



RESPONSE OF THE LEAD LOCAL FLOOD AUTHORITY TO CONSULTATION BY HINCKLEY & BOSWORTH BOROUGH COUNCIL

Application address Land South of 295 Main Street Stanton Under Bardon Leicestershire	Planning ref. 24/00828/REM
	Our ref. 2024/0828/04/F
Description Approval of reserved matters (layout, scale, appearance, landscaping and access other than vehicular access) of outline planning permission (ref: 22/00527/OUT) for residential development of 50 dwellings	Consultation date 05/09/2024
	Response date 26/09/2024
Planning officer Tim Hartley	Reviewing officer Jess Nobbs
Application type Reserved Matters	Extension requested <input type="checkbox"/>
No concerns	Further consultation required <input type="checkbox"/>

Lead Local Flood Authority Key Observations

Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 2.2 ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and predominately a very risk low of surface water flooding. High and medium of surface water flood risk areas indicate an ordinary watercourse to the east of the site. The proposals seek to discharge at 9.7 l/s via an attenuation basin to the aforementioned on-site watercourse.

The flood risk assessment submitted under outline planning reference 22/00527/OUT stated under section 1.9.3:

"All development proposals should, wherever possible, include measures to reduce and manage surface water through appropriate sustainable drainage systems (SuDS) Page 34 of 169 so as to minimise and manage flood risk and improve water quality in accordance with Policies CC03 and PMD03."

The LLFAs response at the outline stage (22/00527/OUT) highlighted that the Flood Risk Assessment had discounted the use of pervious paving based on invalid reasons. It was requested that the inclusion of pervious paving should be adequately considered in full prior to reserved matters stage in terms of volume control and pollution management and therefore, this needs to be considered at this stage. Where such source control SuDS are not proposed, evidence that the proposals provided suitable levels of treatment should be submitted in-line with CIRIA C753.

Leicestershire County Council as Lead Local Flood Authority (LLFA) advises the Local Planning Authority (LPA) that the application documents as submitted are insufficient for the LLFA to support the approval of the reserved matters. In order for the LLFA to support the proposals, the pervious paving (or other suitable source control SuDS) requested at outline planning should be considered within the layout.

Note: Reserved matters applications are reviewed by the LLFA in relation to details such as 'access', 'appearance', 'landscaping', 'layout' and 'scale' only, in line with article 2 of the Town and Country Planning Order 2015. This response does not consider any surface water specific conditions which must be consulted on separately once the reserved matters are approved by the LPA.

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.

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.