

Application address Land North of Hill Top Farm Hill Top Earl Shilton Leicestershire	Planning ref. 24/00496/REM
	Our ref. 2024/0496/04/F
Description Approval of reserved matters (appearance, landscaping, layout, scale) for 140 dwellings and associated infrastructure pursuant to 21/00135/OUT.	Consultation date 30/05/2024
	Response date 20/06/2024
Planning officer Emma Baumber	Reviewing officer Andrew Smallwood
Application type Reserved Matters	Extension requested ☐
No concerns ☐	Further information required ☒

Lead Local Flood Authority Key Observations

This application seeks approval of reserved matters for a greenfield totalling 9.45 ha in size with the developable area being circa 3.5ha. It is estimated from the outline application that circa 1.6 ha of the developable area will be impermeable. The site is within Flood Zone 1 (low risk of fluvial flooding) and at a generally very low risk of surface water flooding, although there is a moderate to high risk of surface water flooding in the central and southern parts of the site. The surface water proposals seek to discharge to two onsite attenuation basins before being discharged at a QBar discharge rate of 19.9l/s to an existing ditch on-site.

While the LLFA finds that the layout as proposed in this application would be compatible with the indicative drainage strategy presented in the Outline Application. It notes that the ordinary watercourse corridor at the point where it intersects with the new road suggests a large culverted section will be required.

Please note that any works on or around the watercourse will require Ordinary Watercourse Consent from the LLFA. The LLFA has an anti-culverting policy and will only accept culverts where absolutely required and must be as short as is possible. Without significant mitigating factors, it is unlikely that these proposals would receive ordinary watercourse consent in its current form. Further information is required in relation to the ordinary watercourse corridor before a substantive response can be given.

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 relation to the reserved matters. In order to provide a substantive response, more detailed information

on the watercourse proposals are required, including culvert/bridge length and size, rationale for design, preliminary design drawings and any other supporting evidence.

Note: 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.