

<b>Application address</b> Land To The East Of Ashby Road Ashby Road Hinckley Leicestershire		<b>Planning ref.</b>	25/01207/OUT
		<b>Our ref.</b>	2025/1207/04/F
<b>Description</b> Outline application for up to 103 dwellings (All matters reserved except access)		<b>Consultation date</b>	13/01/2026
		<b>Response date</b>	03/02/2026
<b>Planning officer</b>	Sullivan Archer	<b>Reviewing officer</b>	Danielle Degville
<b>Application type</b>	Outline	<b>Extension requested</b>	<input type="checkbox"/>
<b>Refer to standing advice</b> <input type="checkbox"/>	<b>Conditions</b> <input type="checkbox"/>	<b>Further consultation required</b> <input checked="" type="checkbox"/>	<b>Concerns</b> <input type="checkbox"/>

### Consultation checklist

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

### LLFA Key Observations and Advice

Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 5.53ha 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. The proposals seek to discharge at 16.1 l/s via swales and an attenuation basin to the adjacent watercourse.

The majority of the drainage strategy is found to be acceptable. However, the proposals seek to discharge to a watercourse shown off-site and outside the redline boundary. It is unclear if this land is within the applicant's ownership. Evidence of developer control over this land in order to make the outfall is required.

Notwithstanding any surface water drainage details submitted under this application, as the proposals are for outline permission, no specific drainage elements are fixed at this stage. As such, the LLFA would require that later reserved matters and detailed design fully comply with the new National Standards for SuDS and to any other amended local or national policy/guidance relevant at the time of submission of those details. This includes (but is not limited to) a re-assessment of discharge rates, contributing areas, attenuation scale and the retention of the first 5mm of rainfall on-site. Any departure from the standard should be fully substantiated and agreed with the LLFA.

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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 insufficient for the LLFA to provide a substantive response at this stage. In order to provide a substantive response, evidence of developer control or approval from 3<sup>rd</sup> party landowner is required for the point of discharge.

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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.

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.*