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Sent: 08 May 2012 11:26
To: Planning Apps
Cc: Sarah Tucker; Nick Westwood
Subject: PT11/1442/O - WX/2011/118845

Ms S Tucker
South Gloucestershire Council
Development Control
PO Box 2081
Bristol
Avon
BS35 9BP

Our ref: WX/2011/118845/07-L01
Your ref: PT11/1442/O
Date: 08 May 2012

Dear Ms Tucker

DISC CONTAINING A COPY OF THE REVISED FRA AND DRAINAGE STRATEGY FO SITE. - ERECTION OF UP TO 500 DWELLINGS ON 26.21 HECTARES OF LAND WITH PUBLIC OPEN SPACE, ASSOCIATED WORKS AND ACCESS. OUTLINE APPLICATION INCLUDING ACCESS WITH ALL OTHER MATTERS RESERVED AT LAND AT PARK FARM, BUTT LANE, THORNBURY

The Environment Agency has recently received a revised Flood Risk Assessment (FRA) dated 4 April 2012.

The Local Planning Authority (LPA) need to be satisfied with the Sequential Test with respect to this development. There must be no residential development within Flood zone 3 or 2 as agreed with South Gloucestershire Council through their Core Strategy. The boundary of Flood Zone 2 is very close to the residential development layout on the northern side of the watercourse.

Notwithstanding the above, we can now WITHDRAW our objection, however, the proposed development will only be acceptable if the following measure(s) as detailed in the Hyder Flood Risk Assessment dated March 2012 submitted with this application are implemented and secured by way of planning conditions on any planning permission:

CONDITION:

The development permitted by this planning permission shall only be carried out in accordance with the approved Hyder Flood Risk Assessment (FRA) dated March 2012 and the following mitigation measures detailed within the FRA:

1. All development will be located outside the fluvial flood zone 3 and 2.
2. A maximum allowable surface water discharge of 39l/s (i.e. 5.1l/s/ha) for all storms up to the 1 in 100 year event with climate change.
3. The development will provide 6,451m³ of surface water attenuation through a range of sustainable drainage techniques.

REASON:

1. To ensure the development and third party land are safe from flood risk.
2. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
3. To reduce the impact of flooding on the proposed development and future occupants.

CONDITION:

No development shall commence until detailed surveying of the Pickedmoor Brook's bank crest through the development has been submitted and approved by the LPA. This new survey data must be incorporated into Hyder's hydraulic model and rerun to ensure that the development is located outside flood zones 3 and 2.

REASON:

To reappraise the current FRA's bank sensitivity work and ensure that the development is located outside Flood Zone 3 and 2, and accords with South Gloucestershire Council's Core Strategy and the National Planning Policy Framework (NPPF).

NOTE:

It's advised that this new survey and model update is undertaken at the earliest opportunity as a flood map challenge. The revised baseline should be used to confirm the layout and the road design.

CONDITION:

No development shall commence until the detailed design of the highway and the box culvert crossing the Pickedmoor Brook and its floodplain has been submitted and approved by the LPA. A hydraulic assessment of the highway design must be undertaken as part of this assessment.

REASON:

To ensure that the highway design does not increase the risk of flooding to the development or to third parties.

NOTE:

As the Lead Local Flood Authority Land Drainage Consent from South Gloucestershire Council will be required for the culvert.

CONDITION:

No development approved by this permission shall be commenced until the scheme for the provision and implementation of a surface water runoff limitation has been submitted to and approved in writing by the LPA. The scheme shall be completed in accordance with the approved programme and details.

REASON:

To prevent the increased risk of flooding.

CONDITION:

No development shall take place on land to which reserved matters relate until the detailed drainage design for each plot, phase or parcel of land, incorporating sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, have been submitted to and approved by the LPA. The scheme shall subsequently be implemented in accordance with the approved details before the plot or parcel is completed.

REASON:

To prevent the increased risk of flooding as a result of the development in accordance with NPPF.

NOTE:

The above conditions have been recommended to ensure that the principles of the agreed FRA are delivered as the development comes forward. It is important that sufficient attenuation storage is provided for each phase of development and this should be clearly demonstrated in an updated FRA / masterplan which show discharge rates and SuDs control measures for each plot.

Each reserved matters application will need to demonstrate a suitable drainage scheme in accordance with the approved masterplan to allow recommended approval for any detailed layout proposals.

CONDITION:

No development shall commence until a full operation and maintenance strategy shall be submitted to and formally approved in writing by the LPA. The strategy shall identify the ownership, operational and maintenance arrangements for the works over the lifetime of the surface water drainage scheme.

REASON:

To ensure that the works provide the necessary mitigation against flooding for the lifetime of the existing and proposed development.

CONDITION:

A strip of land 5 metres wide adjacent to the top of the banks of all watercourses fronting or crossing the site must be kept clear of all new buildings and structure (including gates, walls and fences). Ground levels must not be raised within such a strip of land.

REASON:

To preserve access to the watercourse for maintenance and improvement.

CONDITION:

An "as built/volume check survey" of the SUDS drainage scheme must be submitted to and formally approved in writing by the LPA upon substantial completion of the drainage works and in any event prior to the first occupation of any dwellings.

REASON:

To ensure that the drainage scheme has been built in accordance with the Hyder FRA Drainage Strategy.

The following informatives and recommendations should be included in the Decision Notice.

Under the Water Resources Act 1991 and the Land Drainage Act 1991 both the Environment Agency and the Local Authority have permissive powers to maintain watercourses. Their jurisdiction depends on the watercourse designation as "Main River" or "Ordinary Watercourse". However, responsibility for general maintenance of the watercourses and their banks, rest with riparian owners.

Applicants or developers should be made aware of their responsibilities to ensure that the operations do not interfere with riparian owners common law rights to receive water undiminished in quantity or quality. If any watercourses

crossing the site are interrupted or diverted then, notwithstanding the need for any statutory consents or licenses, it is the applicant's responsibility to take appropriate steps to protect the rights of the riparian owners, for which he has a liability.

There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.

Development which involves a culvert or obstruction to flow on an Ordinary Watercourse will require Land Drainage Consent under the Land Drainage Act 1991. An Ordinary Watercourse is defined as any watercourse not identified as a Main River held on maps by the Environment Agency and DEFRA.

Please note that the conditions and informatives covered under separate correspondence to the LPA dated 20 July 2012 remain relevant.

A copy of the subsequent decision notice would be appreciated.

We have sent a copy of this letter to the applicant's agent for information.

Please quote the Agency's reference on any future correspondence regarding this matter.

Yours sincerely

RICHARD BULL

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