

## **Lead Local Flood Authority Planning Pre Application Advice and Data Tariff**

This document establishes East Sussex County Council's tariff for the provision of advice and data relating to the management of local flood risk and provision of sustainable drainage as part of new development proposals. These charges will be made in accordance with s.93 of the Local Government Act 2003.

As a statutory consultee the County Council is obliged to provide a substantive response to consultations on major development (as defined by the Development Management Procedure Order 2015 and set out below) received from planning authorities. It is also obliged to provide free advice on the scope of information necessary to enable it to provide a substantive response at the application stage. In addition, the County Council cannot charge for data which is required to be placed on a public register. Items 1 and 2 under the Levels of Service section clarify what is not chargeable.

However, the Lead Local Flood Authority welcomes and encourages discussions with a developer before submission of a planning application whether it is outline, reserved matters, full or for the discharge of conditions. The benefits of seeking pre-application advice from the Lead Local Flood Authority include:

- the potential for reducing the time and associated costs that professional teams spend working up the proposals:
- an indication of those proposals that may present an unacceptable flood risk to the development and/or properties elsewhere:
- the provision of advice on the maintenance implications of drainage and surface water management strategies and techniques:
- avoiding "show stoppers" at a late stage in the development process and the minimising the costs associated with this
- detailed interpretation of the information required to support the application as set out in the Guide to Sustainable Drainage Systems in East Sussex and our surface water drainage checklists both of which can be found on the flooding pages of the the County Council's website: and
- written confirmation of the advice that can be submitted formally as part of any subsequent application which will help to speed up the decision making process.

It is desirable that developers engage with the County Council on the drainage and local flood risk implications of their proposals as often these issues cannot be incorporated into a design retrospectively without considerable cost to the applicant or potentially jeopardising the scheme.

Entering into discussions at an early stage will assist in designing more resilient, sustainable development which will be adapted to the predicted increase in the force and frequency of short duration high intensity rain fall events.

The County Council also holds data which it has developed at its own cost this includes investigations into land drainage problems, the analysis of surface water risk and the recording of flood incidents. This information is available at a charge at the rates set out below.

## **Levels of advice**

To assist the County Council in processing requests for advice developers will be required to complete a form setting out key details of the proposal and its location.

1. The County Council as Lead Local Flood Authority will provide advice free of charge relating to the extent of information required to assist it in responding in a substantive manner to a planning application. Whilst these requirements are outlined in our Guide to Sustainable Drainage Systems in East Sussex, we will provide a clarification where necessary.
2. Where the County Council is aware of the presence of assets which may have an impact on the management of local flood risk (and are not the responsibility of the Highway Authority, Environment Agency or a Water and Sewerage Company) information will be provided on their location, general condition and ownership free of charge.
3. A checking service reviewing data held by the Lead Local Flood Authority relevant to the management of local flood risk will be undertaken for a maximum cost of £107 + VAT. This will take the form of a report detailing (where appropriate) the following:
  - a. Any records of local flood incidents (including dates and extent where available) that have occurred since the submission of the last Preliminary Flood Risk Assessment for East Sussex to the Environment Agency
  - b. The outputs of detailed surface water modelling (where available)
  - c. The outputs of detailed topographic surveys (where available)
  - d. The outputs of detailed asset surveys (where available)

Other relevant data will be held by the Environment Agency, Southern Water and the Highway Authority and developers will be recommended to consult them separately.

4. All other requests for advice, meetings or correspondence will be chargeable at a rate of £92/hour plus VAT.

## **Exemptions**

East Sussex County Council reserves the right to adjust (or waive) charges in exceptional circumstances. Please be aware that no advice, subject to a pre application charge, will be given over the phone.