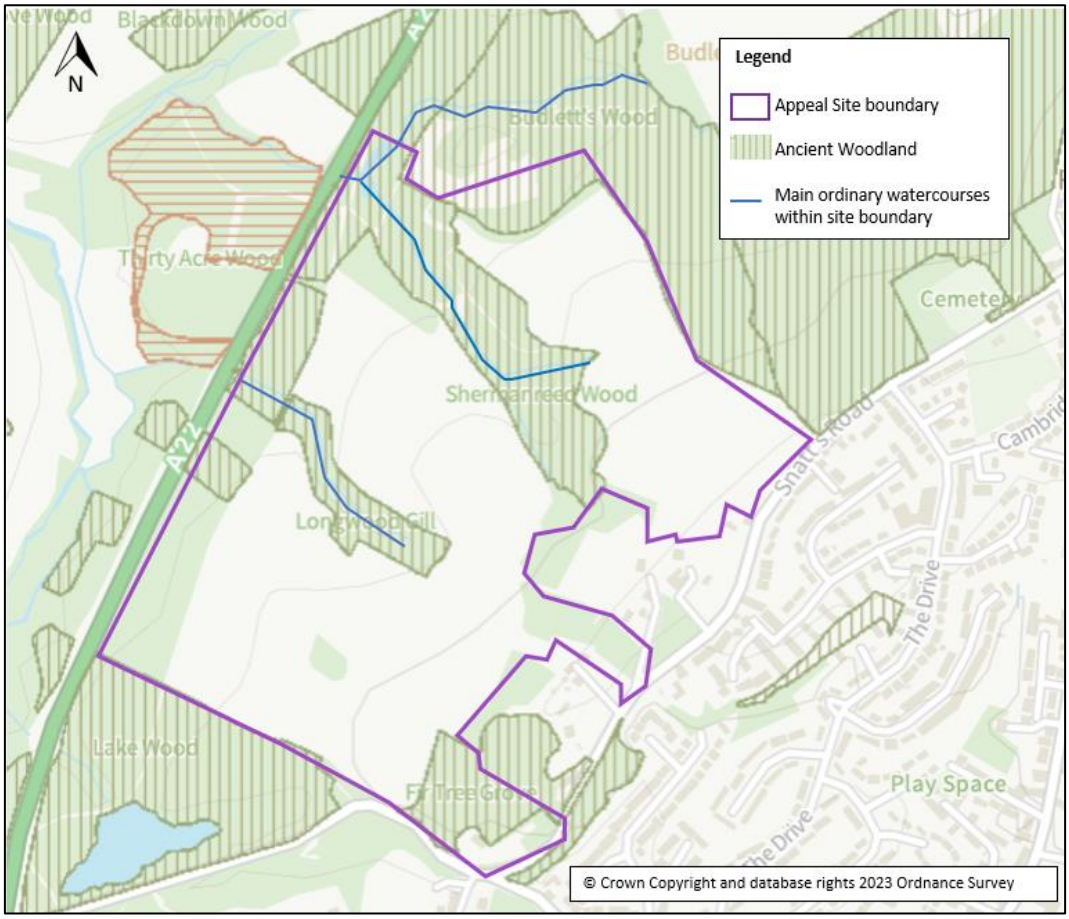


Figure 1: Ancient Woodland and ordinary watercourses within the appeal site boundary

Lead Local Flood Authority's position

The County Council as the LLFA is responsible for local flood risk, which includes ordinary watercourses, surface water and groundwater. Therefore any response to a planning consultation is mindful of this area of responsibility.

The drainage strategy supporting the planning application (included within the Flood Risk Assessment, document number WIE16835-100-R-3-1-1-FRA) followed the drainage hierarchy and discounted infiltration as a viable method of disposal of surface water. The

strategy proposed to discharge surface water runoff into watercourses within the site, with a view of mimicking the existing hydrology and thereby continuing to feed onsite watercourses and surrounding Ancient Woodland. However, the strategy is reliant upon building piped connections across Ancient Woodland into these watercourses, requiring works to be carried out within the protected area.

While matters relating to ecology and preservation of Ancient Woodland are outside the remit of the LLFA, it is required that the evidence supporting an outline planning application provides sufficient assurance that a viable discharge point for surface water has been secured. As such, the LLFA requested evidence from the applicant that this piped crossing, and the construction methods proposed, were to the satisfaction of the Council in consultation with relevant statutory consultees.

The LLFA advised of this requirement in consultation response letters dated 09.08.2022, 29.09.2022 and 14.02.2023 (included in Appendix A for ease of reference). No evidence was however offered to resolve this matter.

Following the LLFA's consultation response of 09.08.2022, the applicant provided further information within the 'Response to Drainage Comments- Technical note' (Reference: WIE16835-100-TN-220823_Drainage). The applicant listed the methodologies proposed to reduce the risk of impact on Ancient Woodland (such as trenchless methodology and use of ground-bearing, prefabricated headwalls). However, it should be stressed that the LLFA's requirement was for an agreement in principle from Wealden Council and relevant statutory consultees, and this requirement was not met.

Without an in-principle approval to undertake works within the Ancient Woodland to enable discharge of surface water, the deliverability of the drainage outfalls and therefore the overall drainage system was not demonstrated. As such, the LLFA was not satisfied that the scheme would not lead to an increased risk of surface water flooding on or offsite.

In addition to the above, the LLFA advised that the outline surface water drainage strategy did not provide the expected level of detail regarding proposed levels of SuDS features and outfall invert levels. However, it is accepted that this could be resolved at Reserved Matters stage, as there are no concerns regarding spatial limitations for provision of SuDS, and the general topography of the site would allow for a gravity-fed drainage system. Following the LLFA's statutory advice, this matter was not listed as a reason for refusal in the Council's Decision Notice.

Should the planning inspectorate be minded to grant this appeal we would request that the following conditions are imposed on the planning permission:

1. Surface water discharge rates not exceeding agreed greenfield runoff rates for all rainfall events, including those with 1% (+45% for climate change) annual probability of occurrence (100 year storm). Evidence of this (in the form of hydraulic calculations) should be submitted with the detailed drainage drawings. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.
2. The details of the proposed attenuation ponds and how they connect into the watercourse/sewer/drain should be provided as part of the design presented with the reserved matters application. This should include cross sections and invert levels.

3. The condition of the ditches and ordinary watercourse which will take surface water runoff from the development should be investigated before discharge of surface water runoff from the development is made. Any required improvements to the condition of the watercourse should be carried out prior to construction of the outfall.
4. The drainage design should include a levels design for the proposed site layout and information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.
5. The detailed design of the attenuation ponds should be informed by findings of groundwater monitoring between autumn and spring. The design should leave at least a 1m unsaturated zone between the base of the ponds and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the drainage system should be provided.
6. A detailed maintenance and management plan for the entire drainage system should be submitted to the Local Planning Authority before any construction commences on site to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan should cover the following:

   a) who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and the appropriate authority should be satisfied with the submitted details;
   b) evidence that these responsibility arrangements will remain in place throughout the lifetime of the development.

7. The applicant should detail measures to manage flood risk, both on and off the site, during the construction phase. this may take the form of a standalone document or be incorporated into the Construction Management Plan for the development.

8. Prior to occupation of the development, evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

Appendix A- Lead Local Flood Authority Statutory Responses to the Planning Application

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Claire Turner
Planning and Environmental Services
Wealden District Council
Council Offices
Vicarage Lane, Hailsham
BN27 2AX

Date: 9 August 2022

Our ref: SUD/WD/22/021
Your ref: WD/2022/1637/MEA

Dear Claire Turner

SUD/WD/22/021 - HYBRID PLANNING APPLICATION COMPRISING: OUTLINE APPLICATION (WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS) FOR THE ERECTION OF UP TO 424 NO. RESIDENTIAL DWELLINGS INCLUDING AFFORDABLE HOUSING…., LAND AT DOWNLANDS FARM, UCKFIELD
Received Date: 14 July 2022

Position of the Lead Local Flood Authority:-

No objection	The information provided is satisfactory and enables the LLFA to determine that the proposed development is capable of managing flood risk effectively.	
No objection	The information provided is satisfactory and enables the LLFA to determine that the proposed development is capable of managing flood risk effectively. Although there will be a need for standard conditions which are outlined in this response.	
No objection in principle subject to the imposition of conditions	Whilst the application documentation has not met all the County Council's requirements, it is possible that the risk is capable of being mitigated to acceptable levels by the application of planning conditions which are outlined in this response.	
Objection due to Insufficient Information	The applicant has failed to meet the requirements to assess its acceptability in flood risk terms. The LLFA will respond in 21 days of receipt of the requested information	**X**
Objection	The application presents an unacceptable on site/off site flood risk.	

Cont./…

Detailed Comments:

Thank you for consulting us on the above application. Although the principles of the proposed drainage strategy are considered to be suitable in principle, we require that clear evidence is provided at outline planning stage to demonstrate the viability of draining the site via gravity, as proposed. This is not clear based on the information provided. We therefore request that an updated drainage plan is submitted indicating cover and invert levels of attenuation features and corresponding outfall invert levels.

If you or the applicant/agent wishes to discuss any of the points raised in this letter, please contact the case officer on SUDS@eastsussex.gov.uk

Yours sincerely



Nick Claxton
Team Manager - Flood Risk Management

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Date: 14 February 2023

Our ref:SUD/WD/22/021/R
Your ref: WD/2022/1637/MEA

Dear Claire Turner

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Received Date: 24 January 2023

Position of the Lead Local Flood Authority:-

No objection	The information provided is satisfactory and enables the LLFA to determine that the proposed development is capable of managing flood risk effectively.	
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Objection due to Insufficient Information	The applicant has failed to meet the requirements to assess its acceptability in flood risk terms. The LLFA will respond in 21 days of receipt of the requested information	**X**
Objection	The application presents an unacceptable on site/off site flood risk.	

Detailed Comments:

The drainage strategy is at concept stage and does not provide a design to fully demonstrate the illustrative layout is feasible in terms of a levels and drainage. However we are aware that the majority of drained area is part of the outline application with all matters reserved and the existing ground levels and falls allow for a proposed layout and drainage design which does not require mechanical pumping. We are satisfied that there is sufficient plan area set aside for attenuation features in the concept design and that a more comprehensive drainage strategy can be presented at reserve matters stage.

Despite the above, we are of the view that the issue of discharging to a watercourse through protected woodland requires a technical solution to the satisfaction of the Council in consultation with relevant statutory consultees at this stage. Until there is evidence of an in principle approval to undertake works within the ordinary watercourses to enable discharge of surface water, the deliverability of the drainage outlets and therefore the drainage system has not been demonstrated to our satisfaction and there is a potential risk of flooding to the site. We therefore retain our objection to this application until this matter is resolved.

If the District Council is satisfied, from separate ecological and arboricultural advice, that the works to install drainage apparatus to the watercourses are acceptable and not a barrier to development and is minded to grant planning permission, the LLFA requests the following comments act as a basis for conditions to ensure surface water runoff from the development is managed safely:

1. Surface water discharge rates not exceeding agreed greenfield runoff rates for all rainfall events, including those with 1% (+45% for climate change) annual probability of occurrence (100 year storm). Evidence of this (in the form of hydraulic calculations) should be submitted with the detailed drainage drawings. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.

2. The details of the proposed attenuation ponds and how they connect into the watercourse/sewer/drain should be provided as part of the design presented with the reserve matters application. This should include cross sections and invert levels.

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8. Prior to occupation of the development, evidence (including photographs) should be submitted showing that the drainage system has been constructed as per the final agreed detailed drainage designs.

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Yours sincerely

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Head of Planning and Environment

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