



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

Application address Land Adjacent To Lockey Farm Hunts Lane Desford Leicestershire	Planning ref. 25/00393/REM
	Our ref. 2025/0393/04/RM
Description Approval of Reserved Matters (appearance, layout and scale) of outline planning permission 23/00061/OUT for residential development of up to 100 dwellings	Consultation date 12/05/2025
	Response date 28/05/2025
Planning officer Sullevan Archer	Reviewing officer Danielle Degville
Application type Reserved Matters	Extension requested <input type="checkbox"/>
No concerns	Further consultation required <input checked="" type="checkbox"/>

Lead Local Flood Authority Key Observations

Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 4.15 ha (1.65 ha impermeable) greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a low - medium risk of surface water flooding.

It is noted that the proposals submitted under the outline application 23/00061/OUT were approved at appeal without LLFA support.

The reserved matters application is considering appearance, layout and scale. The layout site plan shows the location of the proposed SuDS pond. However, significant issues were highlighted by the LLFA and information was requested at outline stage regarding drainage and discharge of surface water that was not provided. The LLFA is of the opinion that layout of the site cannot be agreed upon until such time as the drainage for the site is confirmed too.

According to the Outline Drainage Strategy Drawing, a surface water pumping station is proposed. Surface water pumped systems would only be approved where sufficient evidence has been submitted demonstrating all gravity drainage options have been exhausted with sufficient level detail provided to demonstrate pumping is required.

Should surface water be discharged via the watercourse, evidence of a formal third-party agreement with the landowner (or that the land is within the same ownership as the site) and confirmation of downstream connectivity should be provided. Should surface water be discharged into the STW surface water sewer, evidence of up-to-date consultation with STW should be provided (previous STW comments were valid for 6 months dated 2019).

The proposals submitted under application 23/00061/OUT suggested consideration of additional SuDS such as swales. Pervious paving was also noted as a viable option. From the details submitted under this reserved matters application, it is unclear if these have been proposed. The LLFA expects source control SuDS to be specified unless it is deemed (and agreed) that it would be unreasonable. In addition to treatment and attenuation benefits, source control SuDS

can also promote a reduction in discharge volume by promoting infiltration to the ground. Discharge volumes control is a requirement of NPPF and the Non-statutory technical standards for SuDS.

Ground investigations are proposed at a later date to determine potential for infiltration. However, on review of BGS mapping, it appears that the site is located over sands and gravels. This along with an apparent lack of existing drainage on-site suggests the site currently infiltrates to the ground. As such, the LLFA would want to see infiltration testing at this stage as an infiltration led surface water drainage design is likely to require a different site layout.

Leicestershire County Council as the LLFA advises the 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:

- Evidence of developer control over the land required for the proposed surface water outfall. Such as one of the following:
 - Evidence of formal agreement with the third-party landowner
 - Up to date consultation with STW regarding the surface water outfall location and discharge rate
 - Evidence that the outfall is located within the applicant's ownership boundary
- Evidence demonstrating that all gravity drainage options have been exhausted and pumping is required. This should include a plan showing full details of the existing drainage regime including:
 - Topographic details
 - Identification of all surface water drainage features such as ditches, pond, pipes etc. including (where relevant) there flow direction
 - Details of overland flow routes to, from and on-site
 - Identification of any existing on-site surface water drainage catchments and their receptors
 - Details of downstream connectivity of any identified surface water receptors
 - Identification of areas at flood risk (from current EA mapping)
- Where a pumping station is deemed necessary, invert levels of the on-site drainage and the off-site point of connection should be submitted.
- Attenuation calculations and scale plans to support the scale of SuDS proposed which must include a 40% allowance for climate change, 10% urban creep and a suitable freeboard (300mm to ponds).
- Infiltration testing to BRE Digest 365 (or similar approved) in order to demonstrate viability of the site for infiltration

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.