

Application address Land East of the Windmill Inn, Brascote Lane, Newbold Verdon	Planning ref. 25/00356/DISCON
	Our ref. 2025/0356/04/FDis16/R4
Description Application to discharge condition 16 (drainage) on Appeal Decision APP/K2420/W/23/3331081 relating to planning application 22/00277/OUT	Consultation date 17/10/2025
	Response date 07/11/2025
Planning officer Lesley Keal	Reviewing officer Rob Ryan-Matthews
Application type Discharge of Conditions	Extension requested ☐
No concerns ☐	Further consultation required ☒

Lead Local Flood Authority Key Observations

This application seeks to discharge Condition 16 set as part of Appeal Decision APP/K24020/W/23/3331081 relating to application reference 22/00277/OUT. Condition 16 reads:

16. Development shall not commence until a Surface Water Drainage Scheme has been submitted to, and approved in writing by, the local planning authority. The development must thereafter be carried out in accordance with these approved details and be completed prior to first occupation of the development.

The development approved by Appeal Decision APP/K24020/W/23/3331081 is for the erection of up to 239 dwellings.

The proposed drainage strategy includes two separate surface water networks with a restricted discharge of 23.3l/s and 11l/s respectively. Flows are attenuated within cascading attenuation basins, with each network having two basins.

Private Drainage Levels:

- As previously advised - Private drainage levels for Plots 42 to 45 are below the top water level of the receiving manhole S20 (following amendments, this has increased further to 127.030mAOD). Adjacent FFL's are set at between 126.80 and 127.00.

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 relation to Condition 16. The applicant is required to address the levels issue identified above.

Notes:

- 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.

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.