

Application address Land North of Station Road, Market Bosworth		Planning ref.	24/01079/OUT
		Our ref.	2024/1079/04/F
Description Outline planning application for up to 126 dwelling (all matters reserved except access)		Consultation date	03/12/2024
		Response date	16/12/2024
Planning officer	Sullivan Archer	Reviewing officer	Jack Harriman
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 7.96ha 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 with an existing flow path identified transecting the site east to west.

The proposals seek to discharge at 35 l/s via two attenuation basins to the on-site watercourse. There are no existing flood risk concerns within the immediate downstream catchment.

The proposed discharge rate would be reflective of the entirety of the 7.96ha site being positively drained. The applicant should consider the developed area of the site and correct the site

discharge rate accordingly. As per industry guidance, the greenfield rate should exclude large open spaces and areas not intercepted by the proposed surface water drainage.

The proposed outfall is to a culvert below the existing railway to the west. The existing drainage regime for the site is unclear and it is not known if this is the existing and only outfall for the site. The applicant should submit an existing drainage plan which identifies sub-catchments on-site, receptors, drainage features, overland flow routing etc. The proposals should seek to mimic the existing drainage regime of the site and not result in catchment transfer. This plan should also assist in reviewing the proposed discharge rate.

Proposed SuDS are shown in proximity to a rail asset. It is unclear if this section of rail is operational or who owns it. Typically, Network Rail would not be acceptable SuDS within 30m of one of their assets. While this railway is not believed to be owned by Network Rail, this should be considered within the proposals and the asset owner consulted.

The development includes a proposal to divert an existing on-site watercourse with an existing culvert removed and proposed open watercourse in its place on the southern site boundary. The developer should consider the below standing advice on Consent in ordinary watercourses before finalising this element of proposals.

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:

- Amendment of the site discharge rate as noted.
- Update calculations to suit any change in discharge rate.
- Existing drainage regime plan to support the discharge rate and outfall.
- Consideration of source control SuDS, such as pervious paving.

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.