

Technical Consultancy

Pre-Planning Application Advice From the Lead Local Flood Authority Relating to Surface Water Drainage



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1. Introduction

Newcastle City Council are a Lead Local Flood Authority (LLFA).

Just like Northumbrian Water and the Environment Agency the Council are a statutory consultee in relation to surface water management on major planning applications.

Developers do not need to undertake pre-planning application discussions with the Council as a LLFA but there are significant benefits in doing so. This approach is strongly encouraged and the benefits are:-

- Early advice on flood management issues that could affect a sites development options;
- Advice on the scope of a flood risk assessment to accompany an application;
- Advice regarding surface water management measures appropriate for the development, generating greater cost certainty to the development;
- Increasing the speed at which the flood management impacts of the development can be assessed at the application stage and associated certainty in the application being approved;
- Advice regarding whether any proposed SuDS can be adopted by the Council and other long term management issues;
- The early involvement of the LLFA will save the developer time and money over the length of the planning process.

It should be noted that the LLFA will have limited scope to negotiate amendments to a planning application once it is registered. The formal response of the LLFA regarding a planning application will be based purely on the information submitted.

Guidance regarding the LLFA pre-planning application process is outlined below.

2. Pre-planning application advice service

Newcastle City Council as Lead Local Flood Authority (LLFA) was made a statutory consultee within the National Planning Policy Framework on the 15th April 2015.

As a LLFA we are consulted on planning applications that meet the following criteria:-

- Major planning applications (as defined in the Town and Country Planning Act 1990) in relation to surface water management.

We will also be consulted by the Planning Authority where:-

- Any development site may affect an ordinary watercourse or water body.



Impartial and professional advice will be provided as part of pre-application discussions and this will be done within an agreed timeframe. In advance of formal submission of a planning application we can give 'in principle' or more detailed surface water drainage advice depending upon the complexity of the major development proposals.

The service is not compulsory and may not be appropriate for all situations. However the LLFA actively encourages pre-application discussions relating to major development, particularly where they are complex in nature and have flood management implications.

3. What are the advantages for customers?

There are many benefits for customers in having preliminary discussions about surface water drainage with the Lead Flood Authority including:-

- Helping to understand how an application will be assessed against the National Planning Policy Framework, the council's development plan policies and supplementary planning guidance;
- Helping to identify where there is a gap in data, information, reference to relevant evidence and anticipate other regulatory requirements relating to land;
- Helping to consider how a proposal could be improved to make it potentially more acceptable to the Lead Local Flood Authority in consultation with Planning Officers;
- A reduction in the time and cost spent by professional advisors in working up a drainage assessment and flood risk assessment;
- Identifying where a proposal may be unacceptable to the Lead Local Flood Authority and discussing potential alternative appropriate forms of development, thereby saving the applicant the cost of finalising an application and paying a planning application fee;
- Advising whether a drainage assessment and flood risk assessment is complete, comprehensive and to a satisfactory standard. This would help avoid an application being made invalid on submission or the refusal of the application because of inadequate or insufficient information.

4. How do I obtain pre-application advice?

All requests for pre-application advice should be submitted in writing on request form. You can complete and/or download a form on our website using the [pre-application page](#) or Flood Managements [Surface Water Drainage Pre-Planning Advice](#) or by e-mailing flood.management@newcastle.gov.uk.

The completed form and the accompanying information set out in Section 6 should be sent to the above e-mail address or it can be posted to the location detailed in Section 10.



5. Charging Arrangements

In accordance with the Local Government Act 2003 it has been agreed that charges will be introduced to recover the cost of providing pre-planning application advice regarding surface water drainage.

A two stage charging structure has been introduced. Stage One will provide an initial assessment and advice on a proposal including a meeting either on site or in the office with an officer from the Flood Management Team. . Advice on the principle of the proposal will be given and key issues to be addressed will be identified based on the information available at the time. No in depth advice will be given regarding the detail of a project at this stage. Developers will receive a written response in relation to their enquiry.

Following on from Stage One developers will have the option of moving to Stage Two. Stage Two may involve a series of meetings to discuss and resolve issues relating to surface water drainage prior to submission of a planning application.

Developers can opt to go straight to Stage Two if they require.

The LLFA's attendance at meetings and written response to pre-application requests may also form part of the Planning Pre-application advice service (see the Planning and Development section of the council's web site). However detailed pre-application advice on surface water drainage issues will only be provided through the LLFA pre-application service.

The required fee will need to be paid before a request for pre-planning application advice can be progressed. The fees that will need to be paid are set out below:-

Category	Threshold	Stage 1	Stage 2
3	Major Developments	Hourly rate (*) initially capped at a maximum of £600. Any charge above £600 would require prior agreement with the applicant.	Hourly rate (*) initially capped at a maximum of £2,400 inclusive of Stage 1. Any charge above £2,400 would require prior agreement with the applicant.
4	Large Strategic Developments	Hourly rate (*) initially capped at a maximum of £600. Any charge above £600 would require prior agreement with the applicant.	Price on Application

An invoice will be issued prior to advice being given. As set out above, the Council may request further fees if additional work is required over and above what could be expected. You will be made aware of this in advance.



Pre-application enquiries for any minor developments adjacent to watercourses will be charged for as a Category 3 Major Development, Stage One and Stage Two.

6. What information do I need to provide?

The pre-application advice form should be accompanied by the following:-

General Information

- Reference to the National Planning Policy Framework Policy 10;
- Location plan based on an up to date map at a scale of 1:1250 or 1:2500. In some circumstances plans of other scales may also be required. Plans should be wherever possible show at least:-
 - Two named roads and surrounding buildings. The properties should be numbered or named to ensure that the exact location of the application site is clear.
 - The application site edged clearly with a red line. It should include all land necessary to carry out the proposed development – for example, land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings.
 - Any other land owned by the applicant, close to or adjoining the application site. This should edged clearly in blue.
 - If off site drainage is required then this must be accessible to the applicant and remain available post approval.
- Whether the application is requesting a meeting or advice by letter.

Technical Information

- A topographical survey;
- Outline site master plans of the proposals;
- Reference to relevant up to date flood risk information and data – please refer to our list of suggested sources on our website <http://www.newcastle.gov.uk/environment-and-waste/climate-change-and-energy-saving/flood-management-in-newcastle/lead-local-flood-authority>
- Reference to relevant Newcastle City Council strategies, policies and industry guidance;
- Outline drainage proposals including:-
 - Demonstration of the SuDS hierarchy for discharge of surface water
 - Demonstration of the SuDS hierarchy for attenuation and conveyance of above ground flows to manage surface water
 - Outline drainage calculations including existing and proposed surface water run-off rates and volumes for all rainfall events up to the 1 in 100 year + climate change event to ensure properties are not flooded below a 1 in 100 year + climate change event and the surface water drainage capacity is not exceeded by a 1 in 30 year + climate change event.
 - Identification of existing overland surface water flows
 - Ground conditions / geology
- Outline Flood Risk Assessment where there is a risk of flooding from the following sources:-
 - Ordinary Watercourses



- Surface Water
- Groundwater
- Outline proposals for appropriate flood avoidance, mitigation and/or management.

Where appropriate an officer from the Flood Management Team will contact you to arrange a meeting and they will make you aware if the charge for the service is likely to exceed the capped figures set out in Section 5.

7. How long will it take?

Within 5 working days of receiving a request for pre-application advice the Flood Management Team will contact you to confirm:-

- Whether the request has been accepted;
- Whether written advice is appropriate or a meeting is required;
- Whether any additional information is needed before pre-application advice can be given;
- The name of the Officer in the Flood Management Team who will be dealing with the request;
- The likely charge that will be payable.

Once all the necessary information has been submitted, the Flood Management Team will arrange for any meeting that is necessary to take place within 10 working days.

Our aim is to respond in writing with a Stage One initial assessment on major projects within 28 days of receiving all of the information.

A timetable for processing a pre-application enquiry will be agreed in advance for all Stage Two detailed assessments on major projects and any assessments relating to large strategic developments.

8. What advice can I expect to receive?

Depending upon the level of pre-application assessment required and the size/complexity of the project, the Flood Management Team will provide the following:-

- Available information about current and relevant data, guidance and any other material considerations;
- Information about the Council's technical standards relating to development proposals in line with Guidance for Developers – Surface Water Drainage;
- Information regarding the requirements to support a planning application to comply with Policy 10 of the National Planning Policy Framework and relevant development plan policies;
- Information about any current local flood risk schemes that the new development may affect:-
 - Where the development may provide an opportunity to reduce flood risk



- Where the development is within or in the locality of a completed or ongoing Section 19 Flood Investigation
- Where the development may contain Section 21 registered assets or features
- Where the site contains an Ordinary Watercourse
- Where a Section 23 Land Drainage Consent may be required if the development involves carrying out works in proximity to, on over or within an Ordinary Watercourse
- Informal and without prejudice comments and guidance on the content, construction and presentation of an application likely to satisfy Policy 10 of the National Planning Policy Framework, relevant development plan policies and industry best practice;
- Provision of appropriate contacts necessary for any further pre-application consultation;
- A written summary of the views expressed by the Flood Management Team if required;
- Advice about the Flood Management Team's pre-application and formal application process including the consultation process, likely timetable for consideration and an estimation of the final response date.
- Advice on the long term management and maintenance of any SuDs, including the potential for its adoption by the council.

Please note that the Flood Management Team cannot make comments on a formal planning application direct from the applicant where it has already entered the planning system. As the team acts as Lead Flood Authority we are a statutory consultee and we will be asked by the Planning Authority to provide a formal response based on the information submitted to the Planning Authority.

9. Disclaimer

Any advice given by Flood Management Team Officers relating to pre-application advice does not constitute a formal response or decision with regards to future planning conditions or consents. This decision is the responsibility of the Planning Authority.

Any views or opinions expressed are given in good faith and to the best of our ability, without prejudice to the formal consideration of any planning application which will be subject to public consultation and will be decided by the Planning Authority. The Flood Management Team cannot guarantee that new issues will not be raised following submission of a planning application and consultation upon it.

You should be aware that Officers cannot give guarantees about the final formal decision that will be made on your planning or related applications. However the advice given will be taken into account by the Flood Management Team in consideration of any future related formal planning application subject to the caveat that circumstances and information may change or come to light that could alter the response.



Pre-application advice is relevant at the date of response and is subject to change where more up to date data, new information and any change to industry practice and national policy may occur.

10. Contact Details

The Flood Management Team at Newcastle City Council acting as Lead Local Flood Authority can be contacted by:-

email :flood.management@newcastle.gov.uk

Phone : 0191 2115918

Post : Flood Management Team
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