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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| <b>Application address</b><br>Land West of Clickers Way Earl Shilton<br>Leicestershire                                                                                      | <b>Planning ref.</b> 25/00229/DISCON                          |
|                                                                                                                                                                             | <b>Our ref.</b> 2025/0229/04/Fdis-R2                          |
| <b>Description</b><br>Application to discharge C9 (Long Term Maintenance of Surface Water Drainage) C10 (Infiltration Testing) attached to planning permission 20/01225/FUL | <b>Consultation date</b> 29/08/2025                           |
|                                                                                                                                                                             | <b>Response date</b> 16/09/2025                               |
| <b>Planning officer</b> Lesley Keal                                                                                                                                         | <b>Reviewing officer</b> Dan Killer                           |
| <b>Application type</b> Discharge of Conditions                                                                                                                             | <b>Extension requested</b> <input type="checkbox"/>           |
| <b>No concerns</b> <input checked="" type="checkbox"/>                                                                                                                      | <b>Further consultation required</b> <input type="checkbox"/> |

### **Lead Local Flood Authority Key Observations**

This application seeks to discharge conditions 9 and 10 set as part of the approval of application reference 20/01225/FUL. These conditions read:

9. *Prior to commencement of development details in relation to the long term maintenance of the sustainable surface water drainage system to be constructed on the development (SuDS Maintenance Plan) shall be submitted to and approved in writing by the Local Planning Authority. Details of the SuDS Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the system and should also include procedures that must be implemented in the event of pollution incidents within the site. The approved SuDS Maintenance Plan shall continue to be implemented and complied with throughout the lifetime of the development.*
10. *No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.*

All other conditions sought for discharge under this application do not relate to surface water and as such are not considered as part of this response.

Further to the LLFA's previous response, updated details have been provided under Condition 9, for a revised Maintenance Plan that outlines a regime for an attenuation basin as opposed to an infiltration basin.

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Leicestershire County Council as Lead Local Flood Authority (LLFA) advises the Local Planning Authority (LPA) that the application documents as submitted are sufficient for the LLFA to support the discharge of conditions 9 and 10

Note: The LLFA is not a statutory consultee in relation to foul drainage and as such, this response does not consider any foul drainage details submitted.

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## **Standing Advice to the Local Planning Authority**

### **1. Standing Advice – National Planning Policy Framework**

When determining planning applications, the local planning authority should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site-specific Flood Risk Assessment (FRA) confirming it will not put the users of the development at risk. Where an FRA is applicable this should be undertaken in accordance with the requirements of the National Planning Policy Framework and accompanying Planning Practice Guidance.

### **2. Standing Advice – Consent**

Where there are any works proposed as part of an application which are likely to affect flows in an ordinary watercourse or ditch, the applicant will require consent under Section 23 of the Land Drainage Act 1991. This is in addition to any planning permission that may be granted.

Guidance on this process and a sample application form can be found via the following website:  
<http://www.leicestershire.gov.uk/flood-risk-management>

Applicants are advised to refer to Leicestershire County Council's culverting policy contained within the Local Flood Risk Management Strategy Appendix document, available at the above link. No development should take place within 5 metres of any watercourse or ditch without first contacting the County Council for advice.

### **3. Standing Advice – Maintenance**

Note that it is the responsibility of the Local Planning Authority under the DEFRA/DCLG legislation (April 2015) to ensure that a system to facilitate the future maintenance of SuDS features can be managed and maintained in perpetuity before commencement of the works.

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Additional information and guidance is available here:

<https://www.leicestershire.gov.uk/environment-and-planning/flooding-and-drainage/>

*Note: Response provided by the Lead Local Flood Authority under the delegated authority of the Director of Environment and Transport.*