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| <b>Application address</b><br>Culloden Farm Ashby Road Twycross Atherstone<br>Leicestershire CV9 3QE | <b>Planning ref.</b> 25/00164/FUL                   |
|                                                                                                      | <b>Our ref.</b> 2025/0164/04/F                      |
| <b>Description</b><br>Creation of a wetland                                                          | <b>Consultation date</b> 04/03/2025                 |
|                                                                                                      | <b>Response date</b> 24/03/2025                     |
| <b>Planning officer</b> Matt Jedruch                                                                 | <b>Reviewing officer</b> Jess Nobbs                 |
| <b>Application type</b> Full                                                                         | <b>Extension requested</b> <input type="checkbox"/> |

### **LLFA Key Observations and Advice**

Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 2.1ha greenfield site is located within Flood Zone 3 being at high risk of fluvial flooding and a low, medium and high risk of surface water flooding.

Trent Rivers Trust as the applicant has been delivering river restoration schemes within the catchment of the River Mease since 2019, using funding provided from the Environment Agency (EA). The applicant advises that the design will excavate approximately 2474m<sup>3</sup> of spoil from the floodplain creating significant additional capacity to store floodwaters, therefore, flood risk will not be increased as a result of the scheme.

The proposals are not considered to negatively impact on surface water flood risk.

An EA main river is located within 20m of the site boundary and as such, the EA is a statutory consultee. While it is noted that the EA are aware of these proposals, the LPA should ensure the EA are formally consulted.

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Leicestershire County Council as the LLFA advises the LPA that the proposed development is considered to be acceptable based on the surface water details provided within the application. The development should be delivered in accordance with the details provided.

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### **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.

### **4. Standing Advice – Ground floor levels**

For developments in Flood Zone 2 or in 1:100 year Updated Flood Map for Surface Water outline, ground floor levels to be set at a minimum of whichever is higher;

- 300mm above the general ground level of the site OR
- 600mm above the Flood Zone 2 water level.
- Basement rooms to have unimpeded access internally to an upper level

In order to deliver safe development we advise that single storey buildings or ground floor subdivisions with no access to higher floors, should have access to a refuge set above the 1 in 1000 annual probability (0.1%) in any year flood level including an allowance for climate change.

### **5. Standing Advice – Overland flow routes**

Overland flow routes as shown on the 'extent of flooding from surface water' maps should be considered such that buildings are not placed directly at risk of surface water flooding. Such flow routes should be utilised for roads and green infrastructure.

### **6. Flood Resilient Construction**

For household extensions located within fluvial Flood Zones 2 and 3, flood resilient construction should be considered to minimise the impact of a flooding event. Ensure flood resilience plans follow guidance in the CIRIA [Property Flood Resilience Code of Practice](#).

Standards for materials and design approaches that will speed the recovery of buildings after flooding are available in [British Standard 85500:2015](#).

*Note: Response provided by the Lead Local Flood Authority under the delegated authority of the Director of Environment and Transport.*