

Application address Land South of Sacheverell Way Groby Leicestershire		Planning ref. 25/01213/OUT	
		Our ref. 2025/1213/04/F/R3	
Description Outline planning application for a residential development of up to 180 dwellings, alongside associated access via two junctions from Sacheverell Way, green and blue infrastructure (including drainage, landscaping and public open space), ancillary infrastructure, and enabling ground remodelling (All matters reserved except access).		Consultation date 08/09/2026	
		Response date 05/10/2026	
Planning officer Ashleigh Gade		Reviewing officer Alisha Baskcomb	
Application type Outline		Extension requested ☒	
Refer to standing advice ☐	Conditions ☒	Further consultation required ☐	Concerns ☐

LLFA Key Observations and Advice

Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the 10.55ha 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 43.68l/s via swales and an attenuation basin to on-site watercourse. There are no existing flood risk concerns within the immediate downstream catchment.

The LLFA notes the submission of the Drainage Technical Note dated 2nd September 2026 and has the following comments.

The discharge rate remains unacceptable to the LLFA. Section 3.29 of the National Standards for SuDS states that *“The entire development area that could potentially drain to the proposed surface water drainage system in an extreme event shall be used for estimating greenfield runoff rates and volumes (including both permeable and impermeable surfaces)”*. There are areas around the perimeter which will clearly be unmodified by the proposals and continue to drain off-site and not captured by the on-site proposals. Additionally, some greenfield overland flows on-site will be intercepted by the existing watercourse and conveyed separately from the on-site surface water drainage proposals.

The LLFA understands the current calculations include the climate change and urban creep factors, however, as the LLFA does not agree with the discharge rate on which they are added.

The infiltration rates demonstrated in Appendix II of the Foul and Surface Water Drainage Strategy are not sufficient to support the use of the 25:1 interception ratio as the tests were only conducted in each pit once. In order to utilise the 25:1 ratio each pit needs to be tested three times and achieve the acceptable rate after the third test. Therefore, the proposals are not currently

demonstrating compliance with Standard 2 of the National Standards for SuDS (NSS) and retention of the first 5mm of rainfall on-site. Further infiltration testing is required (complying with BRE Digest 365 Soakaway Design).

Any formally submitted planning applications are required to adhere to the latest policy, including NPPF (updated August 2026), requiring removal of culverts within development sites (NPPF Policy F8: Sustainable drainage systems and watercourses, part 3). However, it is acknowledged that de-culverting of this length may pose constraints on the form of the development. Given that the submitted modelling has demonstrated and formalised a flow route for surface water that cannot enter this culvert, it is accepted that risks associated with not de-culverting this watercourse are somewhat addressed. However, the LLFA still request consideration be given to de-culverting (partially or otherwise) within the detailed design submitted at reserved matter applications stage.

Notwithstanding the above, it is noted that the site has the potential to accommodate an NPPF and NSS compliant surface water drainage scheme and as such, the LLFA has sufficient confidence to condition further details against the reserved matters stage.

This outline application, where approved, does not fix the type, location and scale of specific drainage elements at this stage. As such, the LLFA would require that later reserved matters and detailed design fully comply with the new National Standards for SuDS and to any other amended local or national policy/guidance relevant at the time of submission of those details. This includes (but is not limited to) a re-assessment of discharge rates, contributing areas, attenuation scale and the retention of the first 5mm of rainfall on-site. Any departure from the standard should be fully substantiated and agreed with the LLFA.

Leicestershire County Council as Lead Local Flood Authority (LLFA) advises the Local Planning Authority (LPA) that the proposals are considered acceptable to the LLFA and we advise the following planning conditions be attached to any permission granted.

Advised Conditions

1. Prior to approval of the first Reserved Matters application, details of the surface water drainage strategy must be submitted to, and approved in writing by the Local Planning Authority. Submitted details shall include evidence that:
 - a. proposals comply with the National Standards for Sustainable Drainage Systems (SuDS) (or any equivalent replacement).; and
 - b. infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element and to support calculations required by Standard 2 (interception) of the National Standards for SuDS.

The development must be designed in accordance with the approved details.

Reason: To ensure the approved layout adequately considers the requirements of the National Standards for SuDS in order to prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site. To demonstrate that the site is suitable (or otherwise) for the use of infiltration techniques as part of the drainage strategy.

2. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by the Local

Planning Authority. The development must be carried out in accordance with these approved details and completed prior to first occupation.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

3. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority. The construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase.

4. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system shall then be maintained in accordance with these approved details in perpetuity.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development.

Respective Condition Notes

1. The detailed surface water drainage strategy shall include details of how each standard within the National Standards for SuDS has been addressed. Submitted plans shall show where each proposed SuDS feature will be located, detailed levels, catchment areas and calculations to support the proposed discharge rate(s) and the scale of attenuation provided.

The results of infiltration testing should conform to BRE Digest 365 Soakaway Design. The LLFA would accept the proposal of an alternative drainage strategy that could be used should infiltration results support an alternative approach.

Where infiltration is deemed viable, proposed infiltration structures must be designed in accordance with CIRIA C753 "The SuDS Manual" or any superseding version of this guidance.

Where infiltration testing results support an infiltration led surface water drainage strategy, the applicant must provide further site investigation details demonstrating peak ground water levels are not within 1m below the base of any proposed infiltration structure.

2. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.

Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for event durations up to the 24 hour (or longer where required) for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change return periods with results ideally showing critical details only for each return period.

3. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.
4. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual property ownership. For commercial properties (where relevant), this should also include procedures that must be implemented in the event of pollution incidents.

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 – 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.

5. Standing Advice – Ditches

Where a drainage ditch adjoins or flows through a development, provision should be made such that the ditch can be made throughout the life of the development. The ownership and responsibility for maintenance of the ditch should also be clearly identified and conveyed to the relevant parties.

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 Growth, Environment and Transport.