



RESPONSE OF THE LEAD LOCAL FLOOD AUTHORITY TO CONSULTATION BY HINCKLEY & BOSWORTH BOROUGH COUNCIL

Application address Land Off Station Road, Bagworth	Planning ref.	25/00990/FUL	
	Our ref.	2025/0990/04/F	
Description Full Planning Permission for the Erection of 46 Dwellings, Formation of Access, Associated Landscaping and Attenuation Pond	Consultation date	27/10/2025	
	Response date	17/11/2025	
Planning officer	Faizal Jasat	Reviewing officer	Danielle Degville
Application type	Full	Extension requested	<input type="checkbox"/>
Refer to standing advice <input type="checkbox"/>	Conditions <input type="checkbox"/>	Further consultation required <input checked="" type="checkbox"/>	Concerns <input type="checkbox"/>

Consultation checklist

No.	Description	Check
1	Location plan	<input checked="" type="checkbox"/>
2	Proposed layout plan	<input checked="" type="checkbox"/>
3	Evidence that the site can be drained	<input checked="" type="checkbox"/>
4	Topographic and ground investigation details	<input checked="" type="checkbox"/>
5	The total impermeable area pre and post development	<input checked="" type="checkbox"/>
6	All potential flood risk sources have been identified and assessed	<input type="checkbox"/>
7	Existing and proposed peak discharge rates	<input type="checkbox"/>
8	Consideration of sustainable drainage systems	<input checked="" type="checkbox"/>
9	Attenuation volume calculations	<input type="checkbox"/>
10	Consideration of the maintenance and management of all drainage elements	<input checked="" 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 1 being at low risk of fluvial flooding and a low to high risk of surface water flooding. The proposals seek to discharge at 2 l/s via pervious paving and a attenuation basin to the watercourse along the western boundary.

Over the lifetime of a development, it is possible that the overall impermeable area contributing to surface water runoff within the site could significantly increase (known as 'urban creep'). A 10% increase in impermeable area should therefore be included where appropriate to ensure that surface water drainage designs can cope with future increases in impermeable areas. Note that

the National Standards for SuDS requires the conveyance and attenuation to take account of all areas intercepted by the surface water proposals, including permeable surfaces.

The attenuation basin sits fully within the 100-year surface water outline. No information is provided on the effect the construction of the pond in this area will have on this risk. Care needs to be taken to ensure it does not increase flood risk off site. The LLFA request to see robust calculations or modelling to ensure this risk is not increased.

Given the flood risk in this part of the site, the LLFA request that the developer demonstrates that the proposed drainage strategy is able to function as required during a surface water event. A surcharged outfall needs to be considered. This information needs to be submitted for review.

There are several ditches shown on OS maps that do not appear on the site plan or drainage strategy. There are 3 mapped ditches on site: the western watercourse; a ditch along the southern site boundary; and a ditch separating the 2 land parcels forming the site, up in the northeast of the site area. The drainage strategy should include all ditches shown clearly on the plan. Any crossings of ditches should be clearly noted on the plan, and a separate land drainage consent will be required for these crossings, see advice note 2 below. The developer should also ensure that all watercourses have a minimum 3m easement for maintenance access.

It is suggested that the western watercourse is culverted along the site boundary. The LLFA would request that this culvert is daylighted where possible, if this is not possible then the reasons why should be provided for review.

The drainage strategy for the site looks to discharge to the western watercourse. The onward connectivity of the western watercourse is not clear. The watercourse should be traced to a suitable outfall and proof of onward connectivity provided for review by the LLFA.

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 order to provide a substantive response, the following information is required:

- Updated drainage strategy to include an allowance for urban creep
- Calculations or modelling to understand the effect the construction of the pond will have on the surface water flood risk outline, ensuring flood risk is not increased off site
- Calculations or modelling to show the drainage strategy still functions as required with a surcharged outfall
- Updated site plan and drainage strategy to include all drainage ditches on site, and clearly marked any crossing that will be required
- Maintenance easements on all ditches of a minimum of 3m easement
- Consideration of de-culverting the western watercourse
- Evidence of onward connectivity of the western watercourse

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.

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.