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| <b>Application address</b><br>Hydes Pastures, Watling Street, Hinckley.                                                                                                                      | <b>Planning ref.</b> 23/00613/FUL                   |
|                                                                                                                                                                                              | <b>Our ref.</b> 2023/0613/04/F/R1                   |
| <b>Description</b><br>Proposed Bio-CNG vehicle fuelling station comprising fuel dispenser islands, plant compound, landscaping, access, associated highway works and associated development. | <b>Consultation date</b> 04/01/2024                 |
|                                                                                                                                                                                              | <b>Response date</b> 15/01/2024                     |
| <b>Planning officer</b> Satbir Jandu                                                                                                                                                         | <b>Reviewing officer</b> Martin Coleman             |
| <b>Application type</b> Full                                                                                                                                                                 | <b>Extension requested</b> <input type="checkbox"/> |

### **LLFA Key Observations and Advice**

Minor changes to the surface water drainage proposals have been submitted relating to the above planning application.

The proposals are not considered to be major as defined by the Town and Country Planning Order 2010. The LLFA is a statutory consultee in relation to surface water flood risk for major applications only and as such is not a statutory consultee for this application.

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Leicestershire County Council as LLFA advises the LPA that the proposed development is not considered a major application and therefore the LLFA is not a statutory consultee for this application and offers **no comment**. Please refer to the enclosed standing advice.

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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.

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