

17th May 2023

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Leanne Palmer
Section 62A Applications Team
The Planning Inspectorate
3rd Floor
Temple Quay House
2 The Square
Temple Quay
Bristol, BS1 6PN

Dear Ms Palmer,

Land east of Pines Hill, Stansted Mountfitchet, CM24 8EY (reference S62A/2023/018)

Outline planning application submitted under Section 62A of the Town and Country Planning Act 1990

The development of up to 31 No. residential dwellings with all matters reserved for subsequent approval, except for vehicular access from Pines Hill which is submitted in detail.

I am writing to you further to receiving comments from the LLFA about the above Section 62a outline planning application at Pines Hill.

I note that the LLFA have submitted a holding objection to the application and raise the following points of clarification:

- *Please clarify how it is intended to ensure the long-term existence and maintenance of the individual soakaways, since these are located within private back gardens.*
- *Section 4.11 of the Drainage Strategy states that 'the worst rate obtained was 2.68x10⁻⁶m/s and this rate has been used in the design of the infiltration features on the site', yet Section 6.3 states that 'an assumed infiltration rate of 1x10⁻⁵m/s has been used as the basis for the design'. Please clarify this discrepancy.*

- *Please provide the distance the soakaways will be located from the foundations. Soakaways should be a minimum of 5m away from any foundations, and up to 20m away when infiltrating into chalk, which according to the Table 1 represents the sites solid ground conditions.*

Please find attached an accompanying letter from the applicant's drainage engineer responding to each of these points, along with an amended copy of the Foul and Surface Water Drainage Strategy.

A plan has been included in Appendix F of the attached updated Drainage Strategy (drawing no. SK100 Rev P04) showing the indicative location of the soakaways throughout the site and meeting the 5m distance requirement away from foundations as required by the LLFA. In addition to this indicative plan and to give greater certainty through reserved matters and detailed design of the scheme, it is recommended that the following planning condition (or similar wording) is imposed on the grant of outline planning permission to ensure that the local planning authority (in consultation with the LLFA) approve the final drainage and soakaway designs that are submitted through reserved matters and discharge of conditions:

No development hereby permitted shall commence until a detailed drainage design is submitted and approved by the local planning authority that shows the use of warning membrane and/or above ground markers confirming the location of the soakaways, unless agreed in an alternative location by the local planning authority, and, which records the area around the soakaways as a no dig / no build zone to prevent the soakaways being damaged in the future and ensure their long-term existence.

It is also recommended that the following condition (or similar wording) is imposed on the grant of outline planning permission that ensures the maintenance strategy as set out in submitted Drainage Strategy is undertaken:

Concurrently with the submission of any reserved matters applications in relation to the development and prior to the commencement of development hereby permitted a surface/foul water drainage scheme in accordance with the principles set out in the Foul and Surface Water Drainage Strategy prepared by TURN2 Ltd and dated 16th May 2023 shall be submitted to and approved in writing by the local planning authority. This scheme shall include:

- 1. The timetable for the implementation of the surface/foul water drainage scheme;*
- 2. A management and maintenance plan for the lifetime of the development (including detail of inspections and clearance of silt/debris from the catch pits in respect of soakaways) which shall include the arrangements for any adoption of drainage apparatus by a public body or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime;*

The approved surface/foul water drainage scheme shall be implemented, retained, managed and maintained thereafter in accordance with the details as approved.

This condition will provide greater certainty and delivery of the drainage strategy through the detailed design of the development, submission of reserved matters and discharge of conditions, during construction and ongoing maintenance.

In addition, if the inspector considers it necessary to provide additional protection to the soakaways, the applicant would have no objection to a planning condition being imposed withdrawing permitted rights which dwellings would normally benefit from in terms of erecting extension or buildings in the curtilages of residential dwellings (Classes A and E of the Town and Country Planning (General Permitted Development)(England) Order 2015)(as amended).

Please can I therefore request that the LLFA are reconsulted with this submission, to allow them to withdraw their holding objection.

If you have any queries, please do not hesitate to contact me.

Yours sincerely,



Peter Biggs BSc (Hons) DIP TP MRTPI
Director
PJB Planning

