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| <b>Application address</b><br>Land East of Roseway Stoke Golding<br>Leicestershire                                     | <b>Planning ref.</b> 23/00344/DISCON                                     |
|                                                                                                                        | <b>Our ref.</b> 2023/0344/04/FDis                                        |
| <b>Description</b><br>Application to re-discharge C11, (Surface water)<br>attached to planning permission 20/00779/OUT | <b>Consultation date</b> 10/05/2023                                      |
|                                                                                                                        | <b>Response date</b> 10/05/2023                                          |
| <b>Planning officer</b> Lesley Keal                                                                                    | <b>Reviewing officer</b> Dan Killer                                      |
| <b>Application type</b> Discharge of Conditions                                                                        | <b>Extension requested</b> <input type="checkbox"/>                      |
| <b>No concerns</b> <input type="checkbox"/>                                                                            | <b>Further consultation required</b> <input checked="" type="checkbox"/> |

### Lead Local Flood Authority Key Observations

This application seeks to discharge Condition 11 set as part of the approval of application reference 20/00779/OUT. These conditions read:

*11. No development shall commence until drainage details for the disposal of surface water have been submitted in writing to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full before the development is first brought into use.*

All other conditions sought for discharge under this application do not relate to surface water and as such are not considered as part of this response.

Further to the LLFA's previous response (dated 07/11/2022) to planning application 22/00897/DISCON which supported the approval of conditions 11, 12, 13 and 14, updated plans indicate the removal of a surface water interception basin to the north of the turning head for Road 4. It is not clear how the exceedance flows from the flooded volume at manhole 5 during the 1in100 plus climate change event will be safely managed if the exceedance basin is removed. Flows generated by the site for up to the peak 1 in 100 year return period rainfall event plus climate change must discharge from the site in a controlled manner or be safely held within the site. Flows during this event must not be allowed to leave the site.

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 at this stage in relation to Condition 11. In order to provide a substantive response, the following information is required:

- Clarification on why the pond was removed and who requested this.
- Details demonstrating how exceedance flows from manhole 5 will be safely managed and contained within the site with the removal of the surface water interception basin to the north of the turning head for Road 4.
- Clarification of why predicated surface water flooding at Manhole S1 has changed from 23m<sup>3</sup> to 11m<sup>3</sup>. If there is revised modelling, please submit this for review.

Note: The LLFA is not a statutory consultee in relation to foul drainage and as such, this response does not consider any foul drainage details submitted.

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## **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.

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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.*