

**Delegated Report
Discharge of Conditions**

Planning Ref: 24/00154/DISCON
Applicant: .
Ward: Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Site: Land South Of The A5 Padge Hall Farm Hinckley

Application to discharge condition 19 (Flood Risk Assessment for A5 Road Lowering Works) from planning application 21/01191/HYB

Conditions and supporting details submitted to apply for the conditions to be discharged:

Condition 19

No development of the A5 road lowering works shall take place until an assessment of the fluvial flood risk to and resulting from this element of this scheme has been submitted to, and approved in writing, by the local planning authority (in consultation with the Environment Agency). The assessment shall also include:

1. Confirmation of any fluvial flood risks to the road lowering (including suitable hydraulic modelling or calculations for all fluvial flood events up to the design flood event, including an allowance for climate change (2022 guidance).
2. Details of any mitigation measures required to overcome any fluvial flood risk issues.

Any mitigation measures required shall be fully implemented prior to first use of the lowered road (A5) and subsequently in accordance with the scheme's timing/phasing arrangements. Any measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

C19 A5 Drainage Outfall Statement -ADC 1839-RP-AN v1 – Received 12 June 2024
Condition 19 – Supporting Statement to EA – Received 30 April 2024
C19 Flood Risk Modelling Technical Note – Received 16 February 2024

Consultees / Assessed by:

Environment Agency
National Highways
HBBC Drainage
LLFA

Conclusion / Summary:

Condition 19

A flood Risk Modelling Technical Note is provided which shows the results of the fluvial flood risk modelling on the Sketchley Brook in the vicinity of of the A5 road lowering works. The results demonstrate that the location of the A5 lowering works is not in a fluvial flood risk area and further mitigation works in respect of fluvial flood risk are not required. The study also assesses the surface water flooding at the A5 lowering location and the results will be used to inform the detailed drainage design at this location, however the surface water flood risk is shown to have no impact to fluvial flood risk extents. A Drainage Outfall Statement has been provided which details Sketchley Brook fluvial flood extents and details of the drainage outfall back up mitigation which will involve valves on the piped outfall which is detailed on drawing ADC1839/DR/043 in Appendix A where the concrete outfall structure will

comprise a minimum of two 300mm diameter pipes that discharge to the drain ditch, which also reflects existing drainage network. A new 750mm pipe is provided from the A5 to the drainage outfall due to the flat gradient and with the increased diameter will provide storage capacity within the pipe system in the event of submerged outfall. The structure to the outfall will incorporate a grated manhole cover that will allow drainage flows to overflow to the wider land drainage system in the event of exceedance flows or surcharging of the drainage system. The cover level will be set at a minimum of 600mm above the 100year + CC flood level in order to achieve a sufficient freeboard above the fluvial flood level. The Environment Agency and the Councils Drainage Officer have responded to the consultation. The LLFA have been advised of the response from the Environment Agency but no comments have been made. The Councils Drainage Officer is in acceptance of the details submitted to satisfy parts 1 & 2 of condition 19. The Environment Agency (EA) have stated that the details are also acceptable for parts 1 & 2 of condition 19. The EA have asked for a variation to the condition 19 contained within the decision notice to incorporate the notes.

The LPA cannot change the Decision Notice and that we are of the opinion that Condition 19 Parts 1 & 2 have been satisfied and the reason for not including any other details in the condition was due to the Borough Council having no control over the surface water for the drainage on the main site which is within Rugby Borough Council area and their Decision Notice under Condition 14 requires the surface water drainage scheme for the site. The LPA need to be satisfied that the lowering of the bridge which is associated to the development and is within Borough Councils area to ensure that mitigation measure to reduce the risk of fluvial flooding to the proposed development (A5 road lowering scheme) and to prevent flooding elsewhere by ensuring that any fluvial flood risk is appropriately managed in accordance with Policy DM7 of the adopted site allocations and development management policies development plan document (2016).

Any works within the highway will require a Section 278 agreement in place and any connection to Sketchley Brook will require a permit. Therefore, the conclusion for the application is that the condition is eligible to be discharged as the details demonstrate that the area where the road is to be lowered is not a flood risk area and that a mitigation proposal is in place to ensure that in time there will be no flooding as measures are to be put in place to take additional water if necessary.

Officer Recommendations:

Condition 19 Flood Risk Assessment & Mitigation Prior to lowering of the bridge - Discharge