**CONSULTATION UNDER TOWN AND COUNTRY PLANNING ACT 1990**

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| **Application Number** | PL/2022/00150/DIS |
| **Address** | Moat Barn Oldwich Lane East Fen End Solihull CV8 1NR |
| **Proposal** | Discharge condition Nos. 4 (Drainage: Foul and Surface Water Drainage Plan drawing no. 21-39-03 Drainage & Landscaping Plan) and 6 (Landscaping: Hard and Soft Landscaping Plan drawing no. 21-39-03 Drainage & Landscaping Plan) on planning approval PL/2013/01734/CU |
| **Case Officer** | Ian Hiscock |

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| **Date comments sent** | **17/02/22** |
| **Name of consultee department** | **Lead Local Flood Authority** |
| **Consultation response author** | **Jessica Nobbs**  |

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| No Comments |  |
| No Objection | **X** |
| No Objection Subject to Conditions |  |
| Objection |  |
| Further information Requested |  |
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| **Comments:** (Please explain the reason for your response) |
| Given that it is proposed to connect the development to a new soakaway, it is recommended that the applicant carries out soakaway tests to ensure that the proposed soakaway will work and is sized correctly. As the borough predominantly has impermeable soils there is a reasonable chance that the soakaway, unless correctly sized, designed and constructed, will not infiltrate effectively and will pose a flood risk as a result. Further advice, guidance and reviews of infiltration tests can be obtained from Solihull Council as the Lead Local Flood Authority (LLFA) on 0121 704 8000 or drainage@solihull.gov.uk If the applicant chooses not to carry out infiltration tests and/or installs an ineffective soakaway, the applicant is potentially making themselves legally liable if the soakaway causes flooding on neighbouring land. Solihull Council as the LLFA has a duty to investigate all reports of flooding, including flooding on and from private land. |
| **Further information required (if applicable):**(Please explain the reason for your response) |
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| **Amendments recommended (if applicable):**(Please explain the reason for your response) |
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| **Recommended conditions (if applicable):**(Please provide justification for any pre-commencement conditions) |
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| **If the application is to DISCHARGE CONDITIONS, please confirm the list of documents you are approving below:** |
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| **If the application requires a S106 contribution/ requirement, please include the following information:**Please note: The legal tests for when a S106 contribution can be requested are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended). The regulations and guidance can be viewed here: <https://www.legislation.gov.uk/ukdsi/2010/9780111492390/regulation/122> and <https://www.legislation.gov.uk/uksi/2010/948/contents/made> and <https://www.gov.uk/guidance/planning-obligations> and The tests are:1. Necessary to make the development acceptable in planning terms;
2. Directly related to the development; and
3. Fairly and reasonably related in scale and kind to the development.
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| * Contribution description
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| * Contribution amount £ (if applicable). Please provide justification.
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| * Trigger point for payment (i.e. upon commencement of development, upon first occupation, upon 50% occupation…)
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| * Trigger point for works to be undertaken (if applicable)
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