



HCC Lead Local Flood Risk Authority- Flood Risk Management Team

Pre-application advice for planning

Hertfordshire County Council as Lead Local Flood Authority was made a statutory consultee within the National Planning Policy Framework on the 15 April 2015 to respond to Local Planning Authorities in consultation to new development in relation surface water drainage.

The Flood Risk Management Team will be consulted by the 11 Hertfordshire Local Planning Authorities if any new development meets the following criteria:

- Major Planning applications (as defined in Town and Country Planning Act 1990) in relation to surface water management
- Any development site containing an ordinary watercourse (local arrangement with LPA's)

This advice note contains the following:

1. Charges for pre-application guidance note
2. Benefits of pre-application
3. What you are required to do
4. What the Flood Risk Management Team will provide
5. Charges
6. Standards of service
7. Notes

1. Charges for Pre-application guidance note

For potential applicants we are able to provide advice as to what is required in relation to the criteria above; what the relevant considerations are likely to be; and the information that should support a planning application (please note we cannot advise on meeting the requirement of local plan policies, this is for the relevant local planning authority to determine).

In order to provide a high standard of service with consistent advice the Flood Risk Management Team has decided that the cost of providing this pre-application advice

service should be met by potential developers rather than fall on council tax payers. The charges are set out below and come into force on 6 April 2015.

Whilst potential applicants are not obliged to seek pre-application advice, once a planning application has been submitted to the relevant local planning authority, it will normally proceed to a determination on the basis of the information provided without recourse back to the applicant. We will be advising the relevant local planning authority whether we deem the supporting information has met the relevant NPPF policies and the relevant technical guidance.

2. Benefits of pre-application advice

- Help understand how an application will be assessed against the NPPF Policy 10
- Help identify where there is a gap in data, information, reference to relevant evidence and anticipate other regulatory requirements relating to land drainage.
- Help consider how a proposal could be improved to make it potentially more acceptable to the Flood Risk Management Team in consultation to the relevant local planning authority.
- May lead to a reduction in the time and cost spent by professional advisors in working up a drainage assessment and flood risk assessment.
- May indicate where a proposal is completely unacceptable to the Flood Risk Management team, saving the applicant the costs of finalising an application and paying a planning application fee.
- Can advise if a drainage assessment and flood risk assessment is complete and comprehensive and to a satisfactory standard, avoiding rejection at registration stage or early refusal of permission because of inadequate or insufficient information.

Not all enquiries will require a meeting with a flood risk officer and advice can be provided by an exchange of correspondence. The decision on the method of providing advice will rest with the Flood Risk Management Team.

Where a meeting is to be held, the details will be confirmed in writing. Meetings may be held at the council's offices or on site if appropriate. You will be asked to confirm in writing your agreement to pay the council's charges prior to any advice being given.

The charging scheme will not apply to discussions in connection with any enforcement investigation or the issue of formal notices. However, if as the result of unauthorised development a planning application is invited, the charging scheme will apply.

3. What you are required to do

Submit a written request for pre-application advice. You can complete and/or download a form on our website on our [Pre-application page](#) or you can request one by e-mail from the Flood Risk Management Team at FRMConsultations@hertfordshire.gov.uk . The form should be accompanied by:

General information

- Confirmation that the development meets the criteria set out in Paragraph 1
- Reference to the NPPF Policy 10 Paragraph 103 subsection 20 and the supporting Technical Guidance document
- Information on the type of planning application (Outline, Reserved Matter or Full)
- Location plan based on an up-to date map at a scale of 1:1250 or 1:2500. In exceptional circumstances plans of other scales may also be required. Plans should wherever possible show at least:
 - two named roads and surrounding buildings. The properties shown 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, which should be edged clearly with a blue line.
- whether you are requesting a meeting or advice by letter

Technical Information

- A topographical survey (to metres AOD)
- Outline site plan of your 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.hertsdirect.org/services/envplan/water/floods/floodrisk/>
- Reference to relevant HCC and Industry guidance and policies
- Outline drainage proposals (if relevant), this should include;
 - Demonstration of the SuDS Hierarchy for discharge of surface water
 - Demonstration of the SuDS Hierarchy for attenuation and conveyance of on surface 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.
 - 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 (sequential approach), mitigation and/or management

Where it is appropriate to meet with the Flood Risk officers you will be sent written confirmation of your appointment with a Flood Risk officer and an indication of the likely charge. You will be asked to confirm your agreement to pay the Council's charges prior to any meeting or written advice being provided.

4. What the Flood Risk Management Team will provide

- Provision of information about current and relevant data and guidance; any other material considerations. An additional charge will be levied if site research is required after a meeting to enable a written response to be supplied where insufficient information about the site was provided prior to a meeting.
- Provision of information about the council's technical standards for development proposals in line with the Guidance for SuDS in Hertfordshire
- Provision of information about the requirements regarding information to support a planning application to comply with Policy 10 of the NPPF and the NPPF Technical Guidance (please note HCC as Lead Local Flood Authority are not the determining authority to confirm if it is compliant for a formal application).
- Provision of information about any current local flood risk schemes that the new development may affect; where 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; whether the site contains an Ordinary Watercourse; whether a Section 23 (LDA) Land Drainage Consent may be required if the development involves carrying out works in proximity to, on, over or within an Ordinary Watercourse.
- Provision of advice about the Flood Risk Management team's pre-application and formal application process including the consultation processes, likely timetable of consideration, and estimation of final response date, on any submitted pre-application.
- Informal and without prejudice comments and guidance on the content, construction and presentation of an application likely to satisfy Policy 10 of the NPPF and industry best practice.

- Provision of appropriate contacts necessary for any further pre-application consultation.
- A written summary of any views expressed by the Flood Risk officer if required. All written advice will be checked by a senior officer to ensure accuracy and consistency.

Please note that we cannot make comments on a formal planning application direct from the applicant where it has already entered the planning system. As we are a statutory consultee, we will be formally consulted by the relevant LPA to provide a formal response based on the information submitted to the LPA. The LPA will then provide our comments to the applicant for consideration.

HCC Flood Management Team will not provide comments on any information, data and/or issues relating to Flood Zones and works associated with Main Rivers are under the statutory consultee remit of the Environment Agency.

5. Charges

Written Enquiries

The standard charge is £85.00 per hour (+VAT) to assess the information submitted as part of the pre-application request – but may be subject to additional site investigation charge where insufficient information is provided in the first instance. This will be charged at the same hourly rate.

Meetings/ Site Visits with Officers

The standard charge is £85.00 per hour (+VAT). Where additional officers are required to attend the fee will be an additional hourly charge of £85.00 (+VAT) per officer. Charges will apply to the following:

- Duration of the meeting/site visit
- Post meeting administration or research
- Travelling time to and from site

6. Standards of Service

Advice given will aim to reflect the relevant national planning policies and related technical guidance, HCC internal Guidance and other industry best practice guidance.

Pre-application request

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

- whether the request has been accepted;
- whether an application for written advice is appropriate or that a meeting is required;
- whether any additional information is required before pre-application advice can be offered;
- the name of the Flood Risk officer who will be handling your enquiry and their contact details;
- whether any other officers will be required to assist with the advice;
- an indication of the charge that will be payable.

Meetings/ Site Visits

Once all the necessary information has been submitted, the Flood Risk Management Team will arrange for the meeting to take place within 10 working days. The meeting will be made with appropriately qualified and experienced planning officers and any request for specialist advice will be confirmed at that time. Where a written response is required following a meeting, this will be supplied within 5 working days of the meeting, providing no further research or site investigation is required.

If we have to postpone a meeting e.g. absence of relevant staff through illness, it will normally be re-arranged within 5 working days.

Written Responses

Responses to written enquiries will normally be provided within 15 working days of receipt of a fully supported enquiry.

Charges

Charges will be invoiced prior to advice being given. The council reserves the right to levy an additional charge if additional work is subsequently required. You will be advised of any additional charge and be invoiced prior to the work being undertaken.

7. Please note

Any advice given by Flood Risk Officers for pre-application enquiries does not constitute a formal response or decision with regards to future planning consents. This decision is the responsibility of the relevant local planning authority.

Any views or opinions expressed are given in good faith, and to the best of ability, without prejudice to the formal consideration of any planning application, which will be subject to public consultation and ultimately decided by the relevant local planning authority. The Flood Risk 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 note will be taken into account by the Flood Risk Management Team in consideration of any future related formal planning application, subject to the provision that circumstances and information may change or come to light that could alter the response.

It should be noted that the consideration given to pre-application advice may decline over time where more up to date data, new information and any change to industry best practice and national policy may occur.

Contact details:

Flood Risk Management Team

Environment Department (CHN216)

Hertfordshire County Council

County Hall

Pegs Lane

Herts SG13 8DN

Tel: 01992 556295

E-mail: FRMConsultations@hertfordshire.gov.uk