

Application address Land North Of Normandy Way Hinckley Leicestershire	Planning ref. 25/01143/REM
	Our ref. 2025/1143/04/RM/R1
Description Application for Reserved Matters (site layout, scale, appearance, and landscaping) of outline planning application 24/00264/OUT for 415 dwellings with associated internal road layout, car parking, drainage, and landscaping. Discharge of Outline Planning Conditions 2 , 4, 6, 9, 12, 13, 14, 16, 17 (Surface Water Drainage); 18 (Surface Water Management); 19 (Surface Water Maintenance); 20 (Infiltration Testing); 21 , 22 and 30	Consultation date 20/03/2026
	Response date 09/04/2026
Planning officer Alex Jelley	Reviewing officer Danielle Degville
Application type Reserved Matters	Extension requested ☐
No concerns ☐	Further consultation required ☒

Lead Local Flood Authority Key Observations

Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 16.9ha greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a predominately very low risk of surface water flooding with the sites western boundary having associated high risk areas due to the adjacent unnamed ordinary watercourse.

The site is proposed to be split into 4 sub-catchments, each seeking to discharge at the average greenfield runoff rate (estimated at 4.4 l/s/ha) for a total cumulative discharge rate of 50.1 l/s via rain gardens and associated attenuation basins to the aforementioned on-site watercourse at the western boundary.

This application looks to consider both reserved matters and discharge of surface water conditions for outline approval 24/00264/OUT.

A drainage strategy and engineering layout have been provided in support of this application. The runoff rates proposed are in line with those proposed at outline and are acceptable in principle. However, no source control SuDS have been proposed on site. The National Standards for SuDS (NSS) requires the retention of the first 5mm of rainfall on-site, and NPPF pushes for SuDS on all major applications. Therefore, features such as permeable paving, rain gardens, tree pits, swales, etc. must be provided on site. Swales were proposed at outline stage but appear to have not been provided. As this is a reserved matters and discharge of conditions application this information needs to be included at this stage in order for any approval to fix the layout and for the LLFA to consider recommending discharge of the drainage conditions.

The application is looking to discharge conditions 17, 18, 19 and 20 of outline application 24/00264/OUT. These conditions are as follows:

Condition 17

Any forthcoming Reserved Matters application shall include a surface water drainage scheme and foul water drainage scheme. The development must be carried out in accordance with these approved details and completed prior to commencement of development.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the National Planning Policy Framework.

Condition 18

No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority. The construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the National Planning Policy Framework.

Condition 19

No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development strategy in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the National Planning Policy Framework.

Condition 20

Any forthcoming Reserved Matters application shall include details of infiltration testing (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element.

Reason: To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy in accordance with Policy DM7 of the Site

Allocations and Development Management Policies DPD 2016 and the requirements of the National Planning Policy Framework

The information provided is not to an acceptable level as required for discharge of any of the above conditions. The following sets out what is required for each condition.

Condition 17

- Detailed design drawings, including cross/long section drawings of key drainage elements including flow control, attenuation and key drainage runs. Drawings should be final drainage engineering layouts and should not include “details to be confirmed”.
- Drainage/Engineering layout drawing should include full construction level detail for all drainage elements within the phase of development. This should include:
 - All adoptable and private drainage within the phase of development.
 - Model reference and level detail for flow control structures.
 - Bed and bank levels of attenuation structures for cross reference with the submitted model.
- Surface water model (Causeway, MicroDrainage, etc) making appropriate allowances for urban creep and climate change
- Manufacturers product detail for the relevant flow control device(s) to demonstrate suitability for the proposed uses.

Condition 18

- Comprehensive construction phase surface water management strategy, demonstrating the means by which the applicant will manage surface water within the development for the duration of the construction phase. This should include a works phasing plan, limiting extents of topsoil stripping and compaction to worked areas.

Condition 19

- Comprehensive management and maintenance schedule for all drainage elements for the lifetime of the development. This should include an indication of the party responsible for undertaking relevant maintenance

Condition 20

- Infiltration testing details, including:
 - logs of trial pits including dimensions, depth and location onsite (located where the feature will be constructed)
 - Method statement setting on that the tests were completed following BRE365 method
 - Log and graphs of water level in the trial pits
 - Photos (dated) and logs of soil type and depth of groundwater table
 - Results of the infiltration tests including calculations of infiltration rate (m/s)
 - Site plan indicating location of trial pits and location of any proposed features

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 information listed above is required.

Notes: 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. should be engaged in relation to elements not falling within the LLFA's remit.

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.