
From: Amy Jackson <Amy.Jackson@leics.gov.uk> on behalf of Ilfa <Ilfa@leics.gov.uk>
Sent: 07 August 2023 07:54
To: Planning Folder New
Subject: RE: Planning Application Consultation for LCC Drainage ref 23/00673/OUT
Attachments: LLFA Response - 2023-0673-04-F.pdf

Categories: Sonia

Good morning,

Please find attached the LLFA's response to the above planning consultation.

Kind regards,

Flood Risk Management (Infrastructure Planning) Environment & Transport Department Leicestershire County Council e. Ilfa@leics.gov.uk t. 0116 305 0001

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-----Original Message-----

From: planning@hinckley-bosworth.gov.uk <planning@hinckley-bosworth.gov.uk>
Sent: 19 July 2023 11:03
To: Ilfa <Ilfa@leics.gov.uk>
Subject: Planning Application Consultation for LCC Drainage ref 23/00673/OUT

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Application address Land Opposite and South of Pumping Station Aston Flamville Road Burbage		Planning ref.	23/00673/OUT
		Our ref.	2023/0673/04/F
Description Residential development of up to 343 dwellings (Class C3), including provision of public open space, associated infrastructure and all matters (access only) (re-submission of 22/01037/OUT)		Consultation date	19/07/2023
		Response date	07/08/2023
Planning officer Matt Jedruch		Reviewing officer	Amy Jackson
Application type Outline		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

Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 16ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a low to high risk of surface water flooding. The proposals seek to discharge at a total of 27 l/s, with peak flows limited to greenfield flow rates by SuDS attenuation basins discharging to existing watercourses. The proposals also suggest that bank levels of the main drain and drain will be raised, a flood storage area with flow control at the southern end of the site, and a 1m deep low flow channel adjacent to the Flood Storage Area with a lowered left-hand bank to allow excess waters to spill into the Flood Storage Area will be incorporated.

British Geological Survey data indicates that infiltration will likely not be feasible. However, ground investigations will be needed to confirm this, the applicant notes in the Flood Risk Assessment that this will be completed in the detailed design application and that QBar has been used to calculate runoff.

The existing site is at risk of surface water flooding in the 1 in 100 year plus climate change event. It is noted that the 1 in 100 year plus 50% climate change event has been provided for the pre-development scenario, but only the 1 in 100 year plus 30% for the post development scenario. National guidance states that for development with a lifetime beyond 2080, flood risk assessments are required to assess the upper end allowances. The proposals fall within the Soar catchment for which the upper end climate change allowance is 60%. Modelling should be updated to reflect this requirement for both the proposed and existing scenarios. It is advised that any modelling submitted to support a planning application must be checked and supported by the Environment Agency or an appropriately qualified third-party consultant. As this application is for outline approval, it is advised that this should be submitted at reserved matters application stage in order to support the proposed layout.

The proposals will require sections of watercourse to be culverted to allow for proposed road crossings. Note that the council's culverting policy requires culverting be kept to a minimum and where possible, existing culverts to be daylighted. The preferred option chosen by the applicant proposes the removal of three undersized culverts. Please note the works in ordinary watercourses require consent, please see paragraph 2 of the standing advice below.

The Council require 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 potential 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.

The proposals make no commitment to source control SuDS. This should be fully considered at reserved matters stage and implements unless adequately demonstrated to not be reasonable.

Leicestershire County Council as Lead Local Flood Authority (LLFA) advises the Local Planning Authority (LPA) that the proposals are considered acceptable to the LLFA and we advise the following planning conditions be attached to any permission granted.

Advised Conditions

1. No approval of reserved matters shall take place until such time as the following details have been submitted to, and approved in writing by the Local Planning Authority. Any subsequent design must be carried out in accordance with these approved details.
 - a. Modelling updated to reflect upper end climate change allowance for both the proposed and existing scenarios.
 - b. Full details of flood compensations areas supported by revised modelling, unless modelling/layout demonstrates that compensation is not required.
 - c. Details demonstrating finished floor levels are set at least 300mm above the modelled 1 in 100 year plus upper end climate change allowance.
 - d. Full consideration of source control SuDS.

Reason: To prevent flooding by ensuring the satisfactory placement and level of development relative to the existing watercourses and to minimise off-site surface water pollution risk.

2. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details and completed prior to first occupation.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

3. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority. The construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.

4. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.

5. No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.

Respective Condition Notes

1. Any modelling submitted to support a planning application must be checked and supported by the Environment Agency or an appropriately qualified third-party consultant in advance of submission.

Source control SuDS should be fully considered, and evidence provided to support any proposals which do not seek to implement them. Reference should be made to The SuDS Design Manual CIRIA C753 Chapter 26.

2. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.

Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for event durations up to the 24 hour (or longer where required) for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods with results ideally showing critical details only for each return period.

3. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
4. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual property ownership. For commercial properties (where relevant), this should also include procedures that must be implemented in the event of pollution incidents.
5. The results of infiltration testing should conform to BRE Digest 365 Soakaway Design. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an alternative approach. Where infiltration is deemed viable, proposed infiltration structures must be designed in accordance with CIRIA C753 "The SuDS Manual" or any superseding version of this guidance.

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 – Minor works

If a proposed building/wall or other construction appears to sit astride an indicated surface water flow route, the new build may deflect floodwater onto another person's property or raise flood levels by a significant amount locally. In these circumstances, the planning officer should contact the County Council to discuss whether consultation is necessary in that particular case.

5. Standing Advice – Overland flow routes

Overland flow routes as shown on the update map for surface water 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

6. 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.

7. Standing Advice – External surfaces

To prevent an increase in the discharge rate or volume due to development of external surfaces, permeable surface material should be utilised where possible, without an impermeable lining unless required to prevent mobilisation of contaminants or groundwater flooding.

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.