

Application address Land opposite Spring Acre, Lychgate Lane, Burbage.	Planning ref. 24/00179/REM
	Our ref. 2024/0179/04/F
Description Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale) following Outline Approval 22/00192/OUT (Allowed under appeal APP/K2420/W/23/3321670) comprising 82 dwelling, car parking, open space, children's play area and associated infrastructure	Consultation date 28/02/2024
	Response date 21/03/2024
Planning officer Sullivan Archer	Reviewing officer Martin Coleman
Application type Reserved Matters	Extension requested ☐
No concerns ☐	Further consultation required ☒

Lead Local Flood Authority Key Observations

This application seeks to Reserved Matters consent for appearance, landscaping, layout and scale as part of the approval of application reference 22/00192/OUT.

There is no evidence demonstrating that the pervious paving agreed in the outline application is to be implemented. Details should be provided showing the location of the previously agreed pervious paving or evidence to demonstrate that pervious paving has been deemed to be unsuitable.

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.

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 order to provide a substantive response, the applicant should provide details showing the location of pervious paving as confirmed at the outline application stage or suitable evidence demonstrating to the satisfaction of the LLFA that pervious paving is deemed not to be reasonably practicable.

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.