

Application address Land at Crabtree Farm, Hinckley Road, Barwell		Planning ref.	23/01175/FUL 23/01177/FUL 23/01184/FUL 23/01186/FUL
		Our ref.	2023/1184/04/F/R2
Description Residential development of 51, 45, 16 and 14 dwellings (respective to planning reference in numerical order) (126 in total) with associated access, parking, LEAP and open space (revised scheme of 21/00695/FUL)		Consultation date	24/04/2024
		Response date	08/05/2024
Planning officer	Tim Hartley	Reviewing officer	Jess Nobbs
Application type	Full	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

This response represents a combined response to 4 separate full applications which are ultimately 4 phases of the same development with reliance between them. This approach has been discussed and agreed by the Local planning Authority (LPA). The proposals are for a 4.6ha

development site at Crabtree Farm for 126 dwellings. This site was originally submitted as 21/00695/FUL for 51 dwellings; these new submissions include a larger area to the west.

Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 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. A vein of medium to high surface water flood risk transects the site. This could indicate an on-site ordinary watercourse or surface water flow path that transects the site. It should be noted that there are some ongoing surface water issues around the development site/in the Hinckley Road area.

The surface water drainage proposals are shown together with other phases of the development covered in other planning applications. The majority of the proposals seek to discharge at 14.8 l/s via attenuation tanks and a wet attenuation pond to the on-site watercourse at the site's northern boundary and 3.5 l/s via a below ground attenuation tank for the north-east portion of the site only.

Following our previous response made on 09/04/2024 we are not satisfied that some of the points have been addressed.

- The proposal is to discharge surface into the existing watercourse/culvert south of Hinckley Road. Information submitted as part of the most recent consultation states the culvert is approximately 300m in length and therefore cannot be CCTV'd but that the first 20m had been and was shown to be clear and flowing. To date, no evidence of this footage has been provided. **We still require further investigations in the form of a CCTV survey for the entire length of the culvert/watercourse from the point of discharge from the site to the outfall location.** As previously highlighted, there is anecdotal evidence of a ditch running along the northern part of the site adjacent to Hinckley Road and it should be investigated if there is opportunity for the ditch to be reinstated to assist with surface water drainage in and near to the development area.
- Secondary to this, the applicant has stated that they can 'revert to connecting stormwater into STW sewer if necessary'. As per the drainage hierarchy surface water should be discharged to a surface water body if it can, before reverting to a surface water sewer. The applicant should prove or disprove the original discharge proposal before looking to discharge into the STW system. **If this is not possible then approval in principle from STW will be required to prove that the site can be drained.**
- As in our previous response, the updated drainage strategy shows that there is a minimum 3.3m easement provided along the entire length of the ditch for all dwellings. There are several locations where this easement encroaches several parking spaces associated with the dwellings. Locations where culverting is required should be identified and be in line with the LCC Ordinary Watercourse Regulation and Culvert Policy. It is advised that an easement of approximately 3m for a watercourse less than 2m in width and 4.5m for watercourses over 2m in width. Whilst this is not stipulated within any legal byelaw the council requires this to safeguard access to the watercourse for essential maintenance and inspection purposes. In the most recent submission, it states that this has been added to the drainage strategy drawing, but this has not been provided. **It should be confirmed what the width of the watercourse is to ascertain if a 3m easement is acceptable.**
- As before, information submitted states the existing ditch and pond to the south of the site do not provide any drainage function. However, as highlighted before, it may be the case that this ditch and potentially the existing pond have been providing attenuation for the

wider catchment by allowing surface water to surcharge from the existing ditch/culvert on Hinckley Road. Other than the applicant stating that they are not drainage features and referring to the Government maps, no further investigations have been provided in the recent submission to support the statement that both do not provide any drainage function. **Further investigations should be conducted.**

- Highlighted previously, most of the finished floor levels adjacent to the existing ditch have been raised, however the finished floor levels adjacent to the pond have not. **Additional level data should be provided along with consideration to raise these finished floor levels to provide further protection to the occupants.**

It should be noted that the flooding issues along Hinckley Road are not limited to the location to the West of the site highlighted by the applicant and subsequent photographs but have been known to occur along the length of Hinckley Road and directly adjacent to the development site. As such, there are concerns with regards to the potential to increase flood risk.

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 applicant should reference the above comments and our previous consultation response.

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.