

<b>Application address</b> Welland Avenue, Gartree, Lubenham		<b>Planning ref.</b>	21/01600/OUT
		<b>Our ref.</b>	2021/1600/03/F
<b>Description</b> Outline Planning Application with all matters reserved except for means of access and scale for the construction of a new Category B prison of up to 82,555sqm.		<b>Consultation date</b>	22/09/2021
		<b>Response date</b>	12/10/2021
<b>Planning officer</b>	Mark Patterson	<b>Reviewing officer</b>	Amy Jackson
<b>Application type</b>	Outline	<b>Extension requested</b>	<input type="checkbox"/>
<b>Refer to standing advice</b>	<b>Conditions</b>	<b>Further consultation required</b>	<b>Concerns</b>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<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 type="checkbox"/>
6	All potential flood risk sources have been identified and assessed	<input checked="" type="checkbox"/>
7	Existing and proposed peak discharge rates	<input type="checkbox"/>
8	Consideration of sustainable drainage systems	<input 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

The application site is greenfield totalling 28.9ha. Leicestershire County Council as Lead Local Flood Authority (LLFA) notes that the site is located within Flood Zone 1 being at low risk of fluvial flooding and surface water risk on site is generally low. However, there are two high risk surface water flow paths associated with onsite watercourses running in a north-easterly to southerly direction and a north-westerly to southerly direction respectively through the site. The surface water proposals seek to discharge to onsite storage tanks and an attenuation basin before being discharged at a greenfield discharge rate to a watercourse located to the south-east of the site.

A flood risk assessment for the site suggests that infiltration may not be feasible. However, ground investigations are to be conducted to confirm this.

A climate change allowance of 40% has been proposed in line with latest Environment Agency guidance.

It is noted that while discharge rates have been advised, no supporting calculations have been submitted. It is advised that it is not clear if the stated greenfield discharge rates are correct due to varying site areas stated within the submission. In calculating the allowable discharge rate, the area used must not include areas within the redline boundary where the drainage regime will be unmodified by the proposals, in-line with industry best practice. An existing catchment plan should be submitted to support this calculation.

Notwithstanding the concerns of the validity of the greenfield rates advised, it has also not been stated at what rate the proposals will discharge. It is advised that as the proposals are to a greenfield site, the volume of discharge will increase, which will require mitigated through discharging at no greater than QBar for the peak event.

While the proposals are for outline approval, the level of details submitted is significant and it is therefore assumed that the layout proposed is intended to be largely unchanged through the detailed design process. As such, the diverted watercourse should be advised noting that the council's culverting policy would not allow culverting of existing or diverted watercourse unless it can be demonstrated to be unavoidable. Furthermore, the scale of the SuDS indicated should be evidenced through the provision of suitable calculations based on the correct QBar discharge rate noted above.

The LLFA has concerns relating to the level of surface water treatment being provided within the central and eastern catchments. Consideration must be given to further SuDS features within these catchments. We would recommend a swale or filter drain be used for the final run outside the security fence towards the outfall. This will provide additional treatment and reduce the risk of blockage. These features could potentially be incorporated into the diverted watercourse. The applicant will require consent from the LLFA under Section 23 of the Land Drainage Act (1991) in relation to any changes to an existing watercourse. This is in addition to any planning permission that may be granted.

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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:

- Utilisation of the QBar discharge rate in-line with best practice guidance with supporting calculations
  - An assessment of the required attenuation volume in order to maintain the proposed discharge rates for each catchment. This should be supported by an assessment the total impermeable area
  - Evidence that the scale of SuDS proposed is sufficient to attenuation peak surface water flows generated within each catchment
  - Details relating to the diversion of existing watercourses
  - Consideration of further SuDS features as discussed above.
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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 – Overland flow routes**

Overland flow routes as shown on the update map for surface water 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.

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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.*