

Application address Land off Wood Lane, Higham on the Hill.	Planning ref. 23/00712/REM
	Our ref. 2023/0712/04/F
Description Approval of reserved matters (appearance, landscaping, layout and scale) of outline permission 21/01147/OUT (residential development for up to 61 dwellings, including a shop, open space, new access and associated works).	Consultation date 02/08/2023
	Response date 23/08/2023
Planning officer Matt Jedruch	Reviewing officer Martin Coleman
Application type Reserved Matters	Extension requested ☐
No concerns ☐	Further consultation required ☒

Lead Local Flood Authority Key Observations

This application seeks reserved matters approval (appearance, landscaping, layout and scale) of planning application 21/01147/OUT.

The location of the attenuation basin on the outline application layout is in the south-west of the site. The reserved matters layout shows the basin to be in the north-west of the site. The discharge rate is proposed to be 9.4 l/s. This change requires the basin to be deeper and as such, there are significant earthworks shown in order to facilitate this. This raises concerns with safety.

The outfall to the existing watercourse to the south is shown outside of the ownership boundary. The applicant must demonstrate there is developer control over the land where the outfall is indicated to be constructed. It is noted that the outline details did not show the outfall outside of the indicated ownership boundary.

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. In order to provide a substantive response, the following details should be submitted:

- Slope details/sections relating to the proposed basin and associated earthworks. These slopes should be in line with the recommendations within CIRIA C753 and fully consider health and safety. Where submitted details raise concerns, a ROSPA safety assessment may be required by the LLFA.
- Evidence of developer control over the land required for the construction of the proposed outfall.

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.