

Application address Land Adjacent 232 Ashby Road Hinckley Leicestershire		Planning ref.	25/00199/FUL
		Our ref.	2025/0199/04/F
Description Erection of 25 dwellings, new access off Normandy Way, amenity space, parking and community orchard		Consultation date	10/04/2025
		Response date	19/06/2025
Planning officer	Emma Baumber	Reviewing officer	Danielle Degville
Application type	Full	Extension requested	<input type="checkbox"/>
Refer to standing advice <input type="checkbox"/>	Conditions <input type="checkbox"/>	Further consultation required <input checked="" type="checkbox"/>	Concerns <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 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 0.9ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a low risk of surface water flooding. The proposals seek to discharge at 5 l/s via permeable paving and a geo-cellular tank to the nearby surface water sewer.

Some of the attenuation on site is located beneath areas within private householder land or potential private roads. With attenuation being on private land it runs the risk of maintenance access restrictions and may therefore lead to the attenuation being unavailable in the future. All

attenuation needs to be within open space and not below private driveways or roads, to ensure it remains functional for the lifetime of the development.

Paragraph 056 of the Planning Practice Guidance states that “preference should be given to multi-functional sustainable drainage systems”. Given this statement the LLFA would expect to see a more “green” approach to the drainage on site, and provide SuDS offering multiple benefits.

The drainage strategy suggests that at detailed design the permeable paving could be used for treatment and attenuation. Permeable paving within private homeowner land should only provide a treatment benefit and not account for attenuation. With attenuation being on private land it runs the risk of being tarmacked over or maintenance access restrictions, and may therefore lead to the attenuation being unavailable in the future.

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:

- Updated plan showing attenuation within land outside of private homeowner land
- Consideration of a more green, sustainable approach to the drainage on site

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.