

Application address Land at Crabtree Farm, Hinckley Road, Barwell		Planning ref.	23/01175/FUL 23/01177/FUL 23/01184/FUL 23/01186/FUL
		Our ref.	2023/1175/04/F
Description Residential development of 51, 45, 16 and 14 dwellings (respective to planning reference in numerical order) (126 in total) with associated access, parking, LEAP and open space (revised scheme of 21/00695/FUL)		Consultation date	18/12/2023
		Response date	22/01/2024
Planning officer	Tim Hartley	Reviewing officer	Will Barber
Application type	Full	Extension requested	☒
Refer to standing advice ☐	Conditions ☐	Further consultation required ☒	Concerns ☐

Consultation checklist

No.	Description	Check
1	Location plan	☒
2	Proposed layout plan	☒
3	Evidence that the site can be drained	☐
4	Topographic and ground investigation details	☒
5	The total impermeable area pre and post development	☒
6	All potential flood risk sources have been identified and assessed	☐
7	Existing and proposed peak discharge rates	☒
8	Consideration of sustainable drainage systems	☐
9	Attenuation volume calculations	☒
10	Consideration of the maintenance and management of all drainage elements	☐

LLFA Key Observations and Advice

This response represents a combined response to 4 separate full applications which are ultimately 4 phases of the same development with reliance between them. This approach has been discussed and agreed by the Local planning Authority (LPA). The proposals are for a 4.6ha development site at Crabtree Farm for 126 dwellings. This site was originally submitted as 21/00695/FUL for 51 dwellings; these new submissions include a larger area to the west.

Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a low to medium risk of surface water flooding. A vein of medium to high surface water flood risk transects the site. This could indicate an on-site ordinary watercourse or surface water flow path that transects the site.

The surface water drainage proposals are shown together with other phases of the development covered in other planning applications. The majority of the proposals seek to discharge at 14.8 l/s via attenuation tanks and a wet attenuation pond to the on-site watercourse at the site's northern boundary and 3.5 l/s via a below ground attenuation tank for the north-east portion of the site only.

The proposals discuss connecting surface water to the existing adopted Severn Trent Water surface water sewers in Hinckley Road as proposed under the previous application 21/00695/FUL. The surface water drainage strategy plan shows connection to an existing culvert fronting the site. No details of this culvert have been provided.

Much of the attenuation provided is within proposed attenuation tanks as the proposed attenuation pond is undersized to service the entire site. However, all flows from the larger catchment are conveyed through the pond which is proposed to have a wetted area, and as such, first flush flows should have sufficient treatment before being discharged from the site. However, it is unclear from the details submitted whether the pond levels/dimensions can be accommodated within the space shown.

The smaller north-east catchment does not appear to have a SuDS treatment train. While it is noted that this area is considerably smaller, source control SuDS should be fully considered and utilised where viable (such as pervious paving etc.).

There is a ditch which runs through this site. This was adequately dealt with under the previous application 21/00695/FUL, however while it is noted within the FRA and the housing layout appears to cater for its location, no discussion of this features has been submitted. Furthermore, part of this ditch will require culverting. Locations where culverting is required should be identified and be in line with the LCC Ordinary Watercourse Regulation and Culvert Policy. There are concerns with some finished floor levels in proximity to this ditch in addition to there being inadequate access space for maintenance access. It is advised that the Council requires that an easement of approximately 3m for a watercourse less than 2m in width and 4.5m for watercourses over 2m in width. Whilst this is not stipulated within any legal byelaw the Council require this in order to safeguard access to the watercourse for essential maintenance and inspection purposes. If there are any proposed culverts in the developable area then the Council would require an easement of 3m or greater to ensure no loading in the 45 degree zone from invert.

An existing pond is shown on layout plans but is not discussed within the submission documents. Please confirm the current function of this pond and clarify how it is incorporated into the proposals.

In the previous application (21/00695/FUL), the applicant advised that the existing ditch through the site provides no drainage function as there are no incoming flows. However, it may be the case that this ditch and potentially the existing pond have been providing attenuation for the wider catchment by allowing surface water to surcharged from the existing ditch/culvert on Hinckley Road.

There are some finished flood levels adjacent to the existing ditch and pond which may be considered too low, however insufficient level details have been provided. Additional level data should be provided along with consideration to raise these finished flood levels to provided further protection to the occupants.

During recent flooding within Leicestershire the site and Hinckley Road to the north experienced floods as evidenced by photographs uploaded to the planning site. As such, there are concerns with regards to the potential to increase flood risk. The culvert to which the proposals discharge is assumed to connect to the watercourse to the east. The applicant should provide evidence that the culvert to which the development is proposed to connect is suitable to receive the proposed flows along with evidence of the downstream connectivity. Where the existing culvert connects to adopted Severn Trent Water system, support in principle from them must be provided.

Consultation with Severn Trent Water is mentioned within the Flood Risk Assessment, however no documentation has been submitted. The applicant should submit any consultation with Severn Trent Water including asset plans.

The applicant has submitted infiltration test results demonstrating that infiltration is not a viable method to drain the site of surface water.

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 provide a substantive response at this stage. In order to provide a substantive response, the following information is required:

- Full consideration of source control SuDS with implementation where viable.
- Clarification of the proposed surface water receptor, including:
 - Where seeking to discharge to the existing culvert, details of the condition/suitability of the existing culvert along Hinckley Road with evidence of downstream connectivity should be provided.
 - Where seeking to discharge to the existing STW adopted sewers in Hinckley Road, please provide evidence of consultation with STW which includes support in principle for the connections.
- Assessment of the existing on-site surface water drainage elements and their function.
- Details of how the existing on-site surface water features will be retained on-site with evidence of suitable maintenance access.
- Reassessment of proposed finished floor levels considering recent flooding, especially those properties along the line of the retained ditch and in proximity to the existing pond.
- Full consideration of the LLC Ordinary Watercourse Regulation and Culvert Policy (this can be found here: <https://democracy.leics.gov.uk/mgAi.aspx?ID=76679#mgDocuments>)
- Provision of a cross sections of the proposed pond which extends to the existing ditch. This should show proposed levels and gradients to scale and demonstrate the design is in line with CIRIA C753.
- Overland flow routing plan which considers and exceedance/blockage scenario.
- Consideration of how a surcharged outfall will impact on the ability of the proposals to function as intended.
- Further consideration of flood risk to account for the flooding observed during Storm Henk (January 2024).
- Evidence of consultation with Severn Trent Water along with their asset plans for this location.

- Review of the FRA to ensure all element relevant to the previous application 21/00695/FUL and not these new applications have been amended or removed.
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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.

This consent does not consider local watercourse bylaws. It is the responsibility of the applicant to check if the local borough or district council has their own bylaws which the proposals will also need to consider.

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.

4. Standing Advice – Overland flow routes

Overland flow routes as shown on the 'extent of flooding from surface water' maps should be considered such that buildings are not placed directly at risk of surface water flooding. Such flow routes should be utilised for roads and green infrastructure.

5. Standing Advice – Ditches

Where a drainage ditch adjoins or flows through a development, provision should be made such that the ditch can be made throughout the life of the development. The ownership and responsibility for maintenance of the ditch should also be clearly identified and conveyed to the relevant parties.

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.