

Application address Ashfield Farm Kirkby Road Desford Leicester Leicestershire	Planning ref. 24/00709/REM
	Our ref. 2024/0709/04/F/R4
Description Application for approval of Reserved Matters (relating to Appearance, Landscaping, Layout and Scale for the erection of 120 dwellings and associated works.) attached to planning permission 22/01227/OUT (APP/K2420/W/23/3320601) including discharge of conditions 5 (Ecological Constraints and Opportunities), 6 (Bio Diversity details), 9 (Surface Water Scheme) and 11 (Site/Ground Investigation) of planning permission 22/01227/OUT.	Consultation date 11/06/2025
	Response date 30/06/2025
Planning officer Alex Jelley	Reviewing officer Harvey Speed
Application type Reserved Matters / Discharge of Conditions	Extension requested ☐
No concerns ☐	Conditional support ☒

Lead Local Flood Authority Key Observations

This application seeks the approval of Reserved Matters (relating to Appearance, Landscaping, Layout and Scale) for the erection of 120 dwellings and associated works. It also seeks to discharge Condition 9 set as part of Appeal Decision APP/K2420/W/23/3320601 (Local Planning Authority (LPA) reference 22/01227/OUT). Condition 9 reads:

9. With or before the submission of Reserved Matters a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include evidence to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element. The development must be carried out in accordance with these approved details and completed prior to first occupation.

Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 5.35 ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a very low to low risk of surface water flooding. The proposals seek to discharge at 23.5 l/s via pervious paving and a dry detention basin to an existing Severn Trent Water (STW) surface water sewer to the north-east of the site with two options.

The proposed site layout has altered slightly from the previous consultation, and from the layout that was approved in 22/01227/OUT. The latest changes show a reduction in the capacity of the attenuation basin from 1413m³ to 1355m³. This change is mostly due to a reduction in the freeboard of the pond from 595mm to 300mm, which is still compliant with freeboard requirements.

The LLFA has also been consulted on the matters relating to Condition 9, which requires full drainage details to be submitted. The LLFA provided an initial response on 5th June 2025 requesting the submission of further information as summarised below:

- A catchment area plan to support a revised set of hydraulic calculations
- Flood flow routing plan
- Private drainage details
- Cross-sectional details of the proposed attenuation basin and flow control chamber (site specific details, as opposed to typical details)

Runoff rate calculation / catchment area

The applicant has provided revised hydraulic model which now includes the areas of all impermeable surfaces. The approach undertaken is acceptable to the LLFA and is based on planning policy guidance at the time the original planning application was submitted.

Private / external levels

Some plot levels are lower than the modelled top water level of the downstream drainage network. This is likely to result in private plot drainage flooding prior to the main infrastructure drainage. It is not good practice to flood private plots by design.

Following further discussion on this matter with the applicant, the LLFA is in agreement that further details relating to private / external levels can be provided at a later stage and will therefore need to be conditioned as part of any subsequent approval of Reserved Matters.

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

Subject to the imposing of a new condition on any subsequent approval of the Reserved Matters, Leicestershire County Council as LLFA advises the Local Planning Authority (LPA) that the application documents as submitted are sufficient for the LLFA to support the discharge of Condition 9 of 22/01227/OUT.

Subject to the condition recommended below, Leicestershire County Council as LLFA also advises the LPA that the application documents as submitted are sufficient for the LLFA to support the approval of the Reserved Matters.

Condition:

1. With the exception of the attenuation basin and swales, no piped drainage infrastructure shall be constructed until such time as revised hydraulic calculations and private plot external levels have been submitted to, and approved in writing by the Local Planning Authority. The development must then 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.

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.