

Residential Extensions Supplementary Planning Document (SPD): Comments Received and Agreed Responses: Oct 2022

Comment Ref.	Consultee	Comments	Agreed Response
1	Natural England	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Our remit includes protected sites and landscapes, biodiversity, geodiversity, soils, protected species, landscape character, green infrastructure, and access to and enjoyment of nature.</p> <p>While we welcome this opportunity to give our views, the topic this Supplementary Planning Document covers is unlikely to have major impacts on the natural environment. We therefore do not wish to provide specific comments, but advise you to consider the following issues:</p> <p>Biodiversity enhancement This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraphs 8, 72, 102, 118, 170, 171, 174 and 175 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.</p> <p>Landscape enhancement The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access</p>	<p>Noted.</p> <p>The SPD identifies the role of private gardens and trees in supporting biodiversity, including at 2.2.55 and 2.2.58 (now 2.2.58 and 2.2.63). Further reference to biodiversity and Policy NE1 has been added at new paragraph 2.2.60 and protected species, including the potential for nesting/roosting boxes at new paragraph 2.2.61.</p> <p>The SPD identifies that design should address local character including at paragraph 2.2.2. The phrase 'local distinctiveness' has been added. It also identifies that residential gardens contribute</p>

		<p>to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might make a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.</p> <p>Protected species Natural England has produced Standing Advice to help local planning authorities assess the impact of particular developments on protected or priority species.</p> <p>Strategic Environmental Assessment/Habitats Regulations Assessment A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p> <p>Should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again.</p>	<p>to the network of green infrastructure across the borough, supporting biodiversity and helping to reduce or mitigate the impact of climate change, for example through trees and shrubs and grassed and soiled areas absorbing surface water and that these make an important contribution to the character and quality of residential areas. The SPD concerns residential extensions so landscape characterisation and townscape assessments, and associated sensitivity and capacity are unlikely to be relevant or necessary.</p> <p>Noted.</p> <p>A Strategic Environmental Assessment screening process was carried out and the three specific consultation bodies, namely: Historic England, Natural England and the Environment Agency confirmed their agreement with the Council's conclusion that an SEA was not required on this matter. The Council made a determination on 11 December 2018.</p>
2	Canal & River Trust	Thank you for your consultation on the draft Supplementary Planning Document on Residential Extensions.	Noted.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation.

The Trust own and manage the Leeds & Liverpool Canal, which runs east-west through the Borough. The Trust own only a small proportion of land next to our waterways. Development by third parties, including House Extensions, can therefore have a significant impact upon the character, appearance and user experience of our network.

Based on the information available, we wish to provide the following general advice on the following sections of the draft document:

Paragraphs 2.2.4 and 2.2.5

Extensions built up close to public footpaths and cycleways, including our towpath network, can have a significant impact upon the outward appearance and user experience of those routes.

We appreciate that paragraph 2.2.4 asks for extensions to take into account the characteristics of the surrounding area. However, when going into more depth, paragraph 2.2.5 does not explicitly advise developers and decision makers to consider the impact on neighbouring footpaths and cycleways.

We believe that it is important that consideration is given to the impact on neighbouring pedestrian and cycle routes, and request that 2.2.5 is expanded to include an additional bullet point to explicitly reference the impact on such routes. Suggested wording is provided below:

Reference has been added at new paragraph 2.2.57 to ensure that consideration is also given to the locality surrounding a development in relation to sunlight and shading to avoid negatively impacting surrounding biodiversity or amenity, for example, the Leeds and Liverpool Canal towpath. In addition, paragraph 2.2.87 (was 2.2.77) acknowledges that extensions should have regard to the safety and security and visibility of pedestrians and cyclists using footpaths.

“The impact on neighbouring footpaths and cycle routes”

We believe that this would make the document more effective in ensuring that extensions comply with the wider aims of the National Planning Policy Framework, which seeks to ensure that the fullest possible use of walking and cycling is encouraged (e.g. paragraph 104 part c).

Without the above inclusion, the need to protect the attractiveness of the wider sustainable transport network will not be explicitly made clear to applicants and decision makers when considering the impact of small-scale development.

Paragraphs 2.2.49 - 2.2.54

This section considers the impact of extensions on daylight and sunlight.

Two-storey extensions close to wildlife sites and our infrastructure have the potential to result in shading, which could impact upon biodiversity and the attractiveness of footpaths for public use and enjoyment. We therefore request that an additional paragraph is included in this section so that the impact on such spaces is made clear to applicants and decision makers. Suggested wording is provided below:

“Extensions should avoid excessive shading to public footpaths and wildlife sites”

Paragraphs 2.2.75 and 2.2.76

Reference is given in the existing wording to the need to screen refuse areas from “neighbouring properties and the street at ground level”.

We request that this is expanded to include wider land accessible to the public, and is not limited to neighbouring properties and the public highway. For example, our canal network runs close to residential property, and the presence of bin store areas could have a significantly

Reference to refuse and recycling facilities being screened from the street/wider land accessible to the public has been added to Section J paragraph 2.2.85.

		<p>impact upon the outward appearance of our network. Expansion of the wording of the above paragraphs to help ensure that all public areas are considered could help ensure that development protects the wider public realm, including waterside spaces, in line with the aims of policy SP5 from the adopted Local Plan.</p> <p>We hope that the above is of use. Please do not hesitate to contact me with any queries you may have.</p>	
3	Historic England	<p>Historic England is the Government’s statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England’s historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.</p> <p>Thank you for consulting Historic England on the above document. At this stage we have no comments to make on its content. If you have any queries or would like to discuss anything further, please do not hesitate to contact me.</p>	Noted.
4	Habergham Eaves Parish Council	<p>Thank-you for the opportunity to review and comment on the two draft Supplementary Planning Documents (Planning for Health SPD and Residential Extensions SPD).</p> <p>We have read them through and fully support the principles and proposed guidance/policies in each document. They should have a positive effect on the health and well-being of residents the design of future housing extension within Habergham Eaves parish.</p> <p>We do not have any substantive comments or specific comments to make.</p>	Comment noted and general support welcomed.

5	The Coal Authority	<p>The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.</p> <p>Our records indicate that within the Burnley area there are recorded coal mining features present at surface and shallow depth including; mine entries, shallow coal workings, reported surface hazards, surface coal mining and mine gas sites. These recorded features may pose a potential risk to surface stability and public safety.</p> <p>The Coal Authority's records also indicate that surface coal resource is present in the area, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning process consideration should be given to such advice in respect of the indicated surface coal resource.</p> <p>It is noted that this current consultation relates to Supplementary Planning Documents for Planning for Health and Residential Extensions. I can confirm that the Planning team at the Coal Authority have no specific comments to make on these consultation documents.</p> <p>Please do not hesitate to contact me should you wish to discuss this further.</p>	Noted.
6	Homes England	As a prescribed body and land-owner in Burnley, we would firstly like to thank you for the opportunity to comment on the above consultation.	Noted.

		<p>Homes England is the government’s housing accelerator. We have the appetite, influence, expertise, and resources to drive positive market change. By releasing more land to developers who want to make a difference, we’re making possible the new homes England needs, helping to improve neighbourhoods and grow communities.</p> <p>Homes England does not wish to make any representations on the above consultation. We will however continue to engage with you as appropriate.</p>	
7	Lancashire County Council	<p>Thank you for consulting Lancashire County Council on the above document and I have the following comments in response.</p> <p>The County Council is the Lead Local Flood Authority (LLFA) for the area. The Flood and Water Management Act (FWMA) sets out the requirement for the LLFA to manage 'local' flood risk (flooding from surface water, groundwater, and ordinary watercourses) within their area.</p> <p>This SPD must make it clear that, as per paragraph 168 of the National Planning Policy Framework, applications for some minor development, including householder development, should meet the requirements for a site-specific flood risk assessment. The National Planning Policy Framework requires a site-specific flood risk assessment to be provided for:</p> <ul style="list-style-type: none"> • All development in Flood Zones 2 and 3. • In Flood Zone 1 <ul style="list-style-type: none"> ○ sites of 1 hectare or more; ○ land which has been identified by the Environment Agency as having critical drainage problems; ○ land identified in a strategic flood risk assessment as being at increased flood risk in future; ○ or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use 	<p>Noted.</p> <p>SFRAs:</p> <p>The SPD in section I has been amended to include further cross reference to Policy CC4 and the need for site specific flood risk assessments for certain minor developments.</p> <p>Paragraph 159 of the NPPF states that: “Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”</p>

The site-specific flood risk assessment should follow the national standing advice for minor development on the gov.uk website at <https://www.gov.uk/guidance/flood-riskassessment-standing-advice>, which also applies to surface water flood risk.

As per the planning practice guidance, minor developments may raise significant flood risk issues where:

- they would have an adverse effect on a water course flood plain or its flood defences;
- they would impede access to flood defence and management facilities, or;
- where the cumulative impact of such developments would have a significant effect on local flood storage capacity or flood flows.

To mitigate the flood risk posed by minor developments, the Lead Local Flood Authority expects the following measures to be included within the SPD:

- The SPD must make it clear that inappropriate development in areas at risk of surface water flooding should be avoided, as per paragraph 159 of the National Planning Policy Framework. If overriding reasons result in proposals to build in an area at risk of surface water flooding, appropriate mitigation measures must be provided, including raising finished floor levels and safely managing the surface water within the site. The risk of flooding from surface water can be checked at <https://check-long-term-flood-risk.service.gov.uk/map>
- There is potential for the cumulative impact of minor extensions to have a significant effect on flood risk. The SPD must make it clear that all minor development should incorporate sustainable drainage systems in line with paragraph 167 of the National

Clearly residential extensions can't be directed elsewhere. Policy CC4 1) requires that all development does not result in increased flood risk from any source or other water drainage problems either on the development site to elsewhere.

The current NPPF (2021) includes slightly amended wording on flood risk and the need for SSFRAs and rather than repeat this advice in the SPD, it is considered more appropriate to direct householders to the wealth of information and advice that is available on the Environment Agency website.

New paragraph 2.2.81 includes reference to flood risk mitigation such as raising the finished floor level.

SuDS:

Policy CC5 of the Local Plan sets out the requirements for SuDS and surface water treatment generally and only requires such formal SuDS for 'major' developments.

Planning Policy Framework. SuDS should be designed in line with the Planning Practise Guidance, including the hierarchy of drainage options, the Defra Technical Standards for SuDS, The SuDS Manual (C753) and policy CC5 of the adopted Burnley Local Plan. SuDS components such as green roofs, permeable paving, water butts and soakaways represent viable options for managing surface water from minor developments. For most residential extensions, the discharge rate should not exceed a maximum rate of 2 l/s/ha.

- The SPD must make it clear that, in accordance with the National Planning Policy Framework and the National Planning Practice Guidance, development should be drained on a separate system with foul water draining to the public sewer and surface water draining into a SuDS.
- The SPD must make it clear that no development should occur within 8 metres from the bank top of any ordinary watercourse, as supported by Policy CC4 of the adopted Burnley Local Plan. This includes the construction of structures such as walls and fences and any activity during the construction phases of development. Construction within 8 metres of any ordinary watercourse is not advised as access for maintenance purposes is restricted, it has the potential to pose a detriment to water quality and poses a significant residual flood risk to structures and adjacent buildings. The Lead Local Flood Authority consider this contrary to the National Planning Policy Framework.
- The SPD must recognise the importance of permeable surfaces. The Lead Local Flood Authority advise the Local Planning Authority to make it clear that paving over any surface with an impermeable surface is not acceptable. The cumulative impact of many small increases in impermeable surfaces across an area results in increased surface water flood risk. The SPD should set a clear expectation for development to use permeable paving if paving

Paragraph 167 of the NPPF 2021 only requires SuDS for minor development in areas ‘at risk of flooding’ and although these are not defined within the NPPF, this can sensibly be taken to mean those areas for which a site specific flood risk assessment is required and cannot be taken to mean everywhere. National planning practice guidance defines them “those at risk of flooding from any source, now or in the future. Sources include rivers and the sea, direct rainfall on the ground surface, rising groundwater, overwhelmed sewers and drainage systems, reservoirs, canals and lakes and other artificial sources.”

The SPD at section I already identifies that the Local Plan supports (and requires for major development) the installation of Sustainable Drainage Systems (SuDS), and that the use of permeable materials should be maximised. It has been amended to include further cross reference to Policy CC4 and circumstances where SuDS may be required for residential extensions.

The SPD already emphasises the importance of retaining and maximising the use of permeable surfaces, at section I paragraph 2.2.59 (was 2.2.56) 2.2.83 (was 2.2.74).

Watercourses:

Local Plan Policy CC4 2) sets out the policy in relation to development within 8 metres from the bank top of a watercourse and cross

		<p>over any permeable surface, noting that planning permission will be required if paving over a front garden area greater than five metres squared with an impermeable surface. This should also be made clear in paragraph 2.2.56 of the SPD.</p> <p>The Lead Local Flood Authority note that our 'Standing Advice for Minor Applications' has been provided to the Local Planning Authority. The Local Planning Authority is expected to apply this to all relevant developments.</p> <p>I hope you will find these comments valuable and should you require further information or clarification on the contents of this letter please contact me at the email address provided. Once again, the County Council would like to thank you for the opportunity to respond to the latest consultation and for the continued cooperation received.</p>	<p>reference to this requirement has been added at paragraph 2.2.84.</p> <p>Noted.</p>
8	United Utilities Limited	<p>Thank you for your consultation seeking the views of United Utilities as part of this consultation. United Utilities wishes to build a strong partnership with all local planning authorities (LPAs) to aid sustainable development and growth within its area of operation. We aim to proactively identify future development needs and share our information. This helps:</p> <ul style="list-style-type: none"> - ensure a strong connection between development and infrastructure planning; - deliver sound planning strategies; and - inform our future infrastructure investment submissions for determination by our regulator. <p>We encourage you to direct future developers to our free pre-application service to discuss their schemes and highlight any potential issues by contacting:</p>	Noted.

Developer Services – Wastewater

Tel: 03456 723 723 Email:WastewaterDeveloperServices@uuplc.co.uk

Developer Services – Water

Tel: 0345 072 6067

Email: DeveloperServicesWater@uuplc.co.uk

Our Assets

It is important to outline to the LPA the need for our assets to be fully considered in proposals for new residential extensions. We will not permit development over or in close proximity to our assets.

United Utilities will not allow building over or in close proximity to a water main United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline. This will only be reviewed in exceptional circumstances.

On this basis, applicants will need to check whether there are any assets of United Utilities within the area identified for a potential residential extension as early as possible in the design process. This should include careful consideration of landscaping proposals in the vicinity of our assets and any changes in levels and proposed crossing points (access points and services). We strongly recommend that the LPA advises future applicants of the importance of fully understanding the details of any assets that may exist in a residential curtilage as soon as possible, and before incurring fees on the detail of any design, so that the implications of our assets on any potential residential extension can be fully understood. Where our assets exist on a site, we ask applicants to contact United Utilities to understand any implications using the below contact details. The details of how plans of our assets can be obtained are set out below under the heading of 'Property Searches (for asset maps)'.

Where United Utilities' assets exist, the level of cover to our pipelines and apparatus must not be compromised either during or after construction

Assets:

Reference to development close to United Utilities assets and links to sources of information had been added at Section K.

and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include earth movement, retaining walls and the transport and position of construction equipment and vehicles.

Removal of Permitted Development Rights

Applicants should note that in some instances, the original permission for a development may have had permitted development rights removed due to the existence of utility infrastructure within the curtilage of a development. It is important that applicants check whether this is the case before progressing with any instructions to design a residential extension. We request that the SPD makes reference to the need for the applicant to undertake this check in advance of progressing any design.

Property Searches (for asset maps):

A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, applicants can visit <https://www.unitedutilities.com/property-searches/Water>

Water and sewer records can also be viewed for free at our Warrington Head Office by calling 0370 751 0101. Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority.

The position of the underground apparatus shown on asset maps is approximate only and is given in accordance with the best information currently available. United Utilities Water will not accept liability for any loss or damage caused by the actual position being different from those shown on the map. Where an asset does exist within or near to a site, the exact location will need to be confirmed in liaison with United Utilities.

Reference to permitted development rights withdrawal has been added at new paragraph 1.3.3.

Noted.

If applicants wish to discuss their proposal with our Developer Services team, the contact details are below.

Contacts

Website - For detailed guidance on water and wastewater services, including application forms and the opportunity to talk to the Developer Services team using the 'Live Chat' function, please visit:
<http://www.unitedutilities.com/builders-developers.aspx>

Email - For advice on water and wastewater services or to discuss proposals near to pipelines, email the Developer Services team as follows:

Water mains and water supply, including metering -
DeveloperServicesWater@uuplc.co.uk
Public sewers and drainage –WastewaterDeveloperServices@uuplc.co.uk
Telephone - 0345 072 6067

Sustainable Drainage (Foul Water and Surface Water) and Water Efficiency

United Utilities supports the references to climate change within the guidance. New development should manage foul and surface water in a sustainable way in accordance with national planning policy. We wish to emphasise the importance of the SPD highlighting the need to follow the hierarchy of drainage options for surface water management in national planning practice guidance which clearly identifies the public combined sewer as the least preferable option for the discharge of surface water.

We also recommend that the SPD includes reference to water efficiency measures within the guidance. We wish to highlight that improving water efficiency makes a valuable contribution to water reduction as well as carbon reductions noting that water and energy efficiency are linked. This has associated societal benefits by helping to reduce customer bills for both water and energy.

Sustainable Drainage (Foul Water and Surface Water) and Water Efficiency

The SPD at section I already identifies that the Local Plan supports (and requires for major development) the installation of Sustainable Drainage Systems (SuDS) and the importance of GI in this regard. Further cross reference has been added to Local Plan Policies CC4 and CC5; and the hierarchy of drainage options.

Reference to water efficiency has been added in section H.

Sustainable surface water management and the efficient use of water should be critical elements of the design and development process. As the Council will be aware, green infrastructure can help to mitigate the impacts of high temperatures, combat emissions, maintain or enhance biodiversity and reduce flood risk. Green infrastructure and landscape provision play an important role in managing water close to its source.

In terms of residential extensions, there are opportunities such as rainwater recycling, green roofs and water butts and we would encourage the LPA and applicants to embrace such measures in the design of a residential extension. Modern design techniques can promote measures for water recycling and reduce customer bills. We request that such examples are specifically promoted in the SPD.

We wish to highlight that in making any connection to existing drainage systems, applicants should ensure only foul water is connected to the foul sewer system.

Landscaping and Biodiversity

United Utilities supports the references to biodiversity under both the Gardens and Trees sections. United Utilities is supportive of any approach to the planting of new trees and would encourage the Council and applicants to consider this in the context of flood risk management and opportunities to 'slow the flow' reflecting our wider comments relating to surface water management.

We specifically request that opportunities for source control, slowing the flow and filtration of surface water are considered, which could be achieved through a variety of features including:

- permeable surfacing;
- retrofitted swales;
- bioretention tree pits/rain gardens.

Landscaping and Biodiversity

Noted.

These matter forms part of the consideration of surface water treatment and SuDS (see discussion above).

We have enclosed a copy of the UK Rain Garden Guide and we would encourage the Council to refer to this as a means of sustainably managing surface water from any proposed residential extension in the SPD.

In accordance with the conditions of the general permitted development order, we request that the guidance clearly states that new areas of hardstanding should be made of porous materials, and that the lay of any hardstanding directs run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house. This is critical to ensure that flows to the public sewer and receiving watercourses are minimised. Where connections are made to the public sewer as a result of the paving over of gardens / residential extensions, it can result in a significant increase in surface water flows which increases flood risk to existing properties and has a detrimental impact on the environment by necessitating increased operation of sewer overflows alongside the need for additional pumping / treatment of clean rain water. We therefore encourage the Council to ensure that the document directs applicants to make every effort to not direct surface water to the public sewer from residential extensions. This should include new areas of hardstanding.

United Utilities also wishes to note the importance of any approach to planting new trees giving due consideration to the impact on utility services noting the implications that can arise as a result of planting too close to utility services. This can result in root ingress, which in turn increases the risk of drainage system failure and increases flood risk to existing properties including the applicant. This should be identified as a key consideration in your SPD. Guidance on landscaping in the vicinity of utility assets can be found in our 'Standards Conditions for Works Adjacent to Pipelines', a copy of which is enclosed.

Summary

Moving forward, we respectfully request that the Council continues to consult with United Utilities for all future planning documents. In the

Reference to the UK Rain Garden Guide has now been made in the footnote on pg. 26.

The SPD already highlights this issue at para 2.2.59 (was 2.2.56) and 2.2.83 (was 2.2.74) and again these matters forms part of the consideration of surface water treatment and SuDS (see discussion above). A link to the permitted development condition has been added as a footnote to paragraph 2.2.59.

Reference to the impacts of new tree planting on services has been added to section F.

benefits which include managing flood risk from surface water run-off, improved water quality and increases biodiversity. Residential extensions could include SuDS such as green roofs, rain gardens and rainwater harvesting, for example.

Further guidance can be found here:

- The Flood Risk Standing Advice for flood risk assessments for planning applications: <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice> – see section on ‘advice for minor extensions’.
- <https://www.gov.uk/government/publications/prepare-your-property-for-flooding>.
- <https://thefloodhub.co.uk>

We recommend that the SPD also makes developers aware that that the Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river
- on or within 8 metres of a flood defence structure or culverted main river
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain (Flood Zone 3, but excluding areas benefitting from flood defences) more than 8 metres from an open channel/culverted main river or flood defence structure and you don’t already have planning permission. Permitted development does not count as planning permission.

In particular (but not limited to), no trees or shrubs may be planted, nor fences, buildings, pipelines (including outfalls) or any other structure erected within 8 metres of an open channel/culverted main river or flood defence structure without an environmental permit.

development) the installation of Sustainable Drainage Systems (SuDS). Further reference to Local Plan policies CC4 and CC5 has been added and the circumstances where the NPPF requires SuDS for minor development.

Local Plan Policy CC4 2) sets out the policy in relation to development within 8 metres from the bank top of a watercourse and cross reference to this requirement and to permits/exemptions has been added at Section I new paragraph 2.2.84.

The requirement for a flood risk activity permit (FRAP) is separate to planning permission. The granting of planning permission does not guarantee that a permit would be forthcoming. Where a FRAP is required, developers should be aware that it is unlikely that our consent will be granted for works that do not allow access for maintenance / repair purposes or that have an unacceptable impact on flood risk or the natural environment. Further guidance is available here on GOV.UK: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

There is also guidance available on the rights and responsibilities of riverside ownership on GOV.UK: <https://www.gov.uk/guidance/owning-a-watercourse>.

Non-main river watercourses fall under the jurisdiction of the Lead Local Flood Authority. Further guidance can be found on Lancashire County Council's website: <https://www.lancashire.gov.uk/flooding/drains-and-sewers/alterations-to-a-watercourse>