



Unit 4 Brices Yard, Butts Green, Langley Upper Green, Saffron Walden, Essex. CB11 4RT

By Email Only

11th October 2024

Dear Gemma,

Re: Consultation Response –S62A/2024/0058– Land adjacent to Village Hall, East of Cambridge Road, Ugley, Bishops Stortford, Hertfordshire, CM22 6HR

I write in response to your holding objection relating to the above site. Firstly, we are surprised that a holding objection has been issued when the submitted information formed part of a pre app with your colleague Alison, which was positive, see Appendix A. Also, the majority of the additional information requested has already been provided or can be secured via condition.

Point 1: Formal drainage should be provided for the road to ensure the runoff from the access road/Highway receives sufficient water quality treatment as set out in the CIRIA SuDS Manual C753.

As detailed in the Proposed Drainage Layout at Appendix E of the Drainage Strategy, the road levels are proposed so that they will drain via low maintenance kerb gaps into filter strips along the western edge of the road, which then channels the water into the Swale, this meets SuDS Manual requirement.

This was confirmed via the pre-app “*The site makes good use of above ground SuDS to manage, store and convey surface water, they provide sufficient treatment and sufficiently attenuate the water prior to infiltration.*”

Point 2: Full detailed infiltration testing needs to be provided in line with BRE365 and the infiltration testing methods found in chapter 25.3 of the CIRIA SuDS Manual C753. This includes three consecutive tests to confirm the viability of infiltration on site. The infiltration report should include the locations and results. The lowest found rate should be used as a conservative approach.

These were provided with the Pre-App and the subsequent application. The Pre-app confirmed the following:

“The site has good infiltration potential and therefore surface water will be infiltrated into the ground by means of a soakaway. Infiltration testing has endorsed this and results have evidenced an infiltration rate of 3.05×10^{-4} , this rate is within the acceptable parameters for the LLFA.

Point 3: 10% for urban creep should be applied to the impermeable areas used to calculate the required storage, in accordance with BS8582.

This has been considered and included in the size of the storage, which is 23% larger than required.

Point 4: Soakaways should be a minimum of 5m away from any foundations and up to 20m if infiltrating into chalk. It should also be confirmed that the base of the soakaway is at least 1m from the highest average groundwater level.

Drainage strategy proposes that all surface water is channelled into the swale which will have a large soakaway beneath it. This is located over 5m from the nearest house.

The pre app confirmed that this was acceptable:

“Primary storage would be provided by a wetland/attenuation area above the soakaway and properties will be provided with water butts for rainwater re-use. Surface water will be conveyed to the wetland by roadside swales. The required storage is 83.69m³, with the volume being provided at 108.29m³ this therefore satisfies the LLFA’s requirements.”

Point 5: Detailed drainage network calculations are required using the input and design settings as specified within the Drainage Calculations Guide. Summary of results should be provided for the 1yr, 30yr and 100yr plus 40% climate change storms.

As set out on page 5 of the drainage statement the drain down time of the soakaway is so fast that calcs for the 1 in 30 year and 1 in 1 year storm are redundant. You’ll see from inspection that distance from the individual houses to the filtrations strip, is relatively short and the indicated pipe sizes will be more than sufficient. Notwithstanding this, these will be calculated and checked as part of the final design should planning be approved.

Point 6: The maintenance of the permeable paving on individual property driveways should be considered.

The drainage strategy has been updated to include this, but this is a matter that can be dealt with via condition also.

NPPF Paragraph 173: When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment⁵⁹. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;

c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;

d) any residual risk can be safely managed; and

e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

In regard the above points it is clear that sufficient information has been provided to confirm that a viable and acceptable drainage solution can be achieved on site in line with NPPF Paragraph 173 and that any additional information required can be secured by condition.

This position is regularly taken by Inspectors in relation to Appeal Decisions, with the St Edmunds Lane Appeal provided at Appendix B, a recent example of this. Where the detailed surface drainage scheme for the site is condition 10.

It is also not uncommon for this to be conditioned where there is considerably more uncertainty than in relation to this site. For example, the Salsbury Street appeal is provided at Appendix C. This site had various drainage options proposed but none confirmed as deliverable. Despite this the Inspector concluded at paragraph 26 that:

*“Clearly, further work is required to demonstrate that the preferred, or indeed any other, option is achievable and would not lead to increased flood risk elsewhere. At this stage in proceedings, this is an undesirable situation. However, a range of options have been presented and **a final scheme could be secured by planning condition**. If this were a pre-commencement condition, then it would provide sufficient safeguard to ensure that development could not proceed in the face of unacceptable schemes that would increase flood risk elsewhere. If the required works were so extensive or significant to require a separate grant of planning permission in their own right, that would adequately safeguard the interests of neighbouring landowners, who may wish to be consulted on such a scheme.” [our emphasis added]*

These Inspectors have concluded that it is acceptable to condition the final drainage scheme.

It is therefore proposed that the following condition is applied to this application:

“No development shall take place, including any ground works until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority.

The scheme should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753. If infiltration is viable, an infiltration scheme should be used in accordance with the Drainage Hierarchy.*
- If infiltration is not feasible, discharge rates must be limited to a maximum of 1.2l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event. All relevant permissions to discharge*

from the site into any outfall should be demonstrated, inclusive of the settlement chamber.

- *Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.*
- *Half Drain Time - demonstrate that features are able to accommodate a 1 in 10 year storm event within 24 hours of a 1 in 30 year event plus climate change. This requires hydraulic modelling to be run for both storm events.*
- *Provision of 10% urban creep allowance.*
- *Final modelling and detailed calculations for all areas of the drainage system. Full drainage network details and results to be produced within modelling software. This includes the manhole schedule, design criteria and input variables, area summaries, outfall details, modelled storm details and simulation criteria, flow control structure details, and the summary of results for critical storms for the 1yr, 30yr and 100yr plus 40% climate change storms. Sewer Network Design should demonstrate that there is No Surcharging for the 1 in 1yr RP.*
- *The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753. This must acknowledge the site being within a SPZ.*
- *The provision of permeable paving for any required hardstanding where possible.*
- *Demonstration that the sediment chamber which will be used to convey surface water, has been cleared of any blockage and is in fully working condition.*
- *Detailed engineering drawings of each component of the drainage scheme, including the pond.*
- *A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.*
- *An updated drainage strategy incorporating all of the above bullet points including matters already approved highlighting any changes to the previously approved strategy.”*

I trust the information provided gives you a clear understanding of our proposals and will enable you to recommend the appropriate conditions to the planning inspector. Given the stage of this S62A Application I would appreciate if you could respond to this letter as a priority.

Yours Sincerely,
Bill Bampton FTC tec Eng
CEO and technical director Pelham Structures Ltd.