

Application address Land at Crabtree Farm, Hinckley Road, Barwell		Planning ref.	23/01175/FUL 23/01177/FUL 23/01184/FUL 23/01186/FUL
		Our ref.	2023/1184/04/F/R1
Description Residential development of 51, 45, 16 and 14 dwellings (respective to planning reference in numerical order) (126 in total) with associated access, parking, LEAP and open space (revised scheme of 21/00695/FUL)		Consultation date	27/03/2024
		Response date	09/04/2024
Planning officer	Tim Hartley	Reviewing officer	Jess Nobbs
Application type	Full	Extension requested	☐
Refer to standing advice ☐	Conditions ☐	Further consultation required ☒	Concerns ☐

Consultation checklist

No.	Description	Check
1	Location plan	☒
2	Proposed layout plan	☒
3	Evidence that the site can be drained	☐
4	Topographic and ground investigation details	☒
5	The total impermeable area pre and post development	☒
6	All potential flood risk sources have been identified and assessed	☐
7	Existing and proposed peak discharge rates	☒
8	Consideration of sustainable drainage systems	☒
9	Attenuation volume calculations	☒
10	Consideration of the maintenance and management of all drainage elements	☐

LLFA Key Observations and Advice

This response represents a combined response to 4 separate full applications which are ultimately 4 phases of the same development with reliance between them. This approach has been discussed and agreed by the Local planning Authority (LPA). The proposals are for a 4.6ha

development site at Crabtree Farm for 126 dwellings. This site was originally submitted as 21/00695/FUL for 51 dwellings; these new submissions include a larger area to the west.

Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the greenfield site is located within Flood Zone 1 being at low risk of fluvial flooding and a low to medium risk of surface water flooding. A vein of medium to high surface water flood risk transects the site. This could indicate an on-site ordinary watercourse or surface water flow path that transects the site. It should be noted that there are some ongoing surface water issues around the development site/in the Hinckley Road area.

The surface water drainage proposals are shown together with other phases of the development covered in other planning applications. The majority of the proposals seek to discharge at 14.8 l/s via attenuation tanks and a wet attenuation pond to the on-site watercourse at the site's northern boundary and 3.5 l/s via a below ground attenuation tank for the north-east portion of the site only.

The earlier proposals discussed connecting surface water to the existing adopted Severn Trent Water surface water sewers in Hinckley Road, however the most recent submission proposes surface water to be discharged into the existing watercourse/culvert just south of Hinckley Road. The surface water drainage strategy plan shows connection to an existing culvert fronting the site however no details of this culvert have been provided and it is not clear how this culvert connects to the wider network. Information should be provided in the form of a CCTV survey from the site to the outfall at watercourse or public sewer. It should be noted there is anecdotal evidence of a ditch running along the northern part of the site adjacent to Hinckley Road and it should be investigated if there is opportunity for the ditch to be reinstated to assist with surface water drainage in and near to the development area.

To satisfy the concern relating to the treatment provided by the attenuation pond, batters have been included within the drainage strategy and show the pond can be accommodated.

Permeable paving has been included to the parking spaces in the smaller north-east catchment to provide a SuDS treatment train, however there is no shown connection from the permeable paving to the attenuation tank on the drainage strategy plan.

The updated drainage strategy shows that there is a minimum 3.3m easement provided along the entire length of the ditch for all dwellings. There are several locations where this easement encroaches several parking spaces associated with the dwellings. Locations where culverting is required should be identified and be in line with the LCC Ordinary Watercourse Regulation and Culvert Policy. It is advised that an easement of approximately 3m for a watercourse less than 2m in width and 4.5m for watercourses over 2m in width. Whilst this is not stipulated within any legal byelaw the council requires this in order to safeguard access to the watercourse for essential maintenance and inspection purposes. It should be confirmed what the width of the watercourse is to ascertain if a 3m easement is acceptable.

The updated response states that the existing ditch and pond to the south of the site do not provide any drainage function. However, as highlighted in our previous response it may be the case that this ditch and potentially the existing pond have been providing attenuation for the wider catchment by allowing surface water to surcharge from the existing ditch/culvert on Hinckley Road. Other than the applicant stating that they are not drainage features, no further investigations have been provided in the recent submission to support the statement that both do not provide any drainage function. Further investigations should be conducted.

Most of the finished floor levels adjacent to the existing ditch have been raised, however the finished floor levels adjacent to the pond have not. Additional level data should be provided along with consideration to raise these finished floor levels to provide further protection to the occupants.

In our previous response we highlighted that during recent flooding within Leicestershire the site and Hinckley Road to the north experienced floods as evidenced by photographs uploaded to the planning site. As such, there are concerns with regards to the potential to increase flood risk. The applicant should provide evidence that the watercourse and the culvert to which the development is proposed to connect is suitable to receive the proposed flows along with evidence of the downstream connectivity. Where the existing culvert connects to adopted Severn Trent Water system, support in principle from them must be provided.

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 applicant should reference the above comments and our previous consultation response.

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.